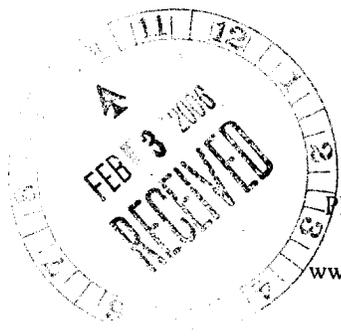


215732



FLETCHER & SIPP 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

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

February 2, 2006

Via Overnight Mail

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Docket No. AB-303 (Sub-No. 28X), Wisconsin Central Ltd.—
Abandonment Exemption — in Ashland County, Wisconsin

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Wisconsin Central Ltd. dated February 2, 2006 pursuant to 49 C.F.R. § 1152.50. A check in the amount of \$3,000.00, representing the appropriate fee for this filing, also is enclosed.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

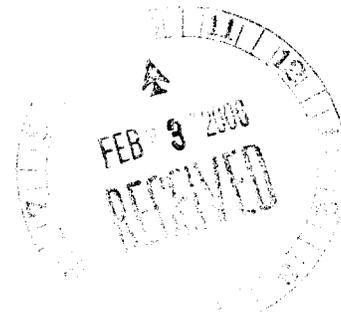
Respectfully submitted,

Michael J. Barron, Jr.
Attorney for Wisconsin Central Ltd.

Encls.

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 28X)



WISCONSIN CENTRAL LTD.—
ABANDONMENT EXEMPTION — IN ASHLAND COUNTY, WISCONSIN

**VERIFIED NOTICE OF EXEMPTION OF
WISCONSIN CENTRAL LTD. PURSUANT TO
49 C.F.R. § 1152.50**

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
312-252-1500

ATTORNEY FOR
WISCONSIN CENTRAL LTD.

Dated: February 2, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 28X)

WISCONSIN CENTRAL LTD.—
ABANDONMENT EXEMPTION — IN ASHLAND COUNTY, WISCONSIN

**VERIFIED NOTICE OF EXEMPTION OF
WISCONSIN CENTRAL LTD. PURSUANT TO
49 C.F.R. § 1152.50**

Wisconsin Central Ltd. (“WCL”) hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in Ashland, Ashland County, Wisconsin referred to herein as the “Ore Dock Line” starting from a point of switch off WCL’s mainline through Ashland at milepost 434.49 and continuing 5,160 feet to the end of WCL’s Ashland Ore Dock.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), WCL submits the following information:

General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)

WCL is a Class I common carrier by rail which owns and operates approximately 1,800 miles of rail line in four Upper Midwestern states. WCL is a wholly-owned subsidiary of Canadian National Railway Company. The complete name and address of WCL is:

Wisconsin Central Ltd.
17641 S. Ashland Avenue
Homewood, IL 60430-1345

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152, Subpart F, WCL intends to abandon its line of railroad starting from a point of switch off WCL's mainline through Ashland at milepost 434.49 and continuing 5,160 feet to the end of WCL's Ashland Ore Dock.

Map: 49 C.F.R. § 1152.22(a)(4)

A map of Ore Dock Line is attached hereto as Exhibit A.

WCL's Representative: 49 C.F.R. § 1152.22(a)(7)

WCL's representative to whom correspondence regarding this abandonment should be sent is:

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
312-252-1500

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The Ore Dock Line traverses United States Postal Service ZIP Code 54806.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

Per the certificate and verification attached hereto as Exhibit B, WCL certifies that no local revenue traffic has moved over the Ore Dock Line for at least the last two years, there is no overhead traffic on the Ore Dock Line that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the Ore Dock Line (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the proposed abandonment is pending with the Board or any U.S. District Court or has been decided in favor of the complainant during the last two years.

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

WCL will not consummate the proposed abandonment any earlier than April 30, 2006.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

Portions of the Ore Dock Line may be suitable as a trail, and portions may be suitable as a maritime resource. WCL does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a highly developed urban area with a mature roadway system. WCL is currently working with a private foundation to convey the ore dock upon abandonment. The foundation would like to develop a maritime museum. WCL generally holds fee title on the Ore Dock Line where it tracks overland. Based on information in our possession, the Ore Dock Line does not appear to contain any federally granted right-of-way.

Labor Protection: 49 C.F.R. 1152.50(d)(2)

The level of labor protection applicable in rail line abandonments is that established in *Oregon Short Line Co. — Abandonment — Goshen*, 360 I.C.C. 91 (1979).

**Certificate of Compliance with Notice Requirements:
49 C.F.R. § 1152.50(d)(2)**

A certificate that the notice of requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C.

Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

An Environmental Report and Historic Report, prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8, were already filed with the Surface Transportation Board in this proceeding.

Since submitting the Environmental Report and Historic Report, WCL has received additional correspondence discussed below.

The Natural Resources Conservation Service sent correspondence indicating they had received the Environmental/Historic Report. See correspondence attached herein as Exhibit D.

Region 5 at the EPA sent a letter inquiring as to the status of ties not reused and requesting that proper clean-up procedures be used. WCL shall be mindful of these concerns as it proceeds with the abandonment. See correspondence attached as Exhibit E. WCL has written the Wisconsin Department of Natural Resources regarding state threatened or endangered species, although, as indicated in the Environmental/Historic Report, WCL notes that the U.S. Fish and Wildlife Service has already indicated that no federal or threatened or endangered species would be impacted by this abandonment. See correspondence attached as Exhibit F. The Wisconsin Historical Society has sent correspondence indicating that the proposed abandonment would result in an adverse effect on the Ashland Ore Dock. See correspondence attached herein as Exhibit G. WCL looks forward to addressing these concerns through the Section 106 process.

The Wisconsin Department of Natural Resources (“WDNR”) submitted a letter regarding a number of issues. WCL shall be working with WDNR and the Wisconsin Bureau of Public Lands on these issues as it undertakes the permitting process to allow the Ore Dock to remain in place after abandonment. See correspondence attached as Exhibit H herein.

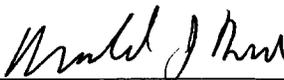
Finally, the City of Ashland sent correspondence. See correspondence attached herein as Exhibit I. Again, many of the issues that the City raises would be addressed through the state permitting process that would allow the Ore Dock to remain in place after abandonment, and WCL looks forward to that process. But WCL does have some initial responses. One, the City claims that the Northeastern Maritime Historical Foundation, the entity to whom WCL wishes to transfer the dock upon abandonment, “does not have the resources to be financially responsible for the perpetual care of the structure...” This is an unsupported statement, and the STB should simply disregard this until such time as it has had an opportunity to review all the relevant facts. In any event, the Foundation’s financial status will be evaluated as part of the state permitting process. Two, the City again raises the issue of allegedly unpaid taxes due for the Ore Dock.

The City "does not agree that the Ore Dock Line is an operating property, for taxation purposes."
WCL believes that under the law the Ore Dock remains operating property and that the abandonment process is necessary to release it from operating property status. In any event, the STB should not attach any conditions on the abandonment relating to the City's tax claims.

As indicated in the Environmental/Historic Report, WCL's goal is to transfer the Ore Dock, upon abandonment, to the Northeastern Maritime Historical Foundation. Their latest proposal is attached. See correspondence attached as Exhibit J. WCL believes that implementation of this proposal would go a long way to addressing many of the concerns expressed by various parties in this proceeding. Nonetheless, if WCL is unable to get permits for the proposal, WCL shall consider consummating the abandonment and removing the Ore Dock structure in accordance with applicable state law.

If WCL receives additional correspondence, it will forward copies to the STB.

Respectfully submitted,

By 

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
312-252-1500
ATTORNEY FOR WISCONSIN CENTRAL LTD.

Dated: February 2, 2006

CERTIFICATE

I, Michael J. Barron, Jr., an attorney for Wisconsin Central Ltd., hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-303 (Sub-No. 28X), Wisconsin Central Ltd. — Abandonment Exemption — in Ashland County, Wisconsin:

(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to-wit: On January 3, 2006, written notice was mailed to the: (a) United States Department of Defense, MTMCTEA, Attn: Railroads for National Defense; (b) Chief of the Forest Service, U.S. Department of Agriculture; (c) National Center for Recreation and Conservation, National Park Service; and (d) Wisconsin Department of Transportation (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On August 25, 2005, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state clearinghouse and the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11.

(3) A newspaper notice was published on March 7, 2005, in The Daily Press, a newspaper of general circulation in Ashland County, Wisconsin. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for

participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.



Michael J. Barron, Jr.

Dated: February 2, 2006

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

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

January 3, 2006

United States Department of Defense
MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

Re: Docket No. AB-303 (Sub-No. 28X), Wisconsin Central Ltd.
Notice of Exemption in Ashland County, Wisconsin

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after January 13, 2006, file a Notice of Exemption with the Surface Transportation Board for approval to abandon trackage in Ashland County, Wisconsin, starting from a point of switch off WCL's mainline located in Ashland at milepost 434.49, and continuing 5,160 feet to the end of WCL's Ashland Ore Dock. Such line runs through U.S. Postal Zip Code 54806.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,


Michael J. Barron, Jr.
Attorney

ATTACHMENT 1

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

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

January 3, 2006

Mr. Dale Bosworth
Chief, Forest Service
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Re: Docket No. AB-303 (Sub-No. 28X), Wisconsin Central Ltd.
Notice of Exemption in Ashland County, Wisconsin

Dear Mr. Bosworth:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after January 13, 2006, file a Notice of Exemption with the Surface Transportation Board for approval to abandon trackage in Ashland County, Wisconsin, starting from a point of switch off WCL's mainline located in Ashland at milepost 434.49, and continuing 5,160 feet to the end of WCL's Ashland Ore Dock. Such line runs through U.S. Postal Zip Code 54806.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,



Michael J. Barron, Jr.
Attorney

ATTACHMENT 2

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

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

January 3, 2006

Mr. Thomas Ross
Division Chief
National Center for Recreation and Conservation
National Park Service
1849 C. Street, N.W.
Org. Code 2220
Washington, D.C. 20420

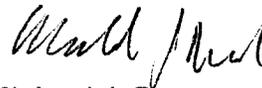
Re: Docket No. AB-303 (Sub-No. 28X), Wisconsin Central Ltd.
Notice of Exemption in Ashland County, Wisconsin

Dear Mr. Ross:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after January 13, 2006, file a Notice of Exemption with the Surface Transportation Board for approval to abandon trackage in Ashland County, Wisconsin, starting from a point of switch off WCL's mainline located in Ashland at milepost 434.49, and continuing 5,160 feet to the end of WCL's Ashland Ore Dock. Such line runs through U.S. Postal Zip Code 54806.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,



Michael J. Barron, Jr.
Attorney

ATTACHMENT 3

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

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

January 3, 2006

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

Re: Docket No. AB-303 (Sub-No. 28X), Wisconsin Central Ltd.
Notice of Exemption in Ashland County, Wisconsin

Dear Mr. Adams:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after January 13, 2006, file a Notice of Exemption with the Surface Transportation Board for approval to abandon trackage in Ashland County, Wisconsin, starting from a point of switch off WCL's mainline located in Ashland at milepost 434.49, and continuing 5,160 feet to the end of WCL's Ashland Ore Dock. Such line runs through U.S. Postal Zip Code 54806.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,


Michael J. Barron, Jr.
Attorney

ATTACHMENT 4



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

August 25, 2005

**Re: Wisconsin Central Ltd. Notice of Exemption for Abandonment—
Ashland County, Wisconsin—Docket AB-303 (Sub-No. 28X)**

To Whom It May Concern:

Any time on or after September 14, 2005, 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 Ashland, Ashland County, Wisconsin, starting from a point of switch off WCL's mainline through Ashland at milepost 434.49, and continuing 5,160 feet to the end of WCL's Ashland Ore Dock. 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 for 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, 1925 K Street, N.W., Washington, D.C. 20423-0001, (202) 565-1545, and refer to the above docket number.

