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August 1, 2013

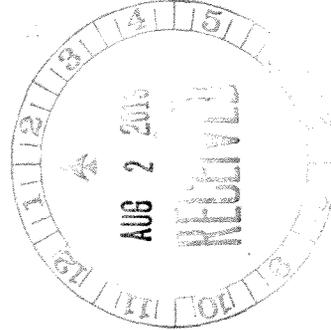
VIA FEDERAL EXPRESS

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

ENTERED
Office of Proceedings

AUG 2 2013

Part of
Public Record



Re: **Docket No. AB-303 (Sub-No. 41X)**
Wisconsin Central Ltd. -- Abandonment
Exemption -- In Winnebago County, Wisconsin

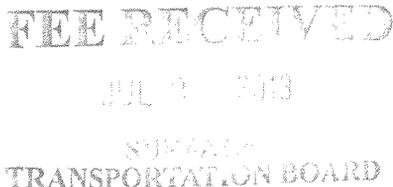
Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Petition for Exemption of Wisconsin Central Ltd.**, dated July 30, 2013. A check in the amount of \$6,500, representing the appropriate fee for this filing, are 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. Finally, one extra copy of the Petition and this letter are enclosed. I would request that you date-stamp those items to show receipt of this filing and return them to me in the provided envelope.

The original copy of the Environmental/Historic Report (Exhibit E 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.



Respectfully submitted,

Audrey L. Brodrick
Attorney for Wisconsin Central Ltd.

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

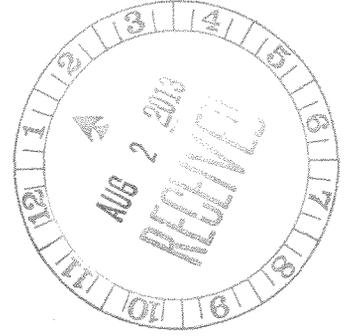


234624

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 41X)

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



FEE RECEIVED
JUL 2 2013
SURFACE
TRANSPORTATION BOARD

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

FILED
JUL 2 2013
SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings
AUG 2 2013
Part of
Public Record

Thomas J. Litwiler
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: August 1, 2013

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 41X)

WISCONSIN CENTRAL LTD.
-- ABANDONMENT EXEMPTION --
IN WINNEBAGO 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 "Galloway Spur," extending from Milepost 206.27 at Henry Street to the end of line at Milepost 206.5 near South Commercial Street in Neenah, Winnebago County, Wisconsin, a distance of approximately 0.23 miles. 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 rail and track materials on the Galloway Spur will remain in place and will be transferred to Galloway Company, the sole shipper on the Galloway Spur, so that it may expand and improve its facilities for continued and future increased rail service. In its current configuration, Galloway's facility in Neenah cannot handle its recent growth in business, largely due to the fact that its rail facilities are not sufficient to handle such volume. Because the Galloway Spur will simply be converted from a regulated line of railroad to private industry track, Galloway Company will remain a rail-served property after the abandonment. Galloway

Company fully supports WCL's petition to abandon the Galloway Spur as the company's future business development is dependent on its ability to expand its rail facilities. A letter from Galloway Company in support of WCL's petition to abandon is attached hereto as Exhibit C.

Aside from existing rail traffic to Galloway Company, there is no reasonable possibility for the development of other rail traffic as the stub-ended Galloway Spur serves only Galloway Company and there is no further trackage beyond the Galloway facility. See Exhibit A. An original verification as required under 49 CFR 1152 is attached hereto as Exhibit D.

As discussed further below, abandonment of the Galloway Spur plainly satisfies the exemption criteria of 49 U.S.C. § 10502, and this petition should be granted.

In accordance with 49 C.F.R. § 1150.60(d), a copy of this petition has been served on the parties designated in 49 C.F.R. § 1152.50(d).

I. IDENTIFICATION OF PETITIONER

Petitioner WCL is a common carrier by rail which owns or operates approximately 2400 route miles of rail line in the states of Illinois, Indiana, Michigan, Minnesota 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 Galloway Spur is a single-track, stub-ended line that begins at a connection with WCL's mainline at milepost 206.27 at Henry Street and continues to milepost 206.5 near South Commercial Street in Neenah, Wisconsin where it connects with Galloway Company's private track. The total distance is approximately 0.23 miles. The trackage beyond South Commercial Street was abandoned by WCL's predecessor in 1994. See Fox Valley & Western Ltd. -- Abandonment Exemption -- In Winnebago and Fond du Lac Counties, WI, Docket No. AB-402 (Sub-No. 1X) (ICC served April 5, 1994). Galloway Company is the only shipper on the Galloway Spur.

The right-of-way of the Galloway Spur is generally 66 feet wide. Pursuant to 49 C.F.R. § 1152.60(d), WCL states that, based on information in its possession, the Galloway Spur does not contain federally granted rights-of-way. Any relevant documentation on this subject in WCL's possession will be made available promptly to those requesting it. The Galloway Spur traverses United States Postal Service Zip Code 54956.

