

FLETCHER & SIPPEL LLC

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JEREMY M. BERMAN
(312) 252-1510
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October 29, 2009

VIA ELECTRONIC FILING

Ms. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

Re: Environmental Report, Historic Report and Required Certifications for
Docket No. AB 303 (Sub No. 35X) – Wisconsin Central Ltd.
Notice of Exemption for Abandonment in Outagamie County, Wisconsin

Dear Secretary Quinlan:

Wisconsin Central Ltd. intends on filing a Notice of Exemption for the above-reference proposed abandonment any time on or after November 2, 2009. Enclosed for the above-referenced Notice of Exemption are the following, which are required by 49 C.F.R. Part 1105:

1. An original of the Environmental/Historic Report;
2. An original of the transmittal letter that accompanied the reports, and
3. An original of a certificate demonstrating compliance with the requirements of 49 C.F.R. Part 1105.

Thank you for your assistance in this matter, and please feel free to call me if you have any questions.

Respectfully submitted,



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

JMB:dg
Enclosures

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October 13, 2009

Re: Docket No. AB 303 (Sub No. 35X) – Wisconsin Central Ltd.
Proposed Abandonment in Kaukauna, Outagamie County, Wisconsin

To Whom It May Concern:

Any time on or after November 2, 2009, Wisconsin Central Ltd. (“WCL”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption seeking Authority to abandon a railroad line located in Kaukauna, Outagamie County, Wisconsin, starting at milepost 111.0 and continuing 10,032 feet to milepost 112.9. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis of the STB’s independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental and historic review process, please contact their Section of Environmental Analysis (“SEA”), at the Surface Transportation Board, 395 E. Street, S.W., Washington, D.C. 20423, and refer to the above docket number.

WCL will file the Environmental Report and Historic Report with the STB on or about November 2, 2009. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (312) 252-1510 or by mail at the above address.

Sincerely,



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encls.

WISCONSIN CENTRAL LTD.

NOTICE OF EXEMPTION FOR
ABANDONMENT IN OUTAGAMIE
COUNTY, WISCONSIN

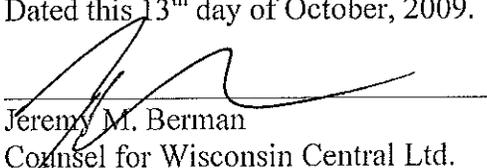
To: Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

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

I hereby certify that on October 13, 2009, copies of the Environmental Report and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 C.F.R. § 1105.7(b), all agencies consulted in preparing the reports, and on the Wisconsin Historical Society. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Wisconsin Central Ltd intends to file its Notice of Exemption in the above-captioned matter no earlier than October 15, 2009. 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 October 9, 2009, in *Appleton Post-Crescent*, a newspaper of general circulation in Outagamie 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 October, 2009.



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

ATTACHMENT A

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

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

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

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

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

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

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

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

Mr. Clifford Sanderfoot
County Board Chairperson, Outagamie County, WI
410 S Walnut St
Administration Bldg - 2nd level
Appleton, Wisconsin 54911

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

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

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

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

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

ATTACHMENT B

NOTICE

Wisconsin Central Ltd. gives notice that on or after October 30, 2009 it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-- Exempt Abandonments permitting the abandonment of a 1.9 mile line of railroad between railroad milepost 111.0, north to railroad milepost 112.9 which traverses through United States Postal Service ZIP Codes 54130 in Outagamie County, WI. The proceeding will be docketed as No. AB 303 (Sub-No. 35X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office 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 Office of the Secretary, 395 E. Street, SW., Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' 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 Congressional and Public Services at 202-245-0230. Copies of any comments or requests for conditions should be served on the applicant's representative: Fletcher & Sippel LLC, Attention: Jeremy M. Berman, 29 N. Wacker Dr., Suite 920, Chicago, IL 60606.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO AB-303 (SUB-NO 35X)

**WISCONSIN CENTRAL, LTD
-- ABANDONMENT EXEMPTION --
IN KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN**

ENVIRONMENTAL/HISTORICAL 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 and certifications are attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. **Proposed Action and Alternatives.** WCL seeks to abandon its line of railroad extending from milepost 111.0 to milepost 112.9 in Kaukauna, Wisconsin, and (the Line"). The Line is situated in Outagamie County, Wisconsin and extends a total distance of approximately 1.9 miles.

The Line has not been required to serve any customer in many years. The Line was previously used for general freight traffic. 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.

WCL has entered into a contract to sell a portion of the Line, from approximately milepost 112.67 to milepost 112.87 to the City of Kaukauna.

One grade crossing will be removed as a result of this abandonment, DOT # 180025P located at milepost 112.75.