WCL will file the Environmental Report and Historic Report with the STB on or about August 25, 2005. 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 (708) 332-3954 or by mail at the above address.

Sincerely,

Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.

ATTACHMENT 5

Encls.

ATTACHMENT 6

Division of Intergovernmental Relations
ATTENTION: Director
Wisconsin Department of Administration
P.O. Box 8944
Madison, WI 53708-8944

Mr. Sherman Banker
Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706-1482

Mr. David Frasher
City Administrator
City of Ashland
City Hall
301 Main Street West
Ashland, WI 54806

Mr. Michael Friis
Manager
Wisconsin Department of Administration
101 East Wilson Street, 10th Floor
P.O. Box 8944
Madison, WI 53708-8944

Mr. William L. Gantz
Environmental Review Coordinator - Northern Region
Wisconsin Department of Natural Resources
310 W. Maple Street
Spooner, WI 54801

Mr. Thomas Kieweg
Ashland County Administrator
Room 301- Courthouse
201 W. Main Street
Ashland, WI 54806-1652

Ms. Patricia S. Leavenworth
State Conservationist
USDA Natural Resources Conservation Service
8030 Excelsior Dr., Suite 100
Madison, WI 53717

Ms. Brea R. Lemke
Zoning Administrator/Planning Specialist
Ashland Wisconsin
City Hall
601 Main Street West
Ashland, WI 54806

Mr. Allyn Lepaska
Office of General Counsel
Wisconsin Department of Transportation
4802 Sheboygan Avenue, Room 115B
P.O. Box 7910
Madison, WI 53707-7910

Mr. Ken Lindquist
Ashland County Board Chairman
Room 301 - Courthouse
201 W. Main St.
Ashland, WI 54806-1652

Mr. Edward J. McKay
Chief, Spatial Reference System Div.
National Geodetic Survey
National Oceanic & Atmospheric Adm.
1315 East-West Highway, Room 8813
Silver Spring, MD 20910

Mr. Thomas Ross
Division Chief
Nat'l. Cntr. for Recreation and Conservation
1201 Eye St., N.W.
9th Floor
Washington, DC 20005

Mr. Christopher A. Saari
Hydrogeologist
Wisconsin Department of Natural Resources
2501 Golf Course Road
Ashland, WI 54806

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
1201 Eye St., N.W., 9th Floor
Washington, DC 20005

Ms. Jane Silberstein
Community Resource Development Agent
UW Extension
Ashland Co. Extension Office
201 W. Main St, Courthouse, Room 107
Ashland, WI 54806-1652

Mr. Thomas V. Skinner
Regional Administrator
US EPA, Region 5
Mail Code B-19J
77 West Jackson Blvd.
Chicago, IL 60604-3590

Ms. Janet Smith
Field Supervisor
U.S. Dept. of Interior
Fish and Wildlife Service
2661 Scott Tower Drive
New Franken, WI 54229-9565

Mr. William H. Smith
Regional Director
Wisconsin Dept. of Natural Resources
810 W. Maple Street
Spooner, WI 54801

Mr. John Spangberg
Water Management Specialist
Wisconsin Department of Natural Resources
2501 Golf Course Road
Ashland, WI 54806

Mr. R. E. Steffes
Wisconsin Dept. of Natural Resources
101 S. Webster Street
P.O. Box 7921
Madison, WI 53703

Mr. Robert Whiting
Chief Regulatory Branch
J.S. Army Corp of Engineers
190 Fifth Street East
St. Paul, MN 55101-1638

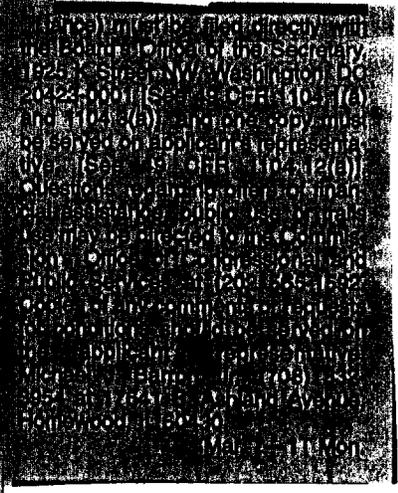
Mr. Duane Lahti
Lake Superior Basin Water Team Leader
DNR Service Center
1401 Tower Avenue
Spooner, WI 54880

LEGAL NOTICE

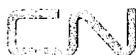
WISCONSIN CENTRAL LTD. gives notice that on or after April 20, 2005, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1154 Subpart F - Exempt Abandonments, concerning the abandonment of its railroad line (the Ashland One Block Line) between Ashland and One Block, Wisconsin.

Interested parties may file comments with the Board on or before April 20, 2005. Comments should be filed with the Board at 1225 K Street, NW, Washington, DC 20423, or by calling the office at (202) 655-1545. Comments should be filed in accordance with the Board's rules of procedure, 49 CFR 1154.101 through 1154.109. Comments should be filed in accordance with the Board's rules of procedure, 49 CFR 1154.101 through 1154.109. Comments should be filed in accordance with the Board's rules of procedure, 49 CFR 1154.101 through 1154.109.

Appropriate offers of financial assistance and continuing service can be filed with the Board. Requests for environmental conditions, public use conditions, or trail 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 assis-



ATTACHMENT 7



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

August 25, 2005

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Environmental Report, Historic Report and Required Certifications for
Docket No. AB-303 (Sub-No. 28X), Wisconsin Central Ltd.—
Notice of Exemption for Abandonment in Ashland County, Wisconsin

Dear Secretary Williams:

Wisconsin Central Ltd. intends on filing a Notice of Exemption for the above-referenced proposed abandonment any time on or after September 14, 2005. Enclosed for the above-referenced Notice of Exemption are the following, which are required by 49 C.F.R. Part 1105:

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

Please stamp and return the duplicate copy of this letter to my attention to indicate that you received the items listed.

Feel free to call me if you have any questions.

Respectfully submitted,


Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.

Encls.

EXHIBIT D

Received by NRCS
8-29-05
Carl E. Wade
WI FPPA Coordinator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

B-19J

Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Environmental Report, Historic Report for Proposed Abandonment by Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin
Docket No. AB-303 (Sub-No. 28X)

Dear Mr. Williams:

The U.S. Environmental Protection Agency (U.S. EPA) received the above-mentioned reports concerning the proposed abandonment of 5,160 feet of rail line known as the Ashland Ore Dock line segment located in Ashland County, Wisconsin. Our comments in this letter are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

After reviewing the Reports, we would like to take this opportunity to reiterate comments stated in our March 31, 2005 letter. Particularly, we are concerned with the final disposition of railroad crossties which are not salvageable. Per the July 3, 1984 Rebuttable Presumption Against Registration under the Federal Insecticide, Fungicide, and Rodenticide Act, wood treated with creosote should be buried in a non-hazardous waste landfill unless otherwise required by the State of Wisconsin. We would like assurances from Wisconsin Central Limited (WCL) that crossties will be properly disposed of if they cannot be salvaged for use.

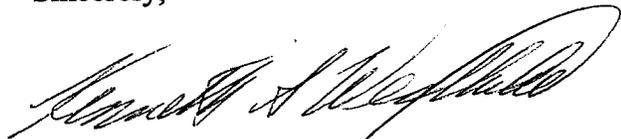
We would like to reiterate the concerns of the Wisconsin Department of Transportation (WisDOT) regarding this abandonment. If the line is abandoned without proper clean-up procedures in place or a feasible plan for re-use, a potential for environmental damage exists. Transference of the property to a third party does not resolve potential environmental issues. Issues surrounding re-use or removal of the ore dock in Lake Superior make this an atypical abandonment and, therefore, require a more detailed analysis of removal procedures or a plan for re-use to satisfy environmental concerns.

Lastly, the report does not include information regarding state threatened or endangered species that may be impacted by the proposed removal or re-use. Abandonment would be premature without a final decision from the Wisconsin Department of Natural Resources Bureau of Endangered Resources in Madison.

EXHIBIT E

We appreciate the opportunity to provide comments on the report and look forward to receiving the Surface Transportation Board's Environmental Assessment for this project. Should you have any questions, please do not hesitate to contact me or Kathleen Kowal of my staff at (312) 353-5206 or via e-mail at kowal.kathleen@epa.gov. Please address all future correspondence regarding rail line abandonment to my attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake". The signature is fluid and cursive, with a large loop at the end.

Kenneth A. Westlake, Chief
NEPA Implementation Section

cc: Michael J. Barron, Jr., Counsel for Wisconsin Central Ltd.

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

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

January 10, 2006

Ms. Lisie Kitchell
Bureau of Environmental Management
Wisconsin Dept. of Natural Resources
101 So. Webster Street
Madison, WI 53703

Re: Docket No. AB-303 (Sub-No. 28X), Wisconsin Central Ltd. – Abandonment
Exemption -- in Ashland County, Wisconsin

Dear Ms. Kitchell:

Wisconsin Central Ltd. ("WCL") plans on filing an abandonment exemption with the Surface Transportation Board in order to abandon the Ashland Ore Dock Line. Note the limits on the enclosed map. Please let us know if your office has any concerns with regard to threatened or endangered species as a result of this abandonment.

Please call if you have questions.

Sincerely,


Michael J. Barron, Jr.
Attorney

Encl.

EXHIBIT F



WISCONSIN
HISTORICAL
SOCIETY

Headquarters Building
816 State Street
Madison, WI 53706-1482
608-264-6400

September 7, 2005

Mr. Michael Barron
Counsel for Wisconsin Central Ltd.
17641 South Ashland Avenue
Homewood IL 60430

SHSW#: 00-1955/AS/PR

RE: Wisconsin Central Ltd.-Notice of Exemption for Abandonment in Ashland County:
Docket No. AB-303 (Sub-No. 28X)

Dear Mr. Barron:

We have received your submittal of August 25, 2005 regarding the above referenced project. Pursuant to 36 CFR 800.5(a)(2)(vii), we believe that the proposed exemption for the abandonment would result in an adverse effect on the Ashland Ore Dock in Ashland, Wisconsin, which was determined eligible for inclusion in the National Register of Historic Places on September 27, 2001. The adverse effect would result due to the transfer of the property without adequate and legally enforceable restrictions or conditions to ensure the long-term preservation of the Ashland Ore Dock.