III. JURISDICTION AND STATUTORY STANDARDS

The Board has jurisdiction over the proposed abandonment of WCL's Galloway Spur 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 Galloway Spur is consistent with the goals articulated in the national Rail Transportation Policy, 49 U.S.C. § 10101. As explained above, Galloway Company has experienced a significant increase in business and its current facilities cannot adequately handle this increase in business. To meet the demands of this new business, Galloway Company needs to expand and re-develop its rail facilities so that it can increase its rail services to accommodate its business growth. Thus, by allowing WCL to abandon the Galloway Spur and transfer the line and property to Galloway Company for further expansion and development, WCL will see an increase rail traffic and revenue in the future. This transaction will allow WCL to meet the needs of Galloway Company and increase WCL's revenues, as well as encourage the honest and effective management of railroads. Additionally, the transaction will promote the development of an economically sound and efficient transportation system. 49 U.S.C. §§ 10101(3), (4), (5) and (9).

The rail transportation policy also provides that the Board should minimize the need for federal regulatory control over the rail transportation system, expedite regulatory decisions and reduce barriers to exit. 49 U.S.C. §§ 10101(2), (7), 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 procedure herein would minimize Board regulation of this transaction and reduce the regulatory burden on WCL.

None of the other rail transportation policy criteria will be adversely affected. Galloway Company is the only shipper located on the line and there is no further trackage

beyond the Galloway facility. After abandonment, rail services will continue and in fact increase to Galloway Company.

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 0.23 miles and which serves only one shipper. Additionally, there is no reasonable prospect of future rail traffic, beyond that to Galloway Company, as there is no further trackage beyond the Galloway facility. 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, Galloway Company is the only shipper on the line and there is no further trackage beyond the Galloway facility. Rail service to Galloway Company will continue after abandonment. 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. Subsequent to abandonment, Galloway Company will remain a rail-served facility and in fact, WCL and Galloway Company anticipate an increase in rail traffic as a result of the abandonment and Galloway Company's facility expansion. WCL 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 E to this Petition.

WHEREFORE, WCL respectfully requests that the Board exempt from the prior approval requirements of 49 U.S.C. § 10903 the abandonment by WCL of its Galloway Spur extending from milepost 206.27 to milepost 206.5 in Neenah, Winnebago County, Wisconsin.

Respectfully submitted,

By: Audrey L. Brodrick

Thomas J. Litwiler
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: August 1, 2013

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of August, 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:

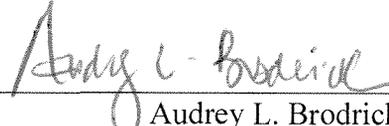
Mr. Ron Adams
Director, Bureau of Railroads and Highways
Wisconsin Department of Transportation
P.O. Box 7910
Madison, WI 53707-7910

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

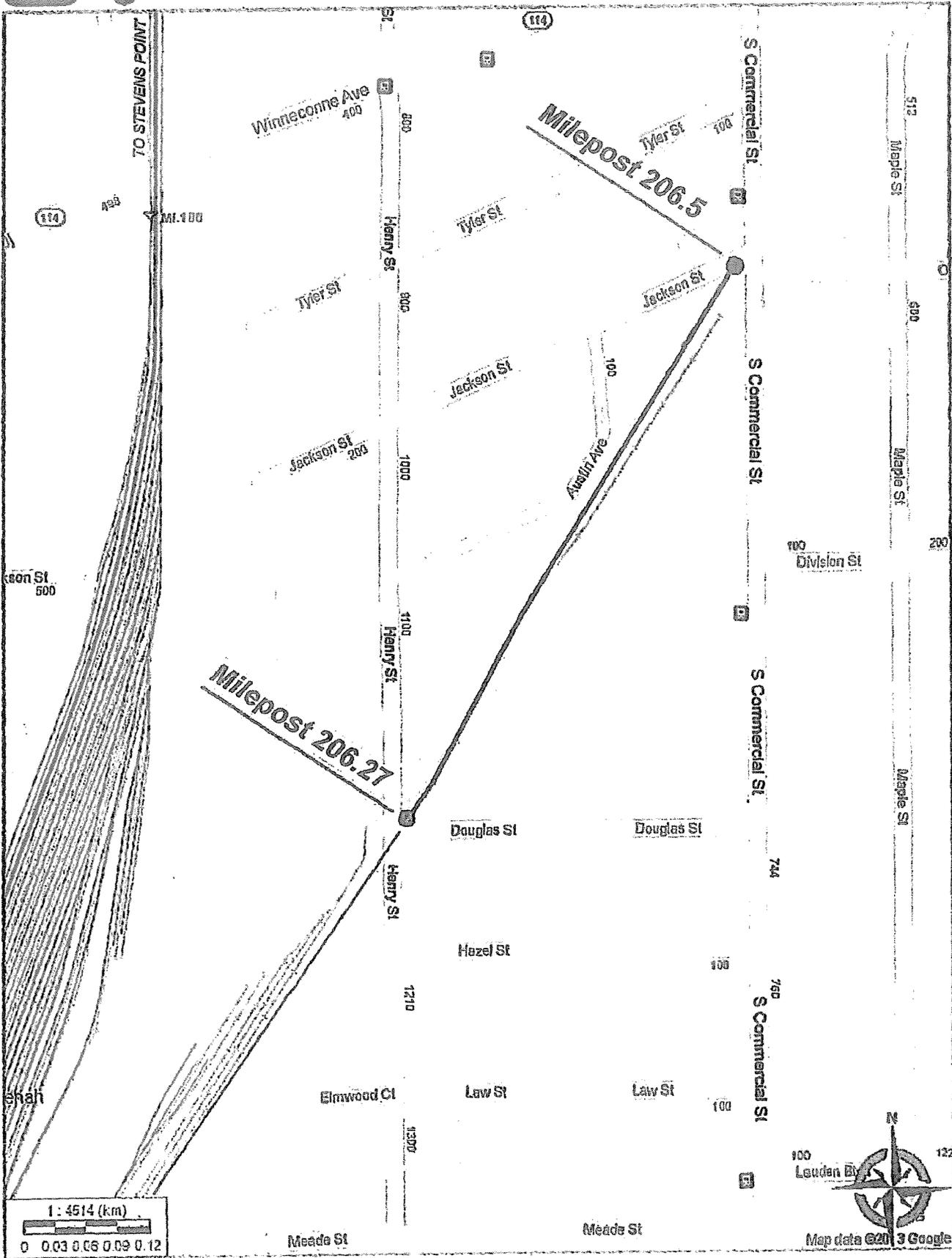
Military Surface Deployment & Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