There are remnants of three railroad bridges and one former grade crossing located on the Line. Photographs of the bridges and the former grade crossing are attached herein as Appendix A.

No alternatives to the proposed abandonment have been considered. A map showing the location of the Line is attached herein as Appendix A.

WCL has contacted and requested comments from the Outagamie County Board. 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. Abandonment of the Line will result in the closure of one grade crossing, DOT # 180025P located at milepost 112.75.

WCL has contacted and requested comments from the State of Wisconsin Department of Transportation. See correspondence attached herein 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, but has contacted and requested comments from the NOAA/National Geodetic Survey. See correspondence attached herein as Appendix D. In an email dated September 22, 2009, the NOAA indicated that no geodetic survey marks are located near the Line. See Appendix D.

(ii) The proposed abandonment lies entirely within the limits of Outagamie County, Wisconsin. The Natural Resource Conservation Service (NRCS) has been contacted and comments requested. See correspondence attached hercin 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 and the NOAA Office of Ocean and Coastal Resource Management, 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 from the EPA. On October 2, 2009, NOAA indicated it has no comments on the proposed abandonment. See Appendix F. WCL will be mindful of proper erosion control in the removal of rail and other salvageable materials to minimize impact

(iv) A portion of the Line has been sold to the City of Kaukauna. WCL is not aware of any alternative public use under 49 U.S.C. § 10905 for which the remainder of the right-of-way would be suitable, other than possibly as a trail.

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 such traffic has been handled on this line, and WCL

foresees little or no possibility that any online 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. Abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. This is an abandonment of a line on which there have been no customers for at least two years and there is no overhead traffic on the line.

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. During any salvage operations on the Line, precautions will be taken to ensure public safety.

(ii) Not applicable. To WCL's knowledge, no hazardous commodities were ever handled on this Line. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) To the best of WCL's knowledge, there are no known hazardous waste sites or any hazardous waste materials involved. Therefore, WCL believes that its abandonment will not have any adverse impact on this site.

8. Biological Resources.

(i) The U.S. Fish and Wildlife Service have been contacted and we have requested comments. WCL has received no comments to date. WCL does not believe this abandonment will affect the wetlands or any endangered or threatened species, if any, present in this area. See correspondence attached herein as Appendix G.

WCL has also contacted and requested comments from the Wisconsin Department of Natural Resources. See correspondence attached herein as Appendix H. The Wisconsin Department of Natural Resources has indicated that it will be unable to offer comments until October 9, 2009, at the earliest. WCL will forward any comments it receives to the Board.

(ii) The National Park Service has been contacted and comments requested. See correspondence attached herein as Appendix I. WCL has received no comments to date.

9. Water.

(i) The US EPA for Region 5 of the Environmental Protection Agency has been contacted and we have requested comments from them. See correspondence attached herein as Appendix J. WCL has received no comments to date.

(ii) The Army Corps of Engineers has been contacted to determine if the proposed abandonment requires permits under Section 404 of the Clean Water Act. See correspondence attached herein as Appendix K. On October 5, 2009, the Army Corps of Engineers requested photographs of the remains of the bridges on the Line. WCL provided the photographs, attached herein as Appendix A, on October 6, 2009. WCL has received no additional comments to date.

WCL also believes that the abandonment will not affect any existing wetlands. In addition, abandonment should not impact any 100-year floodplain if no additional fill is placed in any floodplain.

(iii) Based on WCL's plans for disposal and recycling of track material, WCL concludes that no permits under Section 402 of the Clean Water Act are required. No material will be disposed of into any waterway as part of the abandonment.

10. **Proposed Mitigation.** As no adverse impact is anticipated, WCL does not propose any mitigation activities.

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 extends from milepost 111.0 to milepost 112.9 in Kaukauna, Wisconsin. The Line is situated in Outagamie County, Wisconsin and extends a total distance of approximately 1.9 miles, or approximately 10,032 feet.
3. **Photographs.** There are remnants of three railroad bridges one former grade crossing located on the Line. Photographs of the bridges and grade crossing are attached herein as Appendix A. One grade crossing will be removed as a result of this abandonment, DOT # 180025P located at milepost 112.75
4. **Information on Structures.** The bridge located at milepost 111.023 currently consists of wooden piers. The bridge at milepost 111.456 is a limestone culvert. Photographs of an abutment at County Road CE and a former grade crossing located south of County Road CE are included as well.
5. **History of Operations.** The Line has not been required to serve any customer in many years. The Line was previously used for general freight traffic. 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 will provide copies of any documents in its possession.
7. **Historic Criteria.** WCL has contacted and given notice of the proposed abandonment to The State Historic Preservation Office within the Wisconsin Historical Society ("SHPO"). See correspondence attached as Appendix L. WCL received a response from SHPO dated September 24, 2009 in which SHPO requested that WCL conduct a literature search for

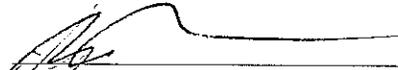
historic properties that may be affected by the proposed abandonment. WCL is in the process of conducting this search and will forward the results to the Board and SHPO when complete. WCL will forward any additional comments it receives from SHPO to the Board.