We look forward to consulting with you and the Surface Transportation Board to complete the Section 106 review process in a timely manner. If you have any questions concerning this matter, please call me at (608) 264-6507.

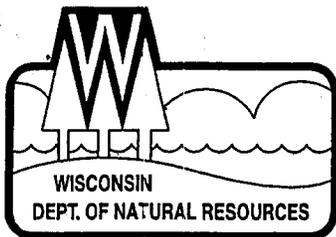
Sincerely,

A handwritten signature in cursive script, appearing to read "Sherman Banker".

Sherman Banker
Office of Preservation Planning

Cc: Mr. Vernon Williams, Surface Transportation Board

EXHIBIT G



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
John Gozdziwski, Regional Director

Spoooner Service Center
810 W. Maple Street
Spoooner, WI 54801
TELEPHONE 715-635-2101
FAX 715-635-4105
TDD 715-635-4001

October 3, 2005

Mr. Vernon Williams, Secretary
Surface Transportation Board
Section of Environmental Analysis
1925 K St. NW
Washington D.C. 20423-0001

SUBJECT: Environmental Report and Historic Report
Wisconsin Central Ltd. Notice of Exemption for Abandonment
Ashland County, Wisconsin Docket AB-303 (Sub-No.28X)

Dear Secretary Williams:

We have completed our review of the draft environmental / historic report that was sent with a cover letter regarding Wisconsin Central Ltd. (WCL) intention to file a Notice of Exemption for the above referenced proposal. We have some significant concerns regarding this proposal. Our primary area of concern is regarding the ore dock which extends into Lake Superior. We have discussed these issues briefly with the Legal Counsel for the Wisconsin Central Railroad, who advised us that we could take an additional 10 days to submit these comments.

The final disposition of the ore dock should be either removal of the structure or secured assurances that what would remain of the dock after abandonment and cleanup would be permitted and meet all permit requirements about future use, maintenance, and liability. Our comments on the draft document are as follows:

Page 1, Environmental Report, 1. Proposed Action and Alternatives - There are no alternatives given in this section other than discussion of the proposed action. Alternatives to discuss in the document must include removal of the ore dock. The proposed action, to renovate the dock for a maritime museum, would require a permit or other authorization from the State of Wisconsin and such authorization has not been obtained at this time. Some alternatives are discussed in Appendix 1 - Proposal for a Maritime Heritage Center, but there is no discussion of complete removal of the structure and restoration of the lakebed.

Paragraph three mentions grade separation and that there are no grade crossings to remove. Once the trestles are removed will all existing road crossings that pass under the trestles remain open?

Paragraph five states that "a substantial portion of the elevated approach to the ore dock would be removed" but no specifics are given as to the extent nor are the trail portions defined.

Paragraph seven states that WCL has entered into an agreement in which, pending Surface Transportation Board and other regulatory approvals, WCL will transfer right to the Northeastern Maritime Historical Foundation. There are currently no permit applications on file for authorization of the ore dock and no abandonment petition should be approved until the appropriate legal procedures of WI state law are complied with for authorization of the structure (including financial responsibility). If appropriate legal requirements are not met to allow the ore dock to remain on the lakebed the State will require removal of the structure and fill under ss.190.08 and 30.294, Stats., since the structure, in its current state is a safety

hazard and a public nuisance.

Page 2, Environmental Report, 2. Transportation System – We strongly support compliance with clean-up according to Wisconsin Department of Transportation (WDOT) policy. We agree that adequate plans for removal and clean-up are needed and should be provided. The railroad states that the Dock application would include the details of removal and clean-up to comply with WDOT. The dock application may not necessarily include all of the on-land portions of the proposed abandonment.

The “Dock Application” is mentioned here, as in the previous section and also in the next section on land use, but no application for authorization of the structure has been submitted at this time. Only recently the Department received a conceptual plan from the maritime foundation who is interested in developing the ore dock into a maritime museum. A formal application for authorization of the ore dock would need to include detailed information about the proposed plans for renovation, including proposed uses, repair and maintenance details, timelines for the various phases of the repair and renovation work, verification of the structural integrity of the ore dock by a qualified professional engineer, and demonstration of financial responsibility to maintain the ore dock or to remove it if it becomes necessary to protect the public interest. All of these conditions would be incorporated into the document authorizing the renovation and transfer of the ore dock to another responsible party. The abandonment proposal should not be approved by the STB until such authorization is approved by the Wisconsin Department of Natural Resources and the Board of Commissioners of Public Lands or a removal and lakebed restoration plan and schedule is submitted by WCL. The environmental document being prepared for this abandonment should not be considered complete until all of the information pertinent to the environment impacts of various alternatives, including removal of the ore dock, are included.

Page 3, Environmental Report, 3. Land Use (i) – Paragraph six states that if no additional fill is placed in the water there should be no impact. Appendix 1 mentions “moon-pools” in their plan. These would likely constitute fill on the lakebed and impact. The draft environmental report has been written addressing comments provided by reviewers instead of describing the issues.

Page 7, Environmental Report, 7. Safety (ii) – This section states that no hazardous commodities were handled on the Ore Dock Line in recent times. The railroad may have spill records from the dates when the railroad was operating. These may more specifically give a history regarding hazardous materials that may be present on the property.

Page 7, Environmental Report, 8. Biological Resources (i) – In a letter from the DNR dated April 1, 2005 we requested that Wisconsin Central contact our office in Madison regarding State of Wisconsin endangered and threatened species. We see no reference regarding any contact made to our department for state records.

Appendix 1 – The conceptual plan shows a marina development east of the ore dock. If this is an integral part of the future plans for the operations associated with the museum it should be included in the discussion as it may have a bearing on the permit conditions that may be applicable.

In addition to the resource information you requested we have included information regarding subsequent actions and permits that may apply and be pertinent to this abandonment proposal. The following is a copy of a portion of our April 1, 2005 letter sent to WCL during their request for environmental information:

Salvage and cleanup of any contaminants found on railroad property - The abandonment cannot be finalized until cleanup of the entire property is complete. State statutes regarding cleanup of contaminants may require that a site investigation be completed to determine the degree of contamination present. This study would define contamination areas so appropriate cleanup could be accomplished.

Permitting - Wisconsin state law requires the restoration of watercourses to their former state upon abandonment of railroad lines, including the removal of structures from the beds of those affected waterways. If a party or parties proposes to leave a structure on the bed of the waterway for another purpose after the railroad line has been abandoned, appropriate legal requirements will have to be met for authorization and maintenance of the structure. We have met with the Northeastern Maritime Historical Foundation and the City of Ashland and are in the process of reviewing recent conceptual plans for the ore dock renovation. It appears that it might be possible to authorize the maintenance of some facilities at this location through a lease from the Board of Commissioners of Public Lands under Sections 24.39 and 30.11(5), Wisconsin Statutes. If a lease were issued to the City of Ashland, facilities for the provision of "recreational facilities related to navigation for public use" could be authorized. The potential uses under that statute could include museum facilities as well as marina and public use facilities. Due to the status of the current structures on the site, provisions will need to be made to assure that the facilities are properly restored and maintained so they do not constitute a continuing safety hazard or public nuisance.

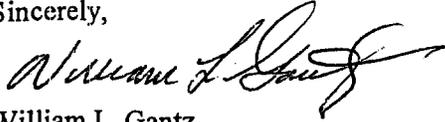
There are specific information requirements that need to be submitted as part of an application for a permit to authorize the structure for another purpose including:

- Documentation of riparian status by the intended transferee, as required under Section 30.11, Wisconsin Statutes. A copy of the property deed and legal description documenting this riparian status would be needed to facilitate a lakebed lease.
- A detailed description of which portions of the ore dock are proposed to be left in place and which are proposed to be removed. We do have concerns about leaving the massive concrete and steel superstructure and ore chutes in place as there is evidence of concrete and steel deterioration and the situation will worsen with time, unless required maintenance and reconstructive work is performed. Environmental impacts as well as public safety are issues that would need to be addressed in addition to the cleanup of concrete or other debris that has fallen into the lake.
- Detailed plans showing the dimensions of the structure, type of materials, and all proposed maintenance and modification work that will be performed on the structure. Essentially we need to see "before" and "after" plan drawings along with the sequence of all proposed work.
- A detailed description of what the proposed uses of the structure will be after modifications are performed. Commercial facilities such as restaurants, housing units, or other uses or facilities that are inconsistent with the Wisconsin Public Trust Doctrine would not be permitted on the structure.
- Copies of any engineering reports which document the structural integrity of the ore dock.
- The permit would require a bond to ensure long term maintenance and financial responsibility for removal if necessary.
- Details of erosion control and other proposed methods and safeguards to protect the water and adjacent property from deleterious materials or sedimentation during any demolition or construction work.

These points outline some of the Department's primary concerns that are specifically tied to the ore dock portion of the proposal.

We appreciate the opportunity to provide comments on this proposal. Please send a copy of the environmental report that will be prepared for this proposal to this office. If you have any questions regarding our comments please contact me at 715-635-4227.

Sincerely,



William L. Gantz
Environmental Review Coordinator

- cc: Richard Steffes - LF/4
Mike Cain - LS/5
Duane Lahti - Superior
Chris Saari - Ashland
John Spangberg - Ashland
Steve Ashenbrucker - Park Falls
James Dunn - Spooner
John Gozdziwski - Spooner
Terry Jordan - Spooner
John Robinson - Rhinelander
Lisie Kitchel - ER/4
Mary Schlaefer-AD/5
- Tom Dosch-Dept. of Justice
Senator Dale Schultz
Tom German- Board of Commissioners of Public Lands
Anna Davey - DOT - District 8
1701 N. 4th St.
Superior, WI 54880
- Vicki Schaefer - DOT- Bureau of Rail and Harbor
4802 Sheboygan Ave, P.O. Box 7914
Madison, WI 53707-7914
- James Langdon - WI Coastal Mgt. Program
101 E. Wilson, P.O.Box 8944
Madison, WI 53707-8944
- Jason Berkner - USACOE
1554 Hwy 2, Suite 2
Two Harbors, MN 55616
- Janet Smith - U. S. Fish and Wildlife Service
1015 Challenger Ct.
Green Bay, WI 54311
- David Frasher, City Administrator
City Hall
Ashland, WI 54806
- Scott Clark - City Attorney
Clark & Clark
214 W. Main Street
P.O. Box 389
Ashland, WI 54806
- Michael Barron
Canadian National Railroad
17641 South Ashland Ave.
Homewood, IL 60430



Ashland

W I S C O N S I N

September 21, 2005

Section of Environmental Analysis (SEA)
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Docket: AB-303 (Sub-No. 28 X)

RE: An Objection and Response to Canadian National's (Wisconsin Central, LTD.) Request for Exemption for Abandonment, the Soo Line Ore Dock, City of Ashland, Ashland County, Wisconsin.