Galloway Company
601 South Commercial Street
P. O. Box 609
Neenah, Wisconsin 54957



Audrey L. Brodrick

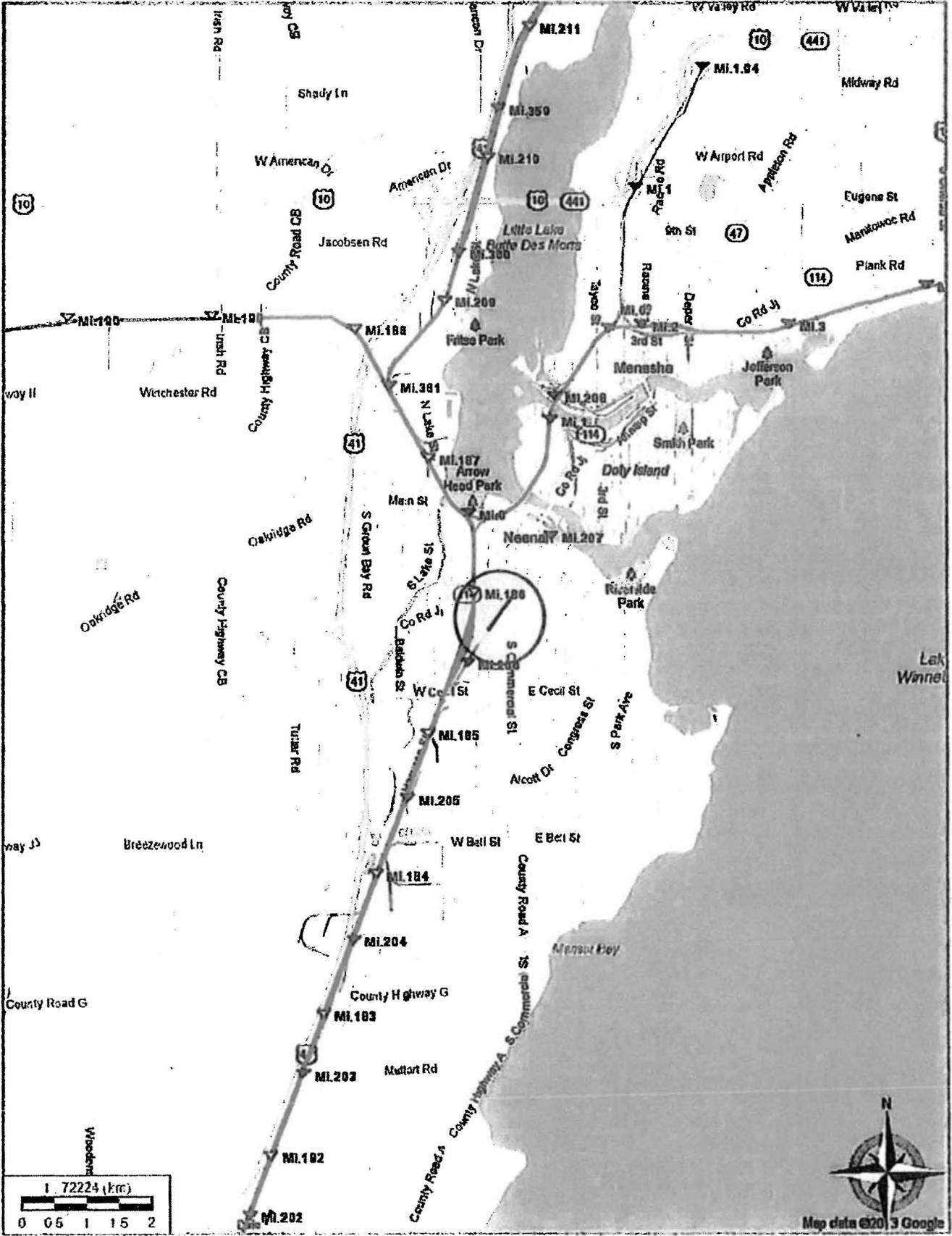
Neenah, Wisconsin



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Neenah, Wisconsin



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Federal Register Notice

Docket No. AB-303 (Sub No. 41X)

Notice of Petition for Exemption to Abandon

On July 31, 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, known as the Galloway Spur, extending from milepost 206.27 at Henry Street and the end of the line at milepost 206.5 near South Commercial Street in Neenah, Winnebago County, Wisconsin, a distance of approximately 0.23 miles. The line for which the abandonment exemption request was filed traverses United States Postal Service ZIP Code 54956.