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

9. **Request by State Historic Preservation Office.** Upon request of the Wisconsin Historical Society, WCL will provide such additional information as may be requested under Section 1105.8(d)(9).

Dated October 13, 2009

Respectfully submitted,



Jeremy M. Berman
Fletcher & Sippel LLC
29 N. Wacker Dr., Suite 920
Chicago, Illinois 60606
Telephone: 312-252-1510
Fax: 312-252-2400

APPENDIX A

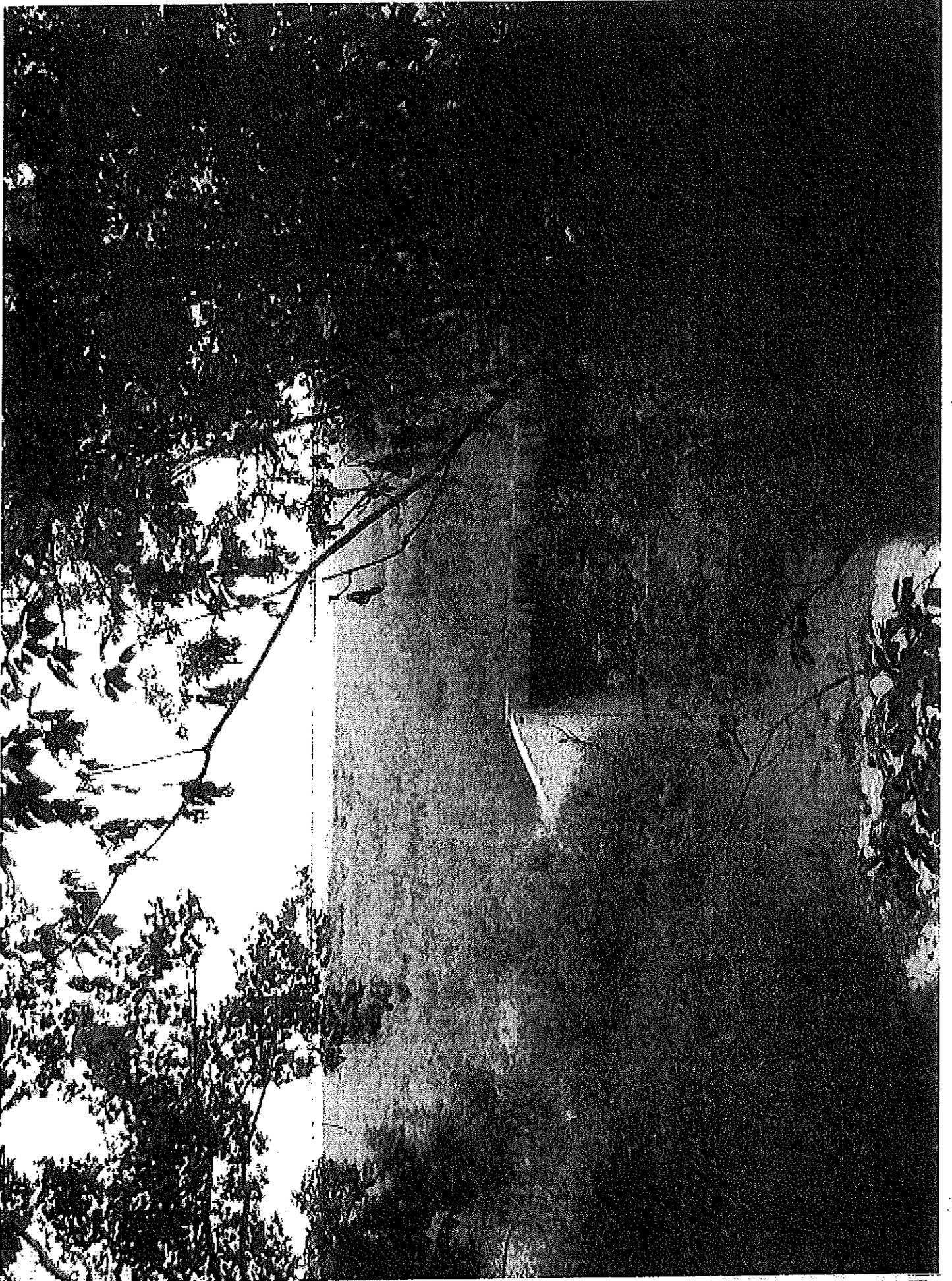


SCALE 1 : 16,964





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JAD 111 190

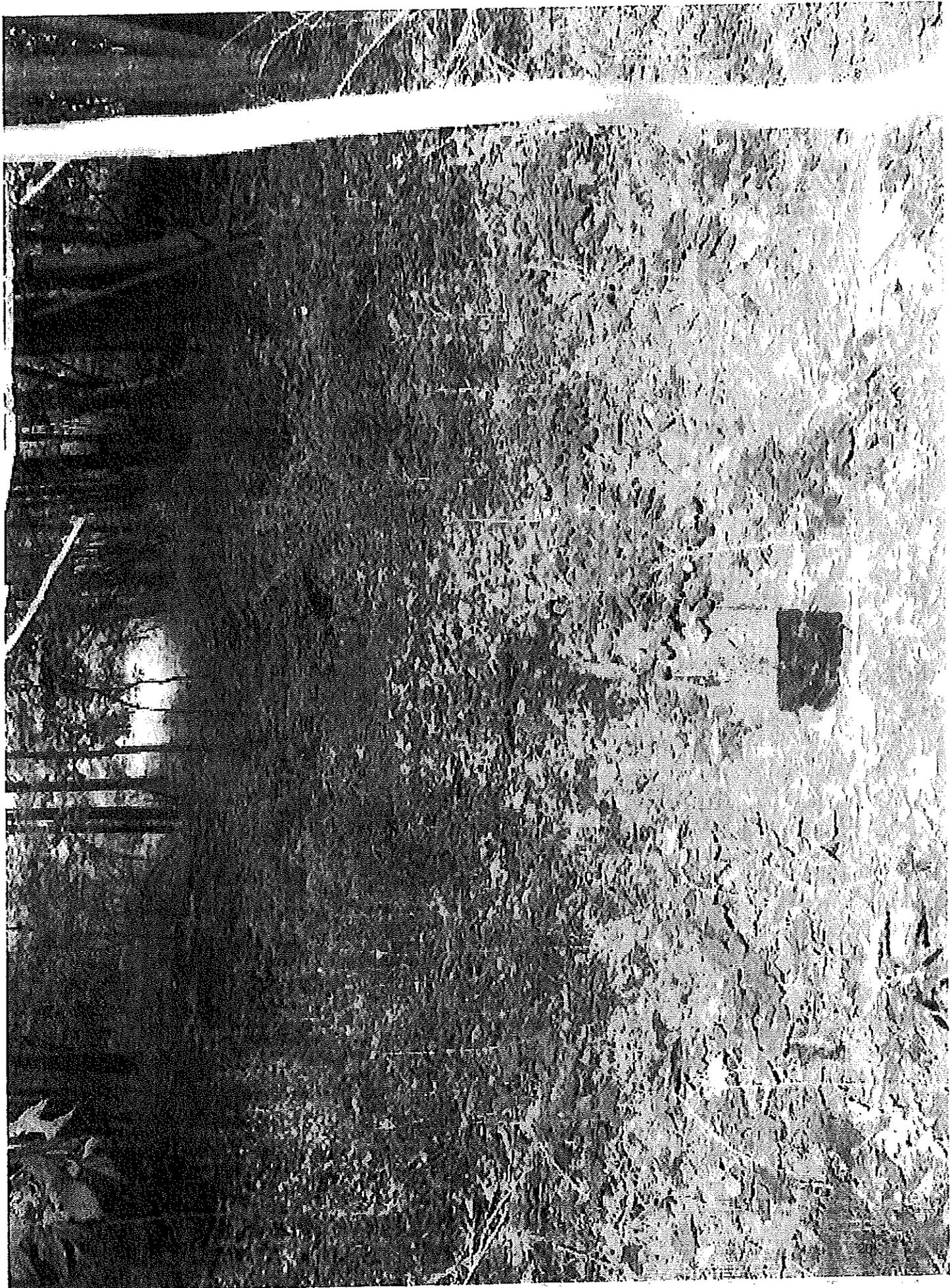


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APPENDIX B

FLETCHER & SIPPEL LLC

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JEREMY M. BERMAN
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September 9, 2009

Mr. Clifford Sanderfoot
County Board Chairperson – Outagamie County, WI
410 S Walnut St
Administration Bldg - 2nd level
Appleton, Wisconsin 54911

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Mr. Sanderfoot:

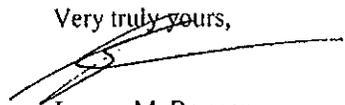
Wisconsin Central Ltd. (“WCL”) is planning to file a proposed abandonment with the Surface Transportation Board (“STB”) for approval to abandon approximately 1.9 miles of railroad line starting at MP 111.0 and ending at MP 112.9 in Outagamie County, Kaukauna, Wisconsin. For your convenience, we have 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 file with the STB. We intend on filing the Environmental Report in three weeks.

Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX C

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
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Chicago, Illinois 60606-2832

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JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

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

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Sir or Madam:

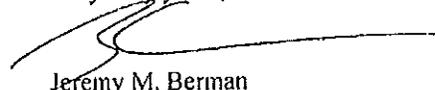
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Very truly yours,



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX D

FLETCHER & SIPPEL LLC

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September 9, 2009

National Geodetic Survey Information Services
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282

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Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

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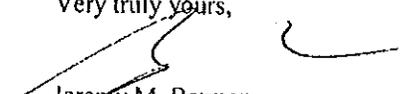
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Very truly yours,


Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

Jeremy M. Berman

From: Simon Monroe [Simon.Monroe@noaa.gov]
Sent: Tuesday, September 22, 2009 5:22 PM
To: Jeremy M. Berman
Cc: Surface Transportation Board; Surveyorlady@yahoo.com; John.Ellingson@noaa.gov; Gilbert Mitchell; Simon Monroe
Subject: [NGS Response, STB Docket AB-303 (SUB NO. 035X)]

Thank you for sharing your railroad abandonment environmental report for Kaukauna, Outagamie 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/>

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No Stations Found.

APPENDIX E

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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September 9, 2009

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

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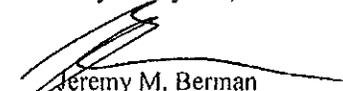
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Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it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

Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX F

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

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

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

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Sir or Madam:

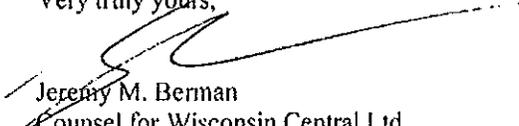
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1. Water quality;
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5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural 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 file with the STB. We intend on filing the Environmental Report in three weeks.

Thank you for your assistance.

Very truly yours,


Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

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www.fletcher-sippel.com

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

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

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Mr. Kennedy:

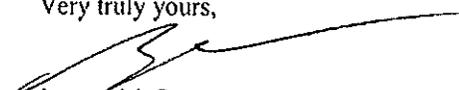
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Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

Jeremy M. Berman

From: Matt Gove [Matt.Gove@noaa.gov]
Sent: Friday, October 02, 2009 12:22 PM
To: Jeremy M. Berman
Subject: Docket No. AB 303 (Sub No. 35X)

Mr. Berman--

The Office of Ocean and Coastal Resource Management received your letter dated September 9, 2009 concerning the proposed abandonment in Outgamie County, WI. We have no comment on the proposal, thank you.

Matt Gove

--

.....
Matt Gove
Coastal Management Specialist
NOAA/NOS/OCRM/CPD
1305 East-West Highway
SSMC4-N/ORM3 Cube 11238
Silver Spring MD 20910
matt.gove@noaa.gov
P 301-563-1185
F 301-713-4367

APPENDIX G

FLETCHER & SIPPET 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

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

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

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Sir or Madam:

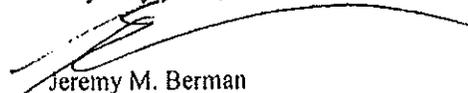
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Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX H

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

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

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Sir or Madam:

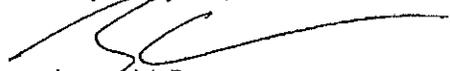
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Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX I

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

National Park Service
Department of Interior
1849 C Street, NW
Washington, DC 20240

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Sir or Madam:

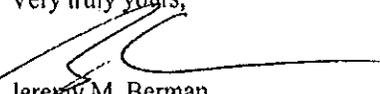
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Thank you for your assistance.

Very truly yours,


Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX J

FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

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

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

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

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

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Mr. Westlake:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.9 miles of railroad line starting at MP 111.0 and ending at MP 112.9 in Outagamie County, Kaukauna, 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,


Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX K

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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www.fletcher-sippel.com

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

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

Re: Docket No. AB 303 (Sub No. 35X) -- Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

Dear Sir or Madam:

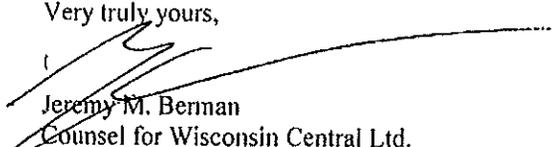
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Thank you for your assistance.