Dear Surface Transportation Board,

On behalf of the City of Ashland, we are writing in regard to the Notice of Exemption for Abandonment of the property in the City of Ashland, Ashland County, Wisconsin, filed by Canadian National/ Wisconsin Central Ltd. (CN/ WCL) on August 25th. This letter supplements our March 23rd, 2005 letter to the STB, which is attached.

The City of Ashland is carefully scrutinizing the abandonment of the Soo Line Ore Dock and the proposal for reuse for the following reasons:

- Currently the Structure is a Public Safety Concern. If the structure is abandoned, without removal required, stabilization is a monumental task that should not be funded by the City, County, State taxpayer, or the future owner of the structure (i.e., the Foundation). CN/ WCL should be responsible and held perpetually accountable for the condition of the structure. The Foundation does not have the resources to be financially responsible for the perpetual care of the structure if it was allowed to remain after abandonment. Any abandonment without demolition of the structure must be conditioned on CN/ WCL obtaining the necessary Wisconsin DNR permit to allow the structure to remain.
- Ore Dock has Historical Significance for our Community. With such significance, the City welcomes the Foundation's proposed reuse as a Maritime Heritage Center (i.e., museum).

The City of Ashland is looking to balance the Ore Dock's historical significance, with concerns about structural integrity and subsequent public safety. The City believes that the financial

EXHIBIT I

CITY OF ASHLAND • 601 Main Street West • Ashland, Wisconsin 54806
Phone (715) 682-7071 • Fax (715) 682-7048

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responsibility of structural stabilization or future remediation of the Ore Dock should not become a burden to the public or to any units of local government.

Notice of Exemption

The City of Ashland urges the STB not to issue an exemption at this time. Our reasons for such a request are listed herein.

Environmental Report

Comments on Section 1 – The City may terminate its interest in the property under question, solely for the transfer to the Northeastern Maritime Historical Foundation (i.e., the “Foundation”), only if the City agrees to the agreement between CN/ WCL and the Foundation to ensure that the Foundation’s proposal is successful.

Comments on Section 2 – Clarification is needed on the party responsible for and the standards for clean-up of the track/ trestle removal as well as the recipient of the funds from the salvage materials. (also in Section 3 (v))

Comments on Section 3 (i) –

- The City of Ashland does not agree that the Ore Dock Line is an operating property, for taxation purposes. A barricade exists south of this section of line (which is proposed to be abandoned) thereby prohibiting railcars north to the Ore Dock line. The Line has been used once since 1966, when operations were basically halted.

Understanding that the issue of unpaid taxes is a collection issue internal to the State of Wisconsin, the issue is representative of the “blind-eye” that has been turned to this property. Instead of addressing this issue in the past, the issue has been left outstanding. Maintenance of this rail line and the Ore Dock structure has been ignored and now serious public safety concerns exist. It is the City of Ashland’s belief that the STB should require that CN/ WCL address these long-existing outstanding issues before abandonment of the property is permitted.

- There is a portion of the Ore Dock Line that is not proposed to be transferred to the Foundation. The location of this portion needs to be clarified to the public before a decision is made.
- As stated in this section, the Foundation has provided the City with a copy of the plans for the Ore Dock’s reuse. The City of Ashland is very supportive of the plan’s concept, but does have concerns regarding the plan’s section on “Estimated Costs of Stabilization and



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Restoration". It is understood that the Foundation has undergone various studies, inspections, and estimates to determine these costs in 2004. To increase the likelihood of the project's success, the City and the Wisconsin DNR will require that a third-party Certified Structural Engineer, verify these costs, measured in today's dollars, and that these new figures be the basis for discussion on the action required for the structure's stabilization.

Comments on Section 7 (i) – CN/ WCL states that "the proposed action will have a positive effect on public health and safety". It is the City of Ashland's opinion that CN/ WCL should be responsible for stabilizing the Ore Dock structure and removal of the trestle or should entirely fund the Foundation for the completion of these activities, prior to (or as a condition of) the proposed abandonment. It is incorrect to state that the abandonment and transfer of this rail line and Ore Dock would have a "positive effect on public health and safety" if no action is immediately taken for a long-term correction of / solution for the existing dangerous conditions.

CN/ WCL has incorporated short-term solutions that are limited in effectiveness for mitigating public access to the site, including the installation of a plastic fence around some of the trestle (presumably to decrease their liability from the concrete pieces spalling off the structure, the unsecured wood debris, and other loose metal components of the structure nearing collapse). Additionally, access from Lake Superior (via- a boat in the summer or from numerous means on ice in the winter) has not effectively been addressed or mitigated.

Comments on Section 10 – In summary, the City of Ashland believes that the existing condition of the rail line, the wooden trestle and the Ore Dock structure presents a very real and dangerous situation to the residents of our community. Prior to abandonment (or as a condition of) CN/ WCL must be responsible for either remediating the structural stability on their own, or for completely funding the Foundation's efforts to do so. Finally, CN/ WCL must be held responsible for issuing a financial bond to "ensure the long-term maintenance and financial responsibility for removal if necessary".

Historic Report

Comments on Section 2 – This section states that the Ore Dock Line "does not appear to contain any federally-granted right-of-way". It is the City's understanding that a complete third-party title search has not been completed on this property. This review needs to be required by the STB prior to the transfer of this property. (The same concern has been raised by the Wisconsin Department of Transportation's Bureau of Rails and Harbors.)

Comments on Section 6 – The City of Ashland requests (as offered in Mr. Barron's 08/25/05 letter) that CN/ WCL provide all engineering documents relating to the Ore Dock to all parties involved in the process (including the City, County, WiDNR, WisDOT, COE, and the Foundation).



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Summary

The City of Ashland is energized to continue working with Canadian National/ Wisconsin Central Ltd. and the Northeast Maritime Historical Foundation to facilitate the successful reuse of the Historic Soo Line Ore Dock as a Maritime Heritage Center. However, the City of Ashland has numerous concerns as listed in this letter. The City will continue to maintain a standing objection to the abandonment until all of these concerns have been addressed to advance the general welfare of the citizens of Ashland.

Based on the foregoing, the City of Ashland urges the STB to deny the request for abandonment until CN/ WCL meet the concerns of the City, Wisconsin DOT, the Wisconsin DNR, and other agencies of local, state, or federal government.

The proposed abandonment is unique in that it involves a portion of an over-the-land rail line, a wooden trestle with an aerial line, and a structure (i.e., the Ore Dock) constructed on the bed of Lake Superior. As such, the abandonment of the Ore Dock in its current deteriorating condition will impose a nuisance on the citizens of Wisconsin.

Upon abandonment of the Ore Dock and adjacent line, Wisconsin State Statute (190.08) requires the removal of structures in the lake bed. Wisconsin DNR has indicated they will immediately enforce this requirement, upon CN/ WCL's successful abandonment of the line, unless a Chapter 30 permit is granted. Wisconsin State Statute 30.12 regulates this permit process. Many major components of this permit need to be addressed prior to the abandonment, to facilitate the transfer of the land to the Northeast Maritime Historical Foundation. These components include:

- Issuance of a financial bond (by CN/ WCL) for the Ore Dock's long term maintenance and financial responsibility for removal if necessary;
- Prior to the issuance of the bond, an independent (third-party) Certified Structural Engineer needs to complete a study on the structural integrity and costs associated with removal of the Ore Dock (including the restoration of the lake bed) to determine the amount of the financial bond;
- Prior to the filing of the Chapter 30 permit, which is to be completed by the future property owner, an independent (third-party) title search needs to be completed to verify that the property does not contain any federally granted right-of-way, thereby verifying that the property can be transferred to the Foundation.



Ashland

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As the afore mentioned components will be time consuming, CN/ WCL needs to provide verification that these items have been completed prior to STB granting abandonment.

Please let us know if there is anything we can do to assist with this process.

Sincerely,

Brea R. Lemke

Brea R. Lemke, AICP
Zoning Administrator/ City Planner

Phone: 715.682.7041
Email: BLemke@coawi.org

David W. Frasher

David Frasher
City Administrator

Phone: 715.682.7904
Email: DFrasher@coawi.org

cc: Vernon A Williams, Secretary, Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423-0001
Michael Barron, CN, 17641 South Ashland Ave, Homewood, IL 60430
Paul LaDue, CN, 17641 South Ashland Ave, Homewood, IL 60430
Franz VonRiedel, Northeastern Maritime Historical Foundation, PO Box 16687, Duluth, MN 55816-0687
Tom Kieweg, Ashland County, 201 W Main St, Ashland, WI 54806
Jane Silberstein, UWEX, 201 W Main St, Ashland, WI 54806
Jason Berkner, USACOE, 1554 Hwy 2, Ste 2, Two Harbors, MN 55616
Ron Adams, Bureau of Rails and Harbors, WisDOT, 4802 Sheboygan Ave, PO Box 7914, Madison, WI 53707-7914
Vicki Shaefer, Bureau of Rails and Harbors, WisDOT, 4802 Sheboygan Ave, PO Box 7914, Madison, WI 53707-7914
Anna Davey, WisDOT, 1701 N 4th St, Superior, WI 54880
Duane Lahti, WDNR, 1401 Tower Avenue, Superior WI 54880
William Gantz, WDNR, 810 W Maple Street, Spooner WI 54801
Mike Friis, Wisconsin Coastal Management, 101 E Wilson St, 10th Floor, PO Box 8944, Madison, WI 53708-8944



Ashland

W I S C O N S I N

March 23, 2005

Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

COPY

RE: Response to CN's Notice of Soo Line Ore Dock Abandonment, Ashland, Wisconsin.

Dear Surface Transportation Board,

I am writing in response to Canadian National's (CN's) notice of abandonment of the Historic Soo Line Ore Dock in Ashland, Wisconsin. On behalf of the City of Ashland we have numerous concerns about CN's intent to abandon the Ore Dock.

1) Standing Objection to Abandonment

The City of Ashland's primary concern is the uncertainty around future reuse of the ore dock. We have had initial discussions with the Northeastern Historical Maritime Foundation and look favorable upon their initial thoughts about reuse. However, until the City of Ashland has the opportunity to review a business plan, architectural renderings, documentation indicating the financial abilities of the Foundation, and other plans for the ore dock's reuse, the City is filing a standing objection to the abandonment.

Additionally, it has been brought to our attention that the Wisconsin Department of Natural Resources (WiDNR) has parallel concerns to those of the City of Ashland regarding the financial responsibility of a prospective owner of the ore dock.