The line does not contain federally granted rights-of-way. 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.



May 28, 2013

Re: Petition for exemption for the abandonment, AB – 303 (Sub-No. 41X)

Dear members of the Surface Transportation Board:

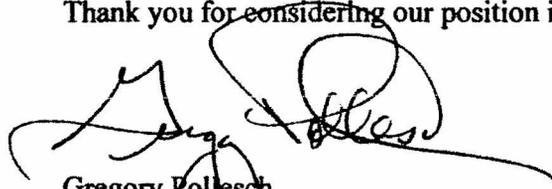
I am writing this letter in support of, and to stress the importance of Wisconsin Central Ltd.'s ("WCL") petition for exemption for the abandonment of line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin.

Galloway Company ("Galloway") is the sole shipper along the Galloway Spur. The Galloway facility in Neenah is the end of WCL's mainline and accordingly, there is no rail service beyond the Galloway facility. Galloway is a manufacturer of liquid dairy products and has a single plant located in Neenah, WI.

In recent years, Galloway has experienced a significant increase in business, and as a result, a significant demand for an increase in rail services. All three of our product lines have had significant growth over the past five, with a large portion of that volume coming in the form of packaged (vs. bulk) products. In our current state, Galloway's facility in Neenah, Wisconsin cannot handle this growth, largely due to the fact that our current rail facilities are not large enough to handle such volume. In order to effectively grow and handle this increase in business, Galloway needs to expand its facility and re-develop the property to allow for an increase in rail service. To accomplish this goal, Galloway and WCL have come to agreement whereby WCL will convey the very limited trackage identified above so that Galloway can re-develop the property and rail facilities and make the necessary changes to accommodate the expansion of its business. After the completion of this re-development, WCL will continue to service Galloway. Of course, this agreement is contingent upon the Board's approval of WCL's petition for exemption to abandon the Galloway Spur and end its common carrier service on this portion of railroad line.

Without the Board's approval of WCL's petition for abandonment of the Galloway Spur, Galloway cannot expand its business and rail service needs to accommodate the current demands of its clients. Accordingly, Galloway supports WCL's petition to abandon in full. If you need any more information, please do not hesitate to contact me.

Thank you for considering our position in support of WCL's abandonment of the Galloway Spur.



Gregory Pollesch
Chief Financial Officer



The First Name in Quality Dairy Products

VERIFICATION

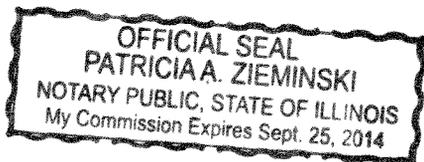
State of Illinois)
)
County of Cook)

Patrick JONES, being first duly sworn on oath, deposes and states that he is the Manager Public Works for The Illinois Central Railroad Company, in the foregoing cause; that he has read the foregoing Petition and that the facts contained therein are true and correct to the best of his knowledge, information and belief.

Patrick Jones
Name: Patrick JONES

SUBSCRIBED AND SWORN TO
Before me this 30 day of
July, 2013

Patricia A. Zieminski
Notary Public



BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 41X)

WISCONSIN CENTRAL LTD.
-- ABANDONMENT EXEMPTION --
IN WINNEBAGO 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 "Galloway Spur," extending from milepost 206.27 at Henry Street to the end of the line at milepost 206.5 near South Commercial Street in Neenah, Winnebago County, Wisconsin, a distance of approximately 0.23 miles.

After receiving authority to abandon, WCL will convey the track and property to Galloway Company, the sole shipper currently on the Galloway Spur, so that it may expand and improve its facilities. Aside from existing rail traffic to Galloway Company, there is no reasonable possibility for the development of new rail traffic as the stub-ended Galloway Spur serves only Galloway Company and there is no further trackage beyond the Galloway facility. A

map showing the location of the Galloway Spur and surrounding area is attached herein as Appendix A.

The rail and track materials will remain in place following abandonment, and will be transferred to Galloway Company to allow that company to expand and reconfigure its facilities as necessary. Galloway Company will remain a rail-served property after the abandonment. The railbed and subgrade of the Galloway Spur will remain in place and not be disturbed. There are no grade crossings within this abandonment. There are no bridges located along the Galloway Spur 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.

No alternatives to the proposed abandonment have been considered.

WCL has contacted and requested comments from the Winnebago County Board of Supervisors. 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 adversely affected by the proposed abandonment since WCL intends to continue service to the sole shipper currently located on the Galloway Spur. Thus, no rail traffic will be diverted to other modes as a result of abandonment. WCL does not conduct overhead rail movements on the stub-ended Galloway Spur, and no passenger trains are operated over the line.

WCL has contacted and requested comments from the Wisconsin Department of Transportation. See correspondence attached hereto as Appendix C. WCL has received no comments to date.

3. Land Use.

(i) WCL does not foresee any inconsistency with regional and/or local land use plans. After abandonment, the right-of-way of the Galloway Spur will be incorporated into Galloway Company's existing facility. WCL 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 Galloway Spur. See correspondence attached herein as Appendix D and D-1.

(ii) WCL believes that the proposed abandonment of the Galloway Spur 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. See correspondence attached hereto as Appendix F. WCL has received no comments to date. The rail and other salvageable materials will remain in place therefore proper erosion control in the removal of rail is not an issue.