Very truly yours,


Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX L

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

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

September 9, 2009

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

Re: Docket No. AB 303 (Sub No. 35X) – Fox Valley & Western Ltd.
Proposed Abandonment in Outagamie County, Kaukauna, Wisconsin

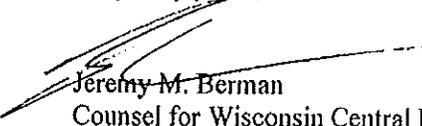
Dear Mr. Banker:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.9 miles of railroad line starting at MP 111.0 and ending at MP 112.9 in Outagamie County, Kaukauna, Wisconsin.

I am forwarding the 106 Form required by the Wisconsin Historical Society. Pictures of all bridges and railroad structures located along this segment are enclosed.

Thank you for your assistance.

Very truly yours,


Jeremy M. Berman
Counsel for Wisconsin Central Ltd.

Encl.

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: _____ Phone: _____

c. Project Contact Person: Jeremy Berman Phone: 312-252-1510

d. Return Address: 29 N. Wacker Dr., Suite 920 Chicago, Illinois Zip Code: 60606

e. Email Address: jberman@fletcher-sippel.com

f. Project Name: Wisconsin Central Ltd. Proposed Abandonment in Kaukauna, WI, AB-303 (Sub-No. 35X).

g. Project Street Address: N/A - Rail Line Abandonment - Outagamie County, Wisconsin