The WiDNR will compel removal of the ore dock by the railroad upon abandonment by the railroad (Wisconsin Statute 190.08). The railroad would not be permitted to abandon the ore dock and avoid the responsibility to remove the ore dock unless adequate arrangements are made for a successor's ownership and use of the ore dock.

The WiDNR will also compel the posting of a bond for security for the maintenance and possible removal of the ore dock to protect the State from the liability for dealing with the ore dock in the event that the successor owner is unsuccessful in its venture or is unable to provide perpetual care for the ore dock (Wisconsin Statute 30.12). The WiDNR requires that a permit be issued to a successor owner for a permitted use of the ore dock, and that as one of the conditions of ownership and use of the ore dock the DNR would impose a bonding requirement to substantiate financial responsibility for maintenance and possible removal of the ore dock in the future.



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II) Delinquent Taxes owed to Ashland County

Ashland County has notified the City that back taxes are owed on the ore dock and adjacent properties. Ashland County has indicated that they have sent notice of these taxes, however, we are again addressing the issue so that it is not overlooked.

III) Other Concerns to be addressed before Future Reuse

If at some point the City of Ashland withdraws our standing objection to the abandonment of the ore dock, there are several other concerns that must be address. These concerns are as follows:

A) Compatibility with the Kiyi

Abandonment and any future reuse will need to be compatible with the location and daily operations of the USGS's research vessel, the Kiyi.

B) Location in the Lake Bed

The Soo Line Ore Dock is located in the lake bed of Lake Superior which has strict limitations on the future reuse of the structure. The State of Wisconsin's Public Trust Doctrine indicates that allowable uses of lands/waters in lake bed are restricted to marina or public recreation.

C) Floodplain

The Ore Dock is located in the 100-year floodplain. Copies of FEMA Floodplain maps of this area of enclosed.

D) Future Land Use Plan

The City of Ashland adopted a Comprehensive Plan in October 2004. The Future Land Use Plan in this document identifies future land uses in this area to be Planned Waterfront. The Comprehensive Plan states that, "the overall goal for the planned waterfront area is to promote water-oriented uses, including parks and limited commercial and residential uses, which respect and capitalize on the value of the waterfront."

E) Ashland Waterfront Trail

The City of Ashland's Waterfront Trail currently runs under the Soo Line Ore Dock. Any future reuse plans of the ore dock will be required to incorporate the Waterfront Trail and maintain its location adjacent to the Lake Superior shoreline through the addition of a trail easement in the properties' deeds.

F) City of Ashland Historic Structure

The Soo Line Ore Dock has been designated and is currently listed as a Historic Structure with the City of Ashland. Any structural changes will be required by City Ordinances to successfully obtain a Certificate of Appropriateness before



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construction begins. The City of Ashland's Historic Preservation Commission is tasked with reviewing and approving this permit.

G) Eligibility for National Register of Historic Structures

The Soo Line Ore Dock is considered National Register-eligible as a linear historic district under Criterion "A" for their role in helping to develop and facilitate Ashland's association with the regionally prominent iron ore and shipping industries. The City of Ashland's 2001 Historical Architectural Resources Survey indicated:

The most important extant resource associated with industry in Ashland is thought to be the 1916-1917 Wisconsin Central Railroad (later Soo Line) ore dock and the associate wooden railroad trestle that extends to the south, as well as the single span bridge that is a component of the latter. The trestle provides access to the ore dock that extends into Lake Superior.

H) Community Input

The Soo Line Ore Dock is an integral part of the strong sense of place held by everyone in Ashland's community. In fact the mascot for Ashland High School is the ore dock and the teams are nicknamed the "oredockers". Any future reuse plans will be required to be presented to the public for comments and concerns.

The City of Ashland would like to continue working with Canadian National and the Northeast Maritime Foundation on the future reuse of the Historic Soo Line Ore Dock, however at this time we have concerns about specific reuse plans and their feasibility. Until we have been presented with and review all information on any plans, we will continue to hold a standing objection to the abandonment.

The City of Ashland must be held accountable to its citizens and therefore cannot afford to allow a multi-million dollar project fall into a state of disrepair which would require the City, County, or State to be responsible for maintenance and/or demolition of the structure. This accountability requires us to carefully analyze and scrutinize projects so that the best interests of our tax payers are kept in mind. We believe that the initial concepts of this project are in the best interest of Ashland's community, but we will continue to carefully analyze this project to reach assurance into its feasibility and long-term well-being.



Ashland

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If there are any questions or concerns that we may be able to assist with, please contact us.

Sincerely,

Brea R Lemke

Brea R. Lemke, AICP
Zoning Administrator/ Planning Specialist

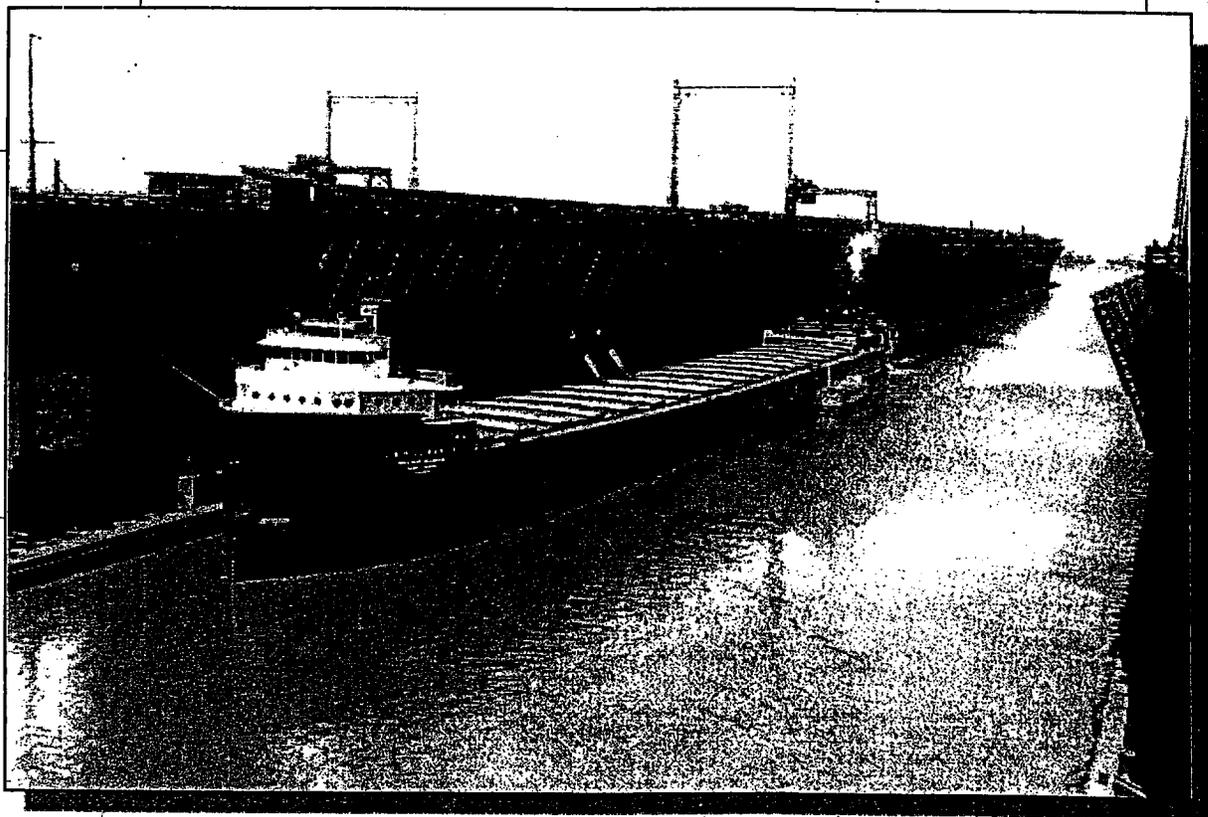
Phone: 715.682.7041
Email: BLemke@coawi.org

COPY

cc: Michael Barron, CN, 17641 South Ashland Ave, Homewood, IL 60430
Paul LaDue, CN, 17641 South Ashland Ave, Homewood, IL 60430
Franz VonRiedel, Northeastern Historical Maritime Foundation
City of Ashland Development Review Committee
Mayor Schnook
City Council
Planning Commission
Historic Preservation Commission
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Proposal for a Maritime Heritage Center

Soo Line Ore Dock Ashland, Wisconsin



Northeastern Maritime Historical Foundation

REVISED DRAFT, AUGUST 23, 2005

EXHIBIT J

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A brief history of the Foundation

The Northeastern Maritime Historical Foundation was created in the Spring of 2003 as a response to the news that the vulnerable old iron tug *Mount McKay* was to be disposed of after her owner passed away. Many saw this historical 1908 vintage tug as an extremely important vessel to save. Soon after the incorporation of Northeastern Maritime, the tug was donated to the Foundation.

The acquisition of that first tug was only the beginning. The long-term goal of the Northeastern Maritime Historical Foundation is to assemble a first-rate collection of historically significant commercial vessels of the “Northeast” region, including the Great Lakes, East Coast and their link, the Erie Canal. This collection is to be displayed in a new maritime heritage center, which we envision will become one of the premier maritime museums in North America.

Currently, the museum collection consists of several historic tugboats, starting with the *Mount McKay*, which is powered by what is believed to be the world’s last operating example of a C-6 Kahlenberg oil engine. The rare C-6 was the largest model produced by Kahlenberg, a top builder of workboat engines on the Lakes for many years. The *McKay* was joined in 2004 by the last steam-powered “G-tug”, the *Q.A. Gillmore*. Earlier this year, we also acquired the 1892-vintage *Islay*, originally built as the yard tug for Alexander McDougall’s American Steel Barge Company yard (builders of the famed “whaleback” vessels), and the classic 1929-vintage Great Lakes fish tug *Jane*.

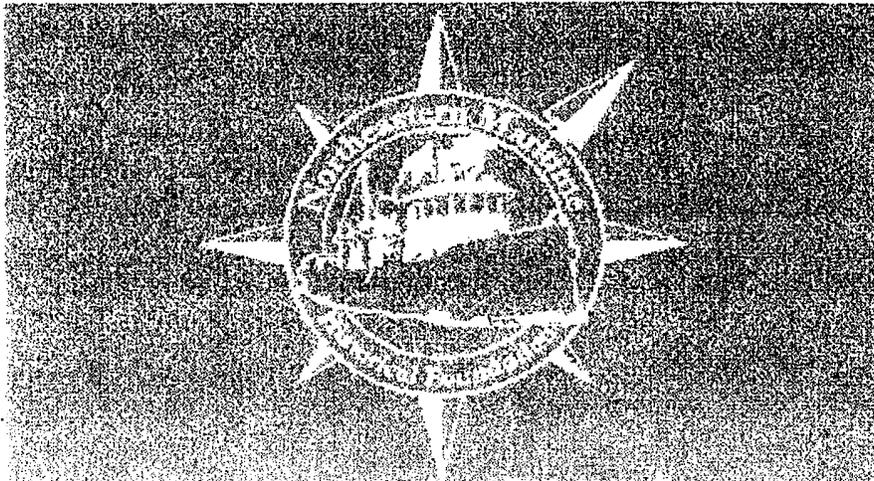
The Northeastern Maritime Historical Foundation is headquartered in Superior, Wisconsin. In addition to our preservation and restoration efforts, we are working closely with the community by volunteering lectures at local schools, aimed at expanding awareness of the great historical aspects that surround us in the port we live in. Educational programs are also in place for youth groups who wish to visit our vessels in person, taking tours, learning about the history of the vessels and piers and discovering the lost arts of operating the engines and throwing lines through supervised, hands-on experiences.