(iv) WCL does not believe that the right-of-way of the Galloway Spur would be suitable for alternative public use under 49 U.S.C. § 10905. As indicated

above, abandonment is being undertaken in order to allow transfer of the track and right-of-way to Galloway Company, the sole shipper on the Galloway Spur.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities move on the Galloway Spur, 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 Galloway Spur, 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. The single shipper currently located on the Galloway Spur will continue to operate and utilize WCL rail service after WCL's abandonment of the Galloway Spur 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 Galloway Spur 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. Winnebago County is not a class I or nonattainment area under the Clean Air Act. In any event, abandonment of the North Cedar Rapids Spur will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. No ozone depleting materials are transported over the Galloway Spur, 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 H. WCL has received no comments to date.

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

7. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. This abandonment will not require salvage operations as the track will remain in place and be transferred to the Galloway Company after abandonment.

(ii) Not applicable. No hazardous materials are transported on the Galloway Spur, and in any event no such shipments would be diverted as a result of abandonment. Rail service to the Galloway Company, the sole shipper on the Galloway Spur, will continue after 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 Galloway Spur.

8. Biological Resources.

(i) The Galloway Spur is located in a generally residential area just south of downtown Neenah, but is immediately adjacent to an industrial area, including the Galloway Company facility. After abandonment the Galloway Spur will be transferred to Galloway Company for further facility development. 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 I. WCL also has requested comments from the Wisconsin Department of Natural Resources and has received no comments to date. See correspondence attached as Appendix G.

(ii) The Galloway Spur 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 J. 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 Galloway Spur does not cross any bodies of water and the trackage will remain in place after abandonment. 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 Galloway Spur, 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 WCL has received no comments to date. See correspondence attached hereto as Appendix K. The U.S. Fish & Wildlife Service has also been contacted and, to date, has not responded. See correspondence attached as Appendix I. 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 H and G. No responses have been received to date.

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

1. Map. A map of the Galloway Spur is attached hereto as Appendix A.
2. Description of Line. The line to be abandoned begins at milepost 206.27 at Henry Street and extends to the end of track at milepost 206.5 near South Commercial Street in Neenah, Winnebago County, Wisconsin, a distance of approximately 0.23 miles. The area around the Galloway Spur is a flat, generally residential area just south of downtown Neenah with immediate adjacent industrial uses. The width of the right-of-way is 66 feet.
3. Photographs. Not applicable. There are no buildings, bridges or other structures on the Galloway Spur which are fifty years old or older.
4. Information on Structures. Not applicable. There are no buildings, bridges or other structures on the Galloway Spur which are fifty years old or older.
5. History of Operations. The Galloway Spur was constructed in 1859-1862 by the Chicago & North Western Railway Company ("CNW") as part of a route between Milwaukee and Green Bay, Wisconsin through Neenah. In 1988, several CNW lines in Wisconsin, including the Milwaukee-Green Bay line that encompassed the Galloway Spur, were

acquired by Fox River Valley Railroad Corporation ("FRVR"). Fox Valley & Western Ltd. ("FVW"), a predecessor of WCL, acquired the assets of FRVR, including the Galloway Spur, in 1993. In 1994, FVW abandoned its main line through Neenah, north of milepost 206.5 at South Commercial Street. Fox Valley & Western Ltd. -- Abandonment Exemption -- In Winnebago and Fond du Lac Counties, WI, Docket No. AB-402 (Sub-No. 1X) (ICC served April 5, 1994). That abandonment left the Galloway Spur as a stub-ended track served from WCL's Neenah Yard to the south. FVW was merged into WCL in 2002.

WCL uses the Galloway Spur solely to serve Galloway Company, the company which will purchase the trackage after abandonment. WCL will continue to serve Galloway Company after the abandonment.

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 L. The SHPO has indicated that no historic properties will be affected by the abandonment. See correspondence attached as L-1.

8. Ground Disturbances. Based on readily available information in its possession, WCL believes that subsurface ground disturbance occurred when the Line was constructed 150 years ago. WCL is unaware of any other environmental conditions that might affect the archaeological recovery of resources. Access to the Galloway Spur is good.

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 WCL has consulted with all appropriate agencies in preparing this Report is attached hereto as Appendix M. 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 Galloway Spur passes is attached hereto as Appendix M.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB 303 (Sub No. 41X)