h. County: Outagamie City: Kaukauna Zip Code: 54130

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: _____ Date: 09/09/2009

Type or print name: Jeremy M. Berman

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: _____

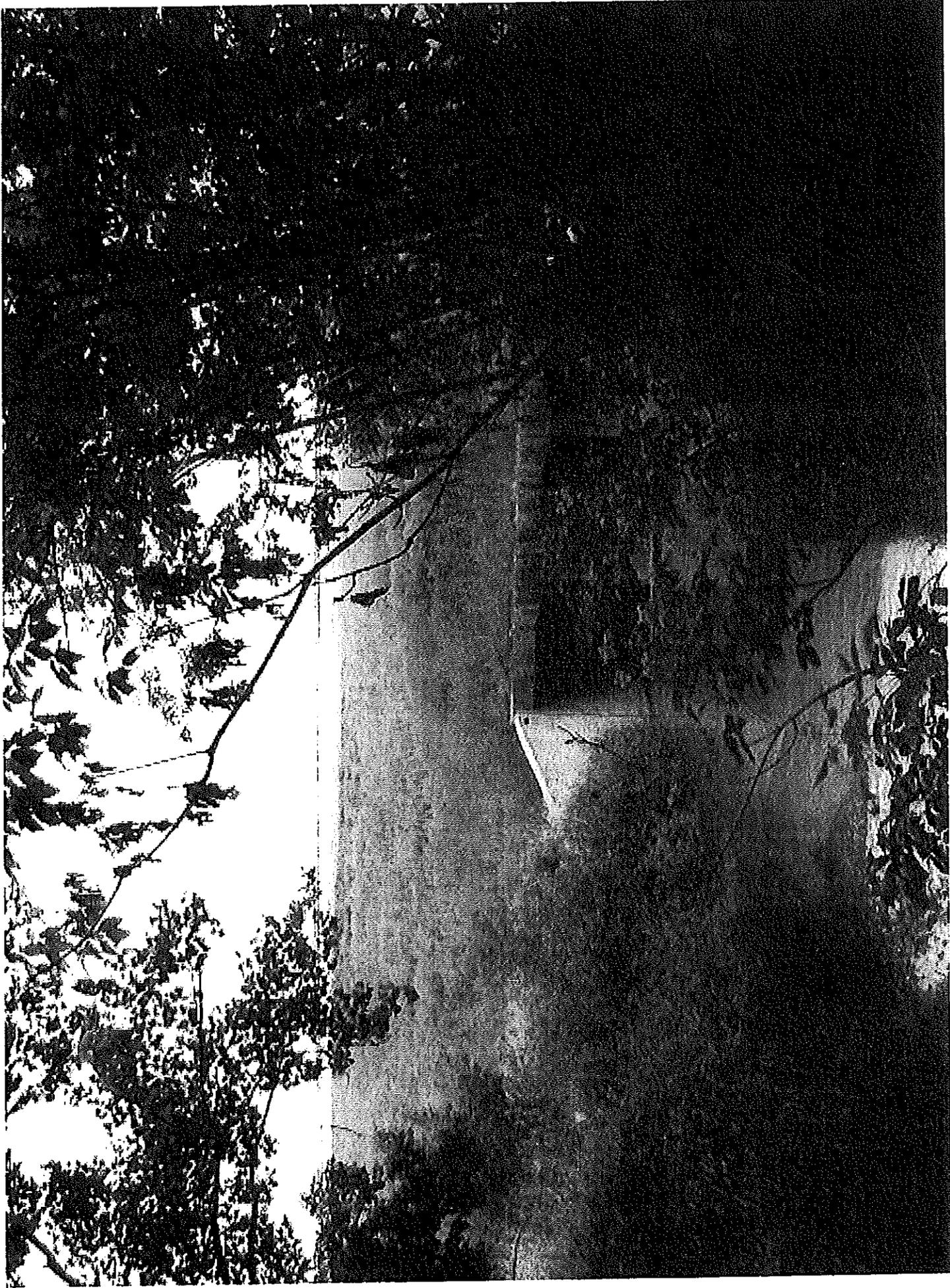


SCALE 1 : 16,964

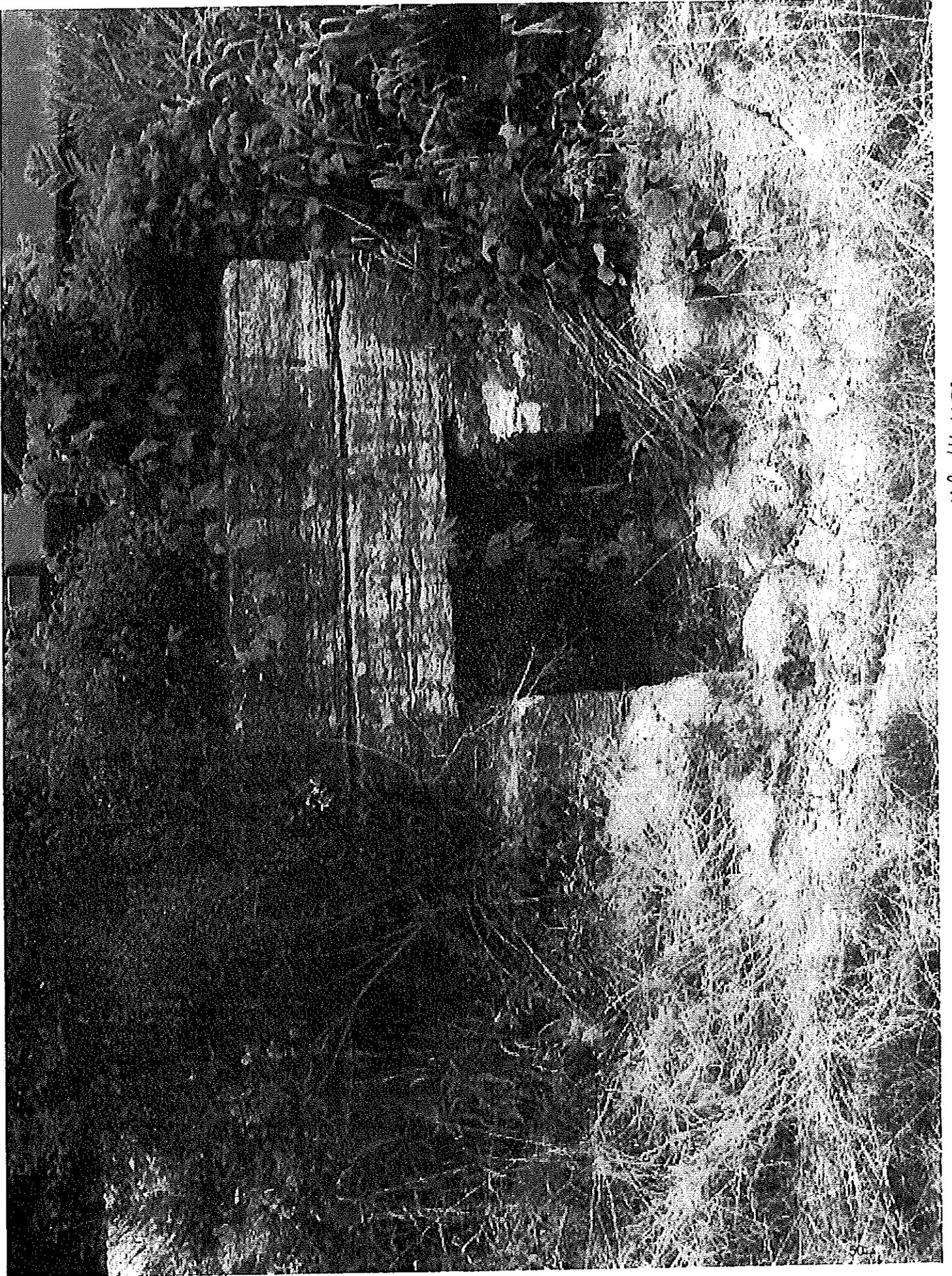




MP 111.023



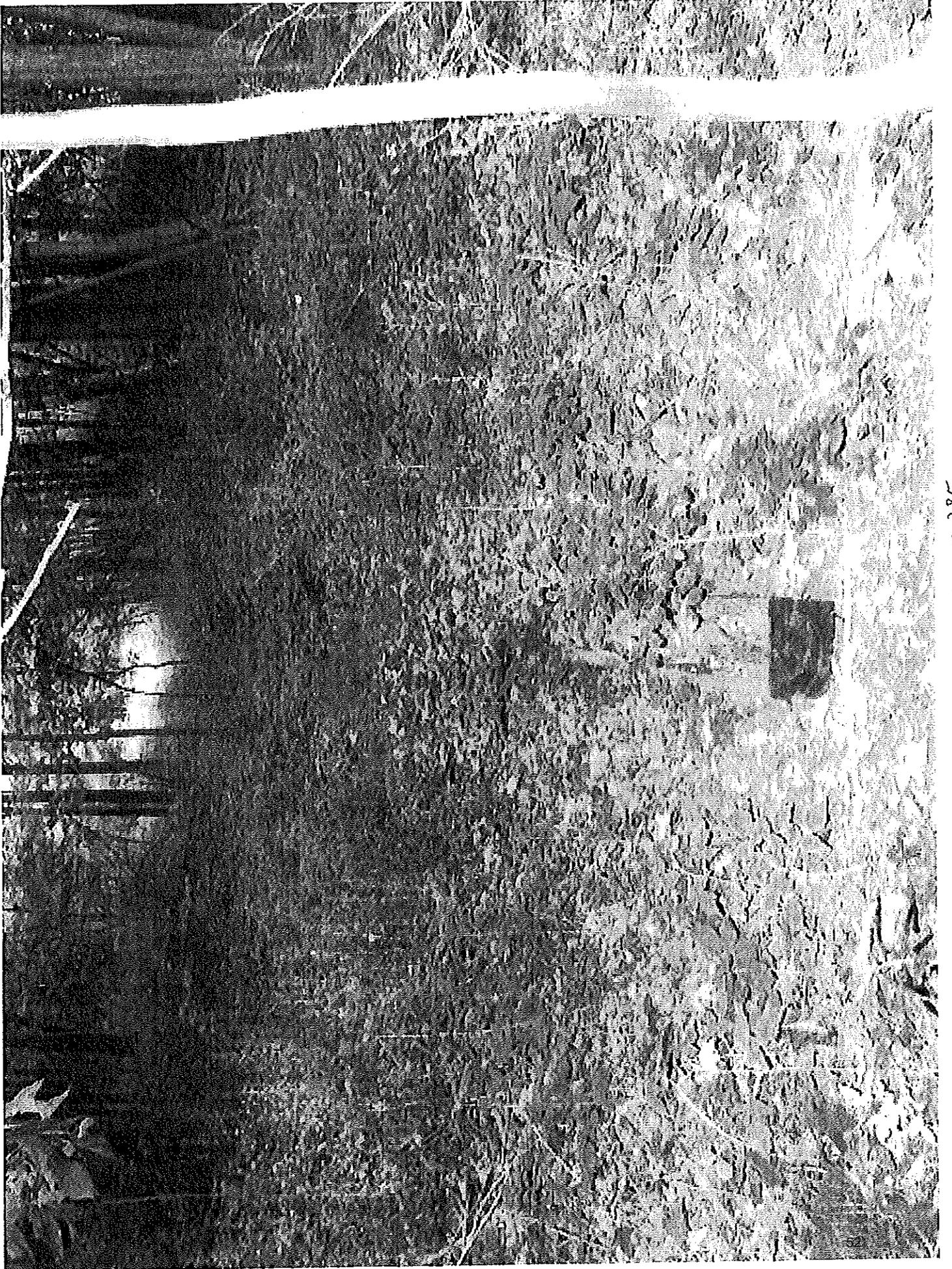
MP 111/190



MP 111 456



AN D 111.656



58C 111 0W

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

RECEIVED

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

SEP 15 2009

DIV HIST PRES

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: _____ Phone: _____
- c. Project Contact Person: Jeremy Berman Phone: 312-252-1510
- d. Return Address: 29 N. Wacker Dr., Suite 920 Chicago, Illinois Zip Code: 60606
- e. Email Address: jberman@fletcher-slippel.com
- f. Project Name: Wisconsin Central Ltd. Proposed Abandonment in Kaukauna, WI, AB-303 (Sub-No. 35X).
- g. Project Street Address: N/A - Rail Line Abandonment - Outagamie County, Wisconsin
- h. County: Outagamie City: Kaukauna Zip Code: 54130
- 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.

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Authorized Signature: _____ Date: 09/09/2009

Type or print name: Jeremy M. Berman

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: Township-Range-Section information needed as well as an literature search

Authorized Signature: _____ Date: 9/24/09

Sherman Bender