The Foundation is a Wisconsin non-stock, 501(c)(3) nonprofit corporation. The officers and board of directors consist entirely of industry professionals and marine historians, who are familiar with the industry in every aspect, and share the common love for our rich maritime heritage. A major component of the Foundation’s mission is to share its knowledge, through the archives, museum collection and member experiences, with those who are interested, and give the younger generation a chance to learn what it was like to operate vessels from our past.

The Foundation's members are proud of the accomplishments as we enter into our third year. Some of the highlights include:

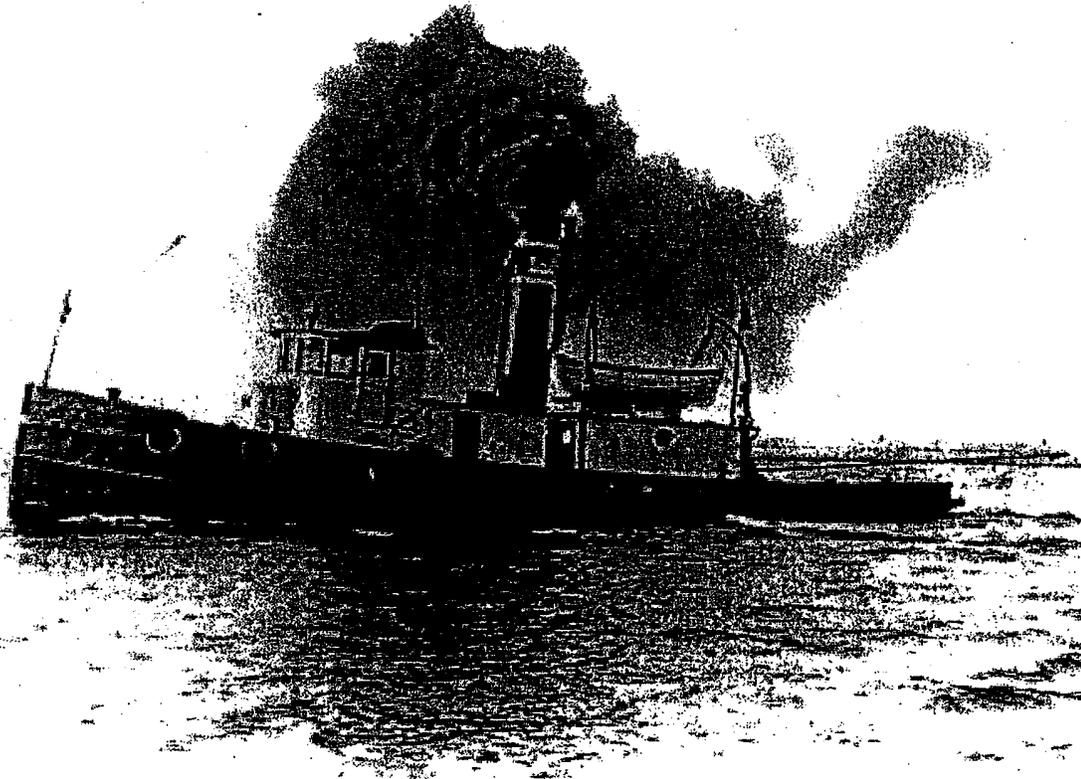
1. Achieved financial self-sufficiency in our first year, with our complete budget covered using funds generated by the museum.
2. Acquired former U.S. Coast Guard cutter *Snohomish* WYTM-98, a well-known ocean-going tug that served for over half a century in daring rescue missions and ice breaking services.
3. Acquired the last remaining steam G-tug, the *Q. A. Gillmore*.
4. Contributed more than \$10,500 towards other organizations and restoration projects that we felt were important to support.
5. Developed a series of educational and community outreach programs, with several successful visits by area youth groups, to tour the tug *Mount McKay*.
6. Established an extensive archive of historical records for the accurate recording of vessel histories, particularly tugboats.
7. Contributed the 180-foot buoy tender *WLB-403 Spar* and the 120-foot tugboat *Titan* to the North Carolina artificial reef program. Although neither vessel was a candidate for preservation afloat (both were donated for fundraising purposes only), as artificial reefs they will continue to serve as a habitat for marine life and an attraction for sport divers for decades to come.
8. Established a vessel brokerage service to connect third-party buyers and sellers on a commission basis, in support of the Foundation's fundraising activities.

Without a group such as the Northeastern Maritime Historical Foundation, a great deal of maritime history would go unrecorded, and the historic vessels we seek to preserve might be forever lost.



The Museum Collection

Fifty years ago, America's railroads went through a period of transition, as steam locomotives were quickly dying out in favor of the efficiency of the diesel, and entire "scrap trains" of retired steamers were heading off to the breaking yards. Few thought to save them earlier than that period, because they were a common sight. Today we are at that same "end of an era" in the marine industry, with single-screw tugboats, Great Lakes commercial fishing vessels, and steam-powered freighters all rapidly approaching extinction. It is a goal of the Foundation to include representatives of these endangered vessel types in our museum collection. The selection of museum candidates is based upon a number of characteristics; for example, a vessel may be of interest as the first of her kind, last of her kind, a particularly rare specimen, or an excellent example of a once-common class.

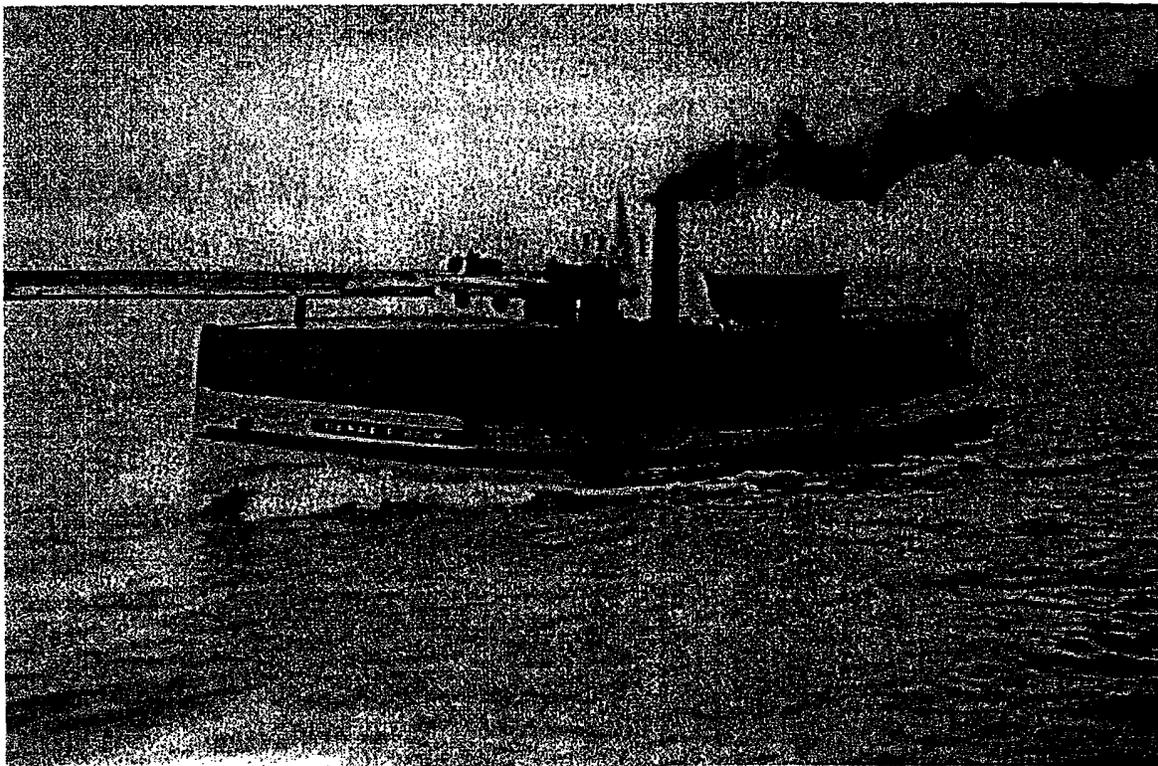


Tug MOUNT MCKAY in the days of steam on Lake Superior.

Currently, the Foundation has the one of the world's largest museum collections of historic tugboats. We have also developed an "adopt a ship" program, in which historically significant vessels are donated to the Foundation while still in service, in order to secure their preservation and maintain their historical integrity upon retirement.

Typically, a retired ship will go through a period of extended lay-up while her fate is decided. During this time in limbo, the vessel's condition will deteriorate, and valuable artifacts will often go missing, sometimes to the point that preservation is no longer feasible. Our "adopt a ship" program is designed to eliminate this period of uncertainty, allowing vessels to be restored at significantly lower cost and with greater authenticity, and in some cases preventing historically important vessels from being lost completely.

Several owners of historic craft have chosen us to take ownership of their vessel upon retirement, recognizing the Foundation as one of the more ambitious and growing maritime preservation groups in the region.



Commercial fishing vessels have been a focus for the Foundation.

Major vessel restorations on the larger boats will be completed in Duluth, Minnesota. "Messy" jobs such as sandblasting, painting, steel work, cleaning bilges and fuel tanks will all be completed at the Duluth facility, which is well-equipped to handle this type of work in a safe and environmentally-friendly manner. Once a boat is made presentable, it would then come home to its permanent berth at the new museum site. Ongoing restoration and maintenance work will continue at the new facility in order to keep the fleet in pristine condition.

The Museum Site

As a future home for this historic collection, the Foundation has sought out several complete shoreside dock loading/unloading facility unique to the industry. Docks with structures such as grain elevators, warehouses, ore docks, or former shipyards are being considered. A facility such as this would provide ample dockage to moor the display vessels and nearly endless interior space for public displays, archives, and museum offices.

We feel it is an important step in historic preservation to save not only paper records and a few important vessels, but a complete cross-section of the industry, including an entire historic dock facility that is unique to the Northeast region, particularly the Great Lakes.

Currently there is no such a museum on the Great Lakes, and it is likely that few in the world could compare to such an elaborate gallery of historic vessels and maritime artifacts in the historically appropriate setting of an impressive dock structure.