**WISCONSIN CENTRAL LTD.
—ABANDONMENT EXEMPTION—
IN WINNEBAGO COUNTY, WISCONSIN**

**APPENDICES TO
ENVIRONMENTAL/HISTORICAL REPORT**

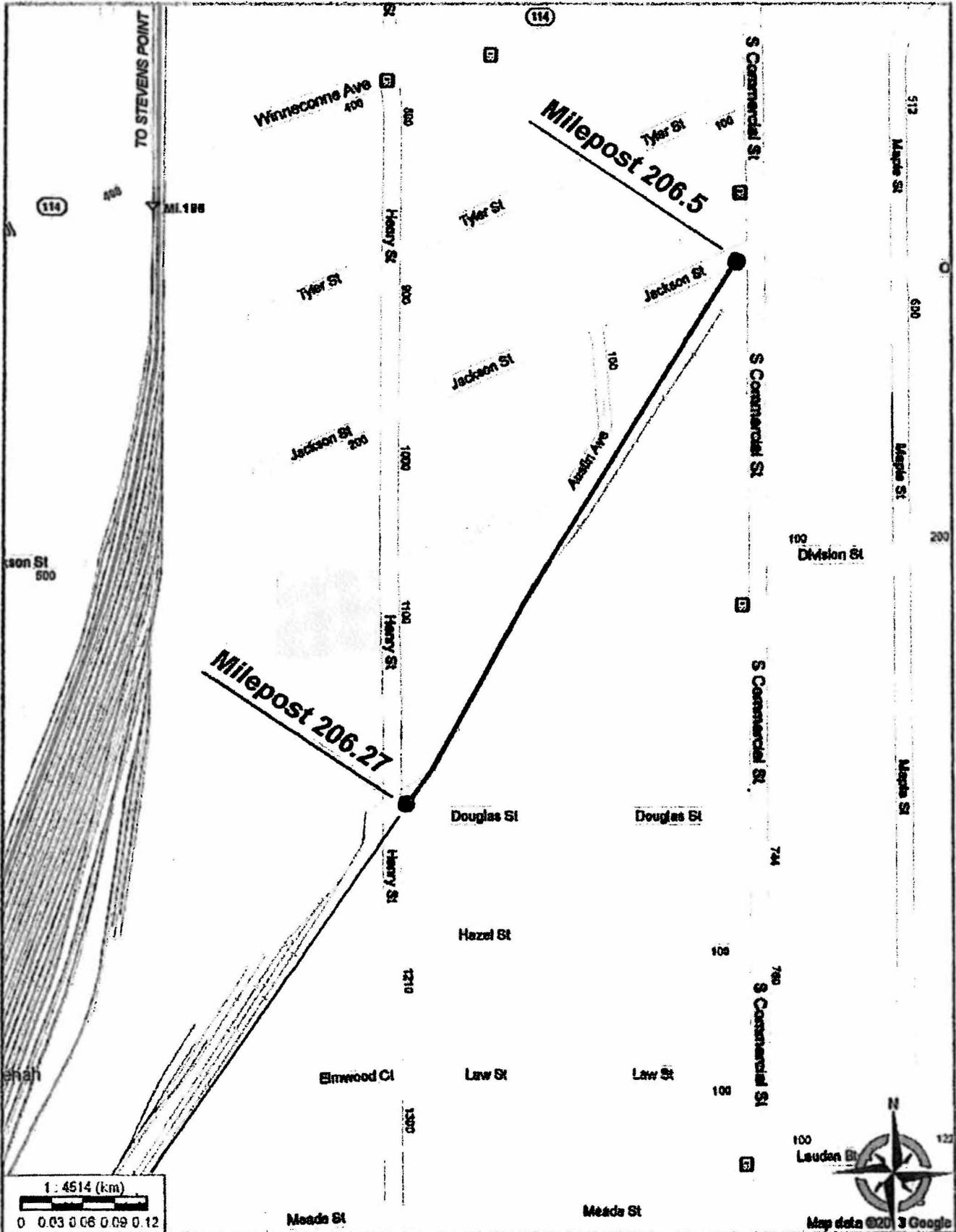
Appendix

| | |
|--|---|
| Map(s) showing Line location | A |
| Winnebago County Board of Commissioners Notice Letter | B |
| Wisconsin Department of Transportation Notice Letter..... | C |
| NOAA/National Geodetic Survey Notice and Response Letters | D |
| Natural Resources Conservation Service Notice Letter..... | E |
| Office of Water-U.S. Environmental Protection Agency Notice Letter | F |
| Wisconsin Department of Natural Resources Notice Letter..... | G |
| U..S. EPA Region 5 Notice Letter | H |
| U.S. Fish and Wildlife Service Notice Letter | I |
| National Park Service Notice Letter | J |
| U.S. Army Corps of Engineers Notice Letter | K |
| Wisconsin Historical Society Notice and Response Letters | L |
| Certificate of Compliance with 49 C.F.R. §1105 | M |

A



Neenah, Wisconsin



The map image is not up to scale

B

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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Fax: (312) 252-2400
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AUDREY L. BRODRICK
(312) 252-1518
abrodrick@fletcher-sippel.com

May 14, 2013

Mr. David Albrecht
County Board Chairperson—Winnebago County,
Wisconsin
2356 Hamilton Street
Oshkosh, WI 54901

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Mr. Albrecht:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Galloway Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
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4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

FLETCHER & SIPPEL LLC

Mr. David Albrecht
May 14, 2013
Page 2

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-303 (Sub-No. 41X) and be sent to the undersigned, as counsel for Wisconsin Central Ltd.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before WCL's notice of exemption is filed at the Board.

If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1518. Thank you for your assistance.

Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

C

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

May 14, 2013

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

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Madam/Sir:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

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FLETCHER & SIPPEL LLC

Wisconsin Dept. of Transportation
May 14, 2013
Page 4

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Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

D

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

May 14, 2013

Via E-Mail and U.S. Mail
NGS.InfoCenter@noaa.gov
National Geodetic Survey Information Services
SSMC-3, #9202
1315 East-West Highway
Silver Springs, Maryland 20910-3282
Attention: Simon Monroe

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Mr. Monroe:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

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11. Coastal Zone Management Areas; and

FLETCHER & SIPPEL LLC

National Geodetic Survey Information Services
May 14, 2013
Page 6

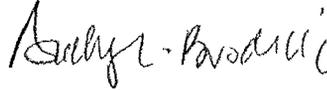
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-303 (Sub-No. 41X) and be sent to the undersigned, as counsel for Wisconsin Central Ltd.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before WCL's notice of exemption is filed at the Board.