Ashland, Wisconsin, 1999.

The Ashland Soo Line No. 2 Ore Dock

One of the primary candidates for the new museum site is the Soo Line Ore Dock in Ashland, Wisconsin. Located in beautiful surroundings in the cold fresh water of Lake Superior, the Ore Dock is a perfect environment for preservation of historic vessels.

While the boats will be a major component of the exhibit, an equally important part of the tour would be the Ore Dock itself. This would give people a chance to see, up close, a world that most have never experienced: to look down at a huge freighter from on top of a gravity ore loading facility, unique to Lake Superior. To walk its cat walks and crawl inside its cavernous bins. To look out at a whole marina of historic workboats, across to Ashland's picturesque downtown area, and the beautiful shoreline of Lake Superior's Chequamegon Bay. It is a view like none other, and one that should be made public, for the first time in the history of the Ore Docks.

The Ashland No. 2 Ore Dock is one of only 13 such docks left on the Great Lakes. Only four are still active and most of the retired docks are in very poor condition. Structurally, the Ashland dock is said to be in better condition than some of those still in service. The dock had undergone major upgrades to its underwater footings and topside only a few years prior to its unexpected closing in the mid-1960's.

Our intentions for the Ashland dock would be to preserve its integrity as an Ore Dock and not strip it of its rigging or tear it down, as other plans had called for. The dock would undergo a major overhaul, stabilizing it and making it safe for public use. The first steps in this process would be as follows:

1. Dismantle the wooden approach and steel supports from the south side of Highway 2 up to, but not including, the first steel column support before the concrete dock begins. That final steel support and last portion of wooden approach would be kept in its original state.
2. Encapsulate areas of deteriorating concrete on the dock itself. The worst of this is at the base of the portion, which crosses over the lakefront trail. The majority of the dock beyond that is in decent condition and needs very little attention.
3. Secure the chutes and rigging that are in danger of breaking loose due to rust and corrosion.
4. Remove iron ore, vegetation, and wood plank decking from upper level of dock and restore drainage, preventing additional damage to the concrete.
5. Install handrails down both sides of the dock and proper mooring bitts for the museum vessels.
6. Restore utilities to the dock and lighting the structure once again, including lights on top and down the walkways; a scaled down version of the work lights it once had.

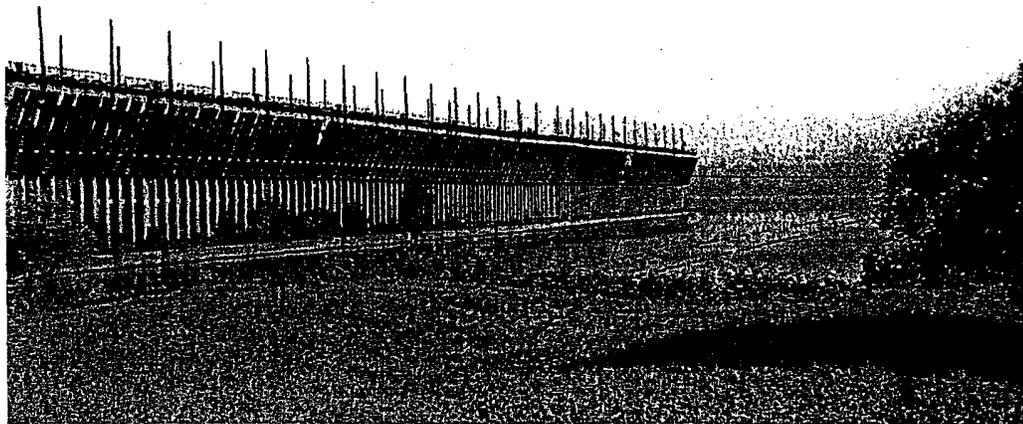
Only the rear half of the dock would be made accessible, during this first stage of restoration. However, the entire topside would be cleaned off to prevent any more debris falling on the boats, in the water, or on walkways.

A replica of the Ore Dock office would be built on shore, on one side of the wooden approach. This would serve as the museum office and starting point of the tour. A tunnel would connect that building, through the wooden approach, out onto the ore dock, at the level of the horizontal supports below the bin floors. The bins will act as a natural ceiling to the indoor portion of the museum. Housed in and climate controlled, this exhibit area would be designed to be practically invisible from the outside, to avoid disturbing the appearance of the Ore Dock itself. From that level, an elevator would take people to the top deck, where a small portion would be made safe for public access, with the bins decked over, tripping hazards removed, and safety rails and mesh installed around all the edges.

Back on the middle level, an elevator would then take visitors down to the dock level, where they can walk along the facing, to view the museum vessels up close. Some will be open for tours and the exhibits will rotate from year to year. The center of the Ore Dock would be left open. This area would be accessible by museum vehicles. The space could be used for large exhibits such as small craft that are better preserved ashore. This area would also be a place for our collection of historic marine engines. The Foundation has what might be the largest collection of preserved Kahlenberg oil engines in the world; an engine that was once the primary means of propulsion for the local fishing fleet.

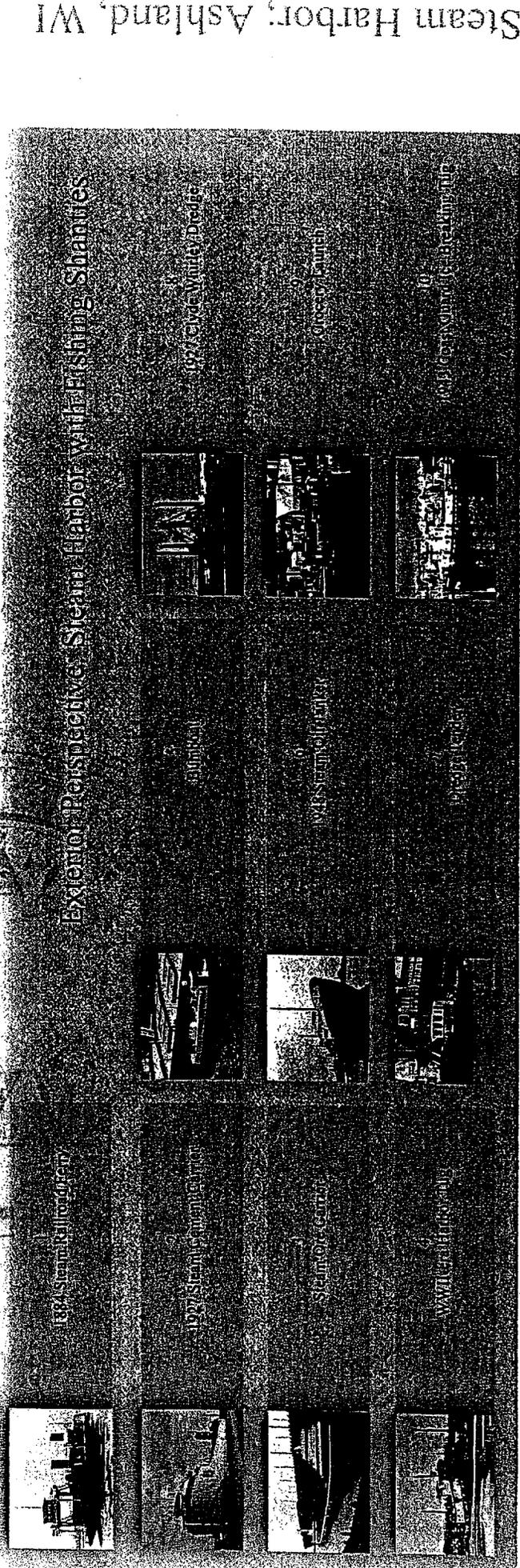
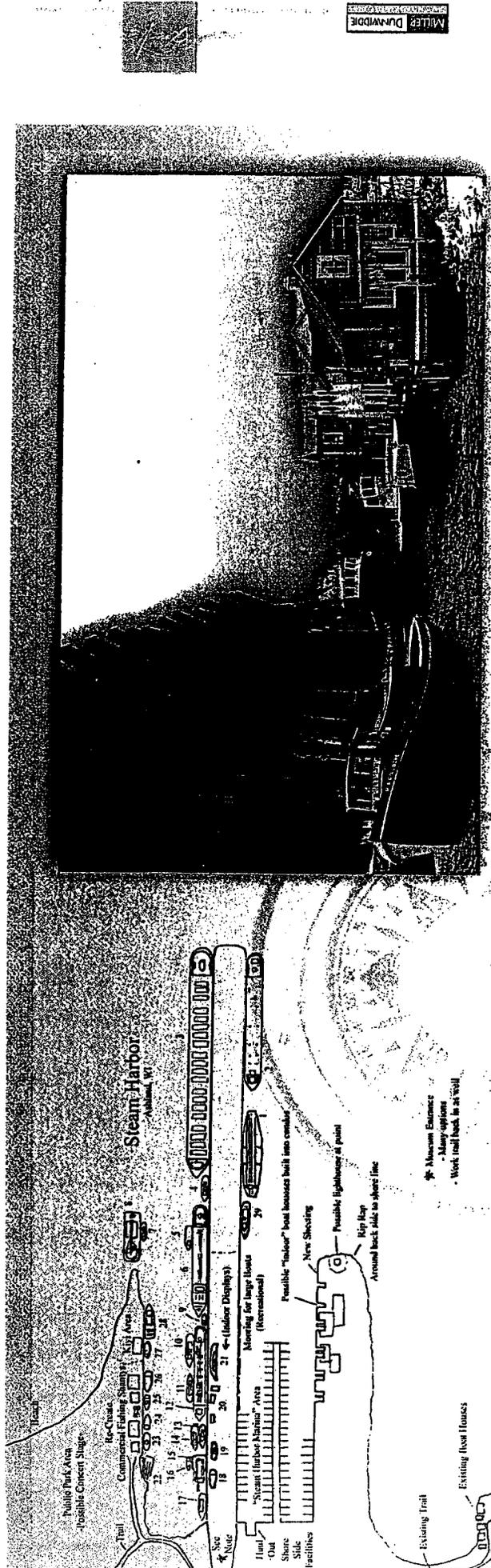
A small steamboat might be made operable; to take visitors on a short ride out in the bay to view the facility and the city from the water. Some of the larger museum vessels will also be restored to operating condition for special events or charters. We will keep some of them functioning and be made available for commercial service, pushing Steam Harbor back in time to an era of the living, breathing, working harbor that Ashland once was.

While this project is a huge undertaking, we feel very confident in our ability to make it happen and have the facility made safe for public use once again.