If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1518. Thank you for your assistance.

Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

Deborah Guzman

From: Audrey Brodrick
Sent: Tuesday, June 04, 2013 3:54 PM
To: Deborah Guzman
Subject: Fwd: NGS Response, STB Docket AB-303 (SUB NO. 041X)

Sent from my iPhone

Begin forwarded message:

From: Simon Monroe <simon.monroe@noaa.gov>
Date: June 4, 2013, 3:53:37 PM CDT
To: Audrey Brodrick <abrodrick@fletcher-sippel.com>
Cc: Surface Transportation Board <sea@stb.dot.gov>, "John.Ellingson@noaa.gov" <John.Ellingson@noaa.gov>, Lucy Hall <Lucy.Hall@noaa.gov>, Simon Monroe <Simon.Monroe@noaa.gov>
Subject: NGS Response, STB Docket AB-303 (SUB NO. 041X)

Thank you for sharing your railroad abandonment environmental report for NEENAH, Winnebago 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.

E

FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

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Chicago, Illinois 60606-2832

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

May 14, 2013

Mr. Gregory Hines, RC&D Coordinator
National Resource Conservation Service
Oshkosh Service Center
625 East County Road Y, Suite 403
Oshkosh, WI 54901-9731

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Mr. Hines:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

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FLETCHER & SIPPEL LLC

Mr. Gregory Hines, RC&D Coordinator
May 14, 2013
Page 8

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Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

F

FLETCHER & SIPPEL LLC

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Suite 920
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AUDREY L. BRODRICK
(312) 252-1518
abrodrick@fletcher-sippel.com

May 14, 2013

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

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Madam/Sir:

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FLETCHER & SIPPEL LLC

U.S. Environmental Protection Agency
May 14, 2013
Page 12

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Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

G

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www.fletcher-sippel.com

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

May 14, 2013

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

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Madam/Sir:

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FLETCHER & SIPPEL LLC

Wisconsin Dept. of Natural Resources
May 14, 2013
Page 18

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Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

H

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www.fletcher-sippel.com

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

May 14, 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. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Mr. Westlake:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

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FLETCHER & SIPPEL LLC

Mr. Kenneth A. Westlake
May 14, 2013
Page 22

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Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF WATER

May 23, 2013

Ms. Audrey Brodrick
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, Illinois 60606-2832

Dear Ms. Brodrick:

Thank you for your letter of May 14, 2013, to the U.S. Environmental Protection Agency (EPA) regarding Wisconsin Central Ltd Abandonment Exemption in Winnebago 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. If necessary, 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,

James F. Padayak

jev David Evans
Director, Wetlands Division

I

FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

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Suite 920
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AUDREY L. BRODRICK
(312) 252-1518
abrodrick@fletcher-sippel.com

May 14, 2013

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

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Madam/Sir:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

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FLETCHER & SIPPEL LLC

U.S. Fish & Wildlife Service
May 14, 2013
Page 16

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-303 (Sub-No. 41X) and be sent to the undersigned, as counsel for Wisconsin Central Ltd.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before WCL's notice of exemption is filed at the Board.

If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1518. Thank you for your assistance.

Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

J

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

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

May 14, 2013

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

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Madam/Sir:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Galloway Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

FLETCHER & SIPPEL LLC

National Park Service
May 14, 2013
Page 20

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-303 (Sub-No. 41X) and be sent to the undersigned, as counsel for Wisconsin Central Ltd.

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Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

K

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

May 14, 2013

U.S. Army Corp of Engineers
Detroit District Headquarters
477 Michigan Avenue
Detroit, MI 48226

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Madam/Sir:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Galloway Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
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3. Energy consumption and efficiency;
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6. Designated wetlands and 100-year flood plains;
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8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

FLETCHER & SIPPEL LLC

U.S. Army Corps of Engineers
May 14, 2013
Page 24

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-303 (Sub-No. 41X) and be sent to the undersigned, as counsel for Wisconsin Central Ltd.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before WCL's notice of exemption is filed at the Board.

If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1518. Thank you for your assistance.

Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure

L

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

May 14, 2013

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

Re: Docket AB 303 (Sub No. 41X)-Wisconsin Central Ltd.
Abandonment Exemption-In Winnebago County, Wisconsin

Dear Mr. Banker:

On or about June 24, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the Galloway Spur, extending from Milepost 206.27 at Henry Street to the end of the line at MP 206.5 near South Commercial Street, a distance of approximately 0.23 miles in Neenah, Winnebago County, Wisconsin. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. After abandonment, the track will remain in place and will be transferred to Galloway Company, the line's sole shipper, for continued rail service.

In accordance with the Board's environmental and historic preservation regulations, 49 C.F.R. § 1105.8, we are advising you of the proposed abandonment of the Galloway Spur so that you may determine whether this action will have any effect on any historic structures or sites. To our knowledge, there are no railroad buildings, bridges or other structures on the line to be abandoned, and thus none should be adversely affected. WCL also is unaware of any historic sites involved in the proposed abandonment.

Any written comments should reference Docket No. AB-303 (Sub-No. 41X) and be sent to the undersigned, as counsel for Wisconsin Central Ltd.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before WCL's notice of exemption is filed at the Board.

FLETCHER & SIPPEL LLC

Mr. Sherman Banker
May 14, 2013
Page 2

If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1518. Thank you for your assistance.

Very truly yours,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosures

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 #: 13-0439/WN 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, Rachel Campbell Phone: 202-245-0245
- c. Project Contact Person: Audrey Brodrick Phone: 312-252-1518
- d. Return Address: Fletcher & Sippel, 29 N. Wacker Drive, Suite 920, Chicago, IL Zip Code: 60606
- e. Email Address: abrodrick@fletcher-sippel.com
- f. Project Name: Wisconsin Central, Ltd. proposed abandonment in Brown County, Denmark, Wisconsin, AB- 303 (Sub No. 41x)
- g. Project Street Address: n/a Rail Line Abandonment - Winnebago County, Wisconsin from MP 206.27 at Henry Street to the end of line at MP 206.5
- h. County: Winnebago City: Neenah Zip Code: 54956
- i. Project Location: Township _____, Range _____, E/W (circle one), Section _____, Quarter Sections _____
- j. Project Narrative Description—Attach Information as Necessary.
- k. Area of Potential Effect (APE). Attach Copy of U.S.G.S. 7.5 Minute Topographic Quadrangle Showing APE.

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.

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 necessary documentation, as described at 36 CFR 800.11, with a proposed plan to resolve adverse effect(s).

Authorized Signature: *Audrey Brodrick* Date: May 30, 2013
 Type or print name: Audrey Brodrick

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: *Sherrill Bailey* Date: 6/4/13

L-1

M

WISCONSIN CENTRAL LTD.

PETITION FOR EXEMPTION FOR
ABANDONMENT IN
WINNEBAGO
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 June 13, 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(e) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on May 27, 2013 in *The Appleton Post Crescent*, a newspaper of general circulation in Winnebago 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 1st day of August, 2013.



Audrey L. Brodrick

Counsel for Wisconsin Central Ltd.

ATTACHMENT A

Mr. David Albrecht
County Board Chairperson–Winnebago
County, Wisconsin
2356 Hamilton Street
Oshkosh, WI 54901

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
National Geodetic Survey Information
Services
SSMC-3, #9202
1315 East-West Highway
Silver Springs, Maryland 20910-3282
Attention: Simon Monroe

Mr. Gregory Hines, RC&D Coordinator
National Resource Conservation Service
Oshkosh Service Center
625 East County Road Y, Suite 403
Oshkosh, WI 54901-9731

National Resource Conservation Service
8030 Excelsior Drive
Madison, WI 53717-2906

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

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

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

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

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

U.S. Army Corp of Engineers
Detroit District Headquarters
477 Michigan Avenue
Detroit, MI 48226

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

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

Wisconsin Clearing House for Prevention
Resources
1552 University Avenue
Madison, WI 53726-4085

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

ATTACHMENT A

Kathleen.angel@wis.gov
Coastal Zone Management
Wisconsin Department of Administration
101 East Wilson Street
Madison, WI 53707
Attention: Kathleen Angel

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

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

June 13, 2013

Re: **Docket No. AB-303 (Sub-No. 41X)**
Wisconsin Central Ltd. – Abandonment
Exemption – In Winnebago County, WI

Dear Sir/Madam:

On or about July 3, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's line of railroad, referred to herein as the "Galloway Spur," extending from milepost 206.27 at Henry Street to the end of the line at milepost 206.5 near South Commercial Street in Neenah, Winnebago County, Wisconsin, a distance of approximately 0.23 miles. Your review of and comments on this project were previously requested by letter dated May 14, 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

Your comments should reference Docket No. AB-303 (Sub-No. 41X) 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

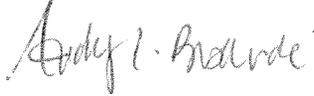
FLETCHER & SIPPEL LLC

June 13, 2013

Page 2

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

NOTICE

Wisconsin Central Ltd. gives notice that on or about June 24, 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 0.23 mile line of railroad between milepost 206.27 at Henry Street and the end of the line at milepost 206.5 near South Commercial Street in Neenah, Winnebago County, Wisconsin, traversing United States Postal Service ZIP Code 54956. The proceeding will be docketed as No. AB-303 (Sub-No. 41X).

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.



NOTICE

**STATE OF WISCONSIN
 OUTAGAMIE COUNTY**

FLETCHER & SIPPEL LLC
 29 NORTH WACKER DRIVE, SUITE 920
 CHICAGO, IL 60606

Erin Duffy

Being duly sworn, doth depose and say that she is an authorized representative of the Appleton Post Crescent, a newspaper published at Appleton, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, which was published therein on

Account Number:

Ad Number: 6796710

Published Date: May 17, 2013

Total Ad Cost: \$50.89

(Signed)

Advertising Assistant

(Date)

5-17-13

Signed and sworn before me

Notary Public, Outagamie County, Wisconsin

My commission expires

3-27-16

Wisconsin Central Ltd. gives notice that on or about June 24, 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. 10503, et seq., permitting the abandonment of a 0.23 mile line of railroad between milepost 206.27 at Henry Street and the end of the line at milepost 206.5 near South Commercial Street in Neenah, Winnebago County, Wisconsin, traversing United States Postal Service ZIP Code 54956. The proceeding will be docketed as No. AB-303 (Sub-No. 41X).

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RUN: May 17, 2013
 WNAXLP

FLETCHER & SIPPEL LLC

Re Ad#: 6796710