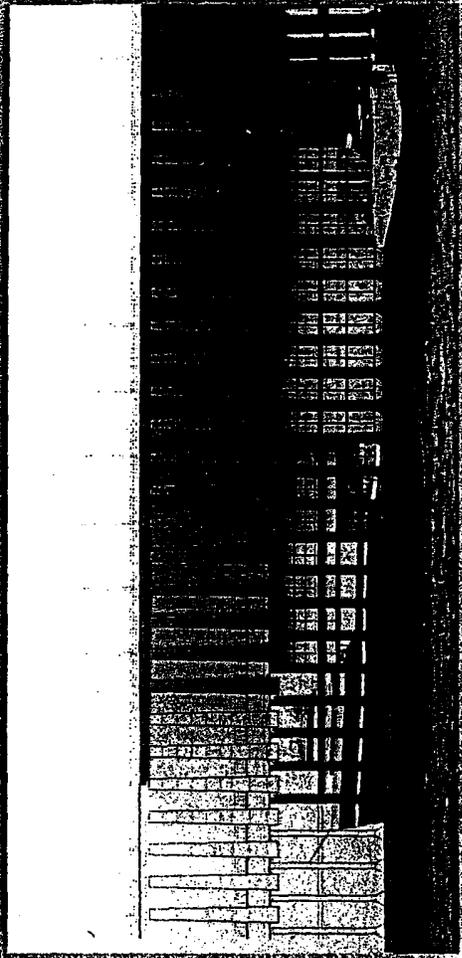
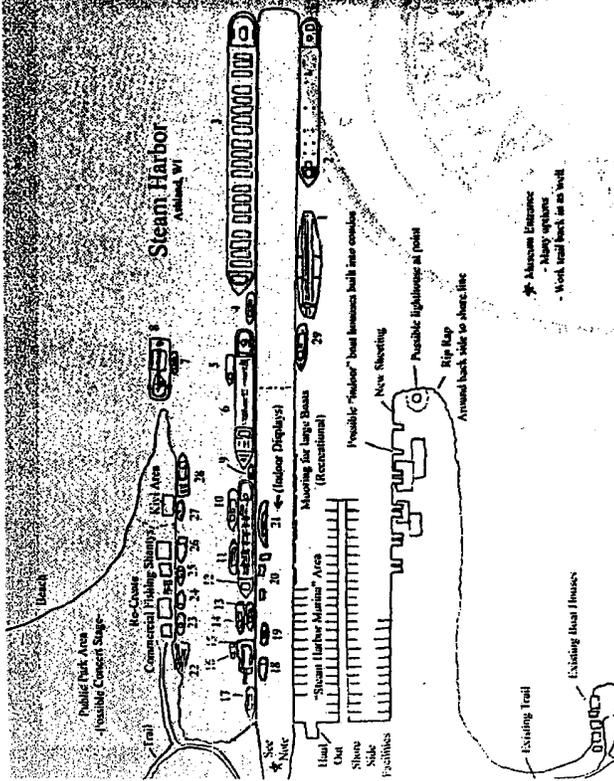
The Ore Dock as it exists today.

Ashland Soo Line No. 2 Ore Dock - Conceptual Plans

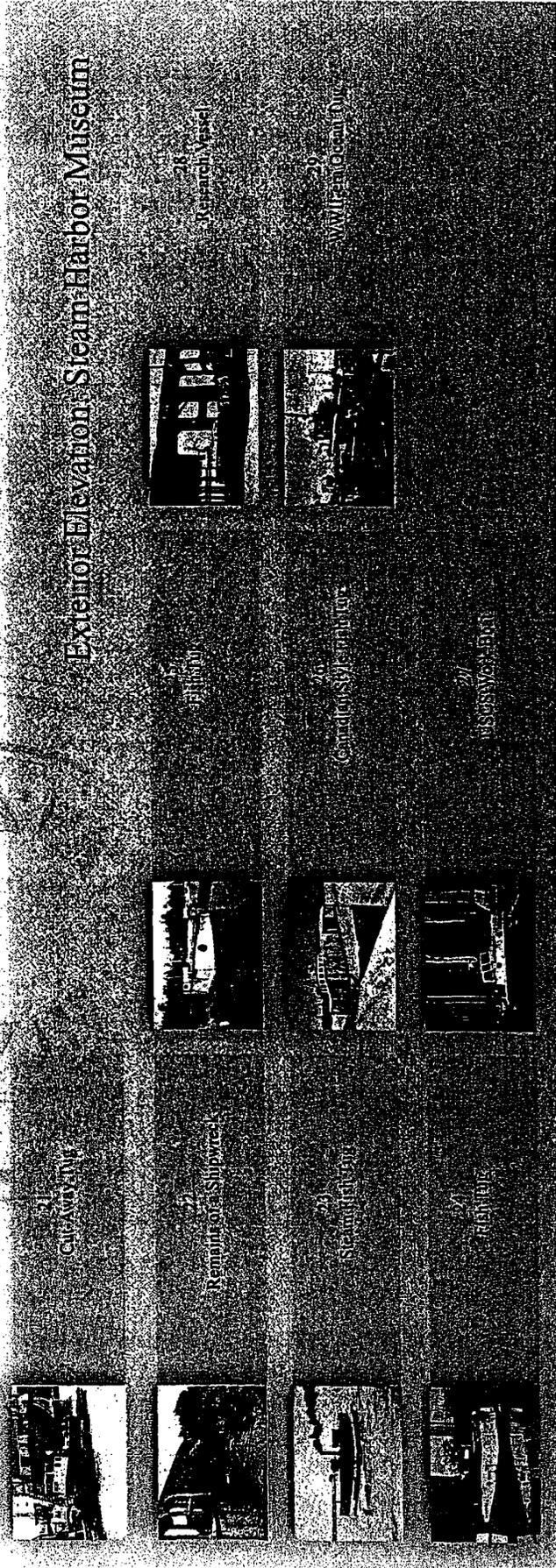


A historic fish shanty village will be an educational tool about Chequamegon Bay's commercial fishing industry.

Ashland Soo Line No. 2 Ore Dock - Conceptual Plans



MILLER DUNWIDIE



A wide variety of commercial vessels will be displayed.

Estimated Costs of Stabilization and Restoration

The estimated costs below were generated by the Foundation's studies, inspections and estimates received during the spring of 2004. Since that time, fuel prices have increased substantially and the value of P&S scrap steel has greatly decreased. These, and other factors, will affect the costs of restoration and it is our position that if an agreement on the property is reached and closing nears, interested parties may want to perform their own cost analysis in these areas, if necessary.

Project Detail:

Estimated Cost:

Phase 1, Stabilization

- Encapsulate concrete portions of the dock that are deteriorating	\$250,000
- Replace steel stairs	8,865
- Repair middle level walkways (needed to perform other work)	42,000
- Secure chutes that are in danger of breaking loose	64,000
- Remove wooden upper level decking that is in danger of falling	46,000
- Dismantle a portion of the wooden approach	67,000
- Remove steel bridges in approach	20,000
Total cost of phase	\$497,865

Phase 2, Safety

- Install hand rails down the sides	152,000
- Prepare safe walkway (leveling, concrete fill, etc)	28,400
- Blasting and painting of certain needed areas	22,855
- Build new entrance gate at dock front	16,000
- Run electrical utilities out onto dock	43,740
- Install proper lighting on dock	62,000
Total cost of phase	\$324,995

Phase 3, Lower Level Access

- Install proper mooring bitts for smaller vessels	\$22,000
- Repair large existing mooring bitts	13,000
- Recap portions of the dock facing that are in need of repair	80,000
- Install stairways and hand rails on the inside for parking area access	9,500
- Fill in 'moon pools' on outer half of dock	45,000
- Complete hand rails the full length of dock	146,000
- Prepare road bed inside dock for parking in front half	20,000
- Remove vegetation from dock at main level	3,600
- Hang proper fendering for vessels	32,480
Total cost of phase	\$371,580

Phase 4, Hillside

- Grade out parking areas and pave as needed	\$18,000
- Construction of lot fencing and roadways	30,000
- Build sidewalks and entrance through approach	10,000
- Landscaping	39,000
- Construction of display plaques near dock on trail	8,000
- Sign on main highway	15,000
Total cost of phase	\$120,000

Phase 5, Upper Level Access

- Replace deteriorating wooden decking	\$175,000
- Repair and add fencing to hand rails	40,000
- Bring utilities to upper level	44,375
- Install proper lighting on upper and intermediate levels	69,414
- Construction of an industrial elevator	96,768
- Deck over some of the pockets	220,000
Total cost of phase	\$645,557

Phase 6, Docking for Museum Vessels

- Sheet piling across front	\$15,000
- "Finger piers" for tugboat display	26,000
- Install shore-power connections	4,800
- Install fendering and bits	5,000
- Hand rails and utilities	4,762
- Display plaques	6,500
Total cost of phase	\$62,062

Phase 7, Museum Office

- Construction of main office	\$180,000
- Interior finishing	255,000
- Display materials	60,000
Total cost of phase	\$495,000

General Costs

- Administration	\$250,000
- Insurance	49,956
- Advertising	12,000
Total general costs	\$311,956

Subtotal cost of project \$2,829,015

Contingency (20%) \$565,803

Total cost of project \$3,394,818

Funding

Since the Foundation's formation, it has remained financially stable. Each year, as we take on ever-larger projects, we have never had a problem keeping up with the increased demand for funding.

Our major source of funding comes from using the Foundation's own vessels. Some vessels are kept in operable condition and chartered out for commercial service, providing a steady income for the Foundation. Other monies have been generated by contributing non-historic vessels to state-sponsored artificial reef programs. These boats, which have been donated to the Foundation with the understanding that they will only be used for fundraising purposes, are stripped of all usable parts, towed offshore and scuttled, as a benefit to fish habitat and sport diving. All of the salvaged machinery is sold for reuse.

A vessel brokerage service has been established using the Foundation's website. With industry contacts around the world, we have been successful in connecting buyers and sellers of vintage floating equipment, with commission from these sales going towards the preservation of the museum fleet.

For the Ore Dock project, the funding for Phase 1 and Phase 2 of the restoration has already been arranged. Final stages will be funded through private funding and grants, as well as the usual income from the Foundation's ongoing sources and fundraising programs.

Timeline

The first two stages of restoration will be completed within one year of transfer of ownership to the Foundation. The dock would be made safe for public access at that point.

As funding is arranged, the final phases of restoration and improvements to the property will be completed. We expect to complete one phase per year. Our goal is to have all seven phases of restoration, including the majority of cosmetic vessel restorations, completed for the Ore Dock's 100th birthday, in 2016.

Public Use

We feel the Ashland Ore Dock should be made available for public use. An example of every area of the structure and dock would be restored and made safe for touring. Safety is our primary concern with the Ashland Ore Dock property. Like any industrial setting, an Ore Dock can be a dangerous place, with tripping hazards, falling debris, and sharp edges, and should not be taken lightly for those who are timid with heights or dark, scary places. However, dangerous places and activities can always be made safe, and the Ore Dock is no exception. The first two phases of restoration cover a detailed plan for the stabilization and safety refit of the structure. Funding for those two phases has already been arranged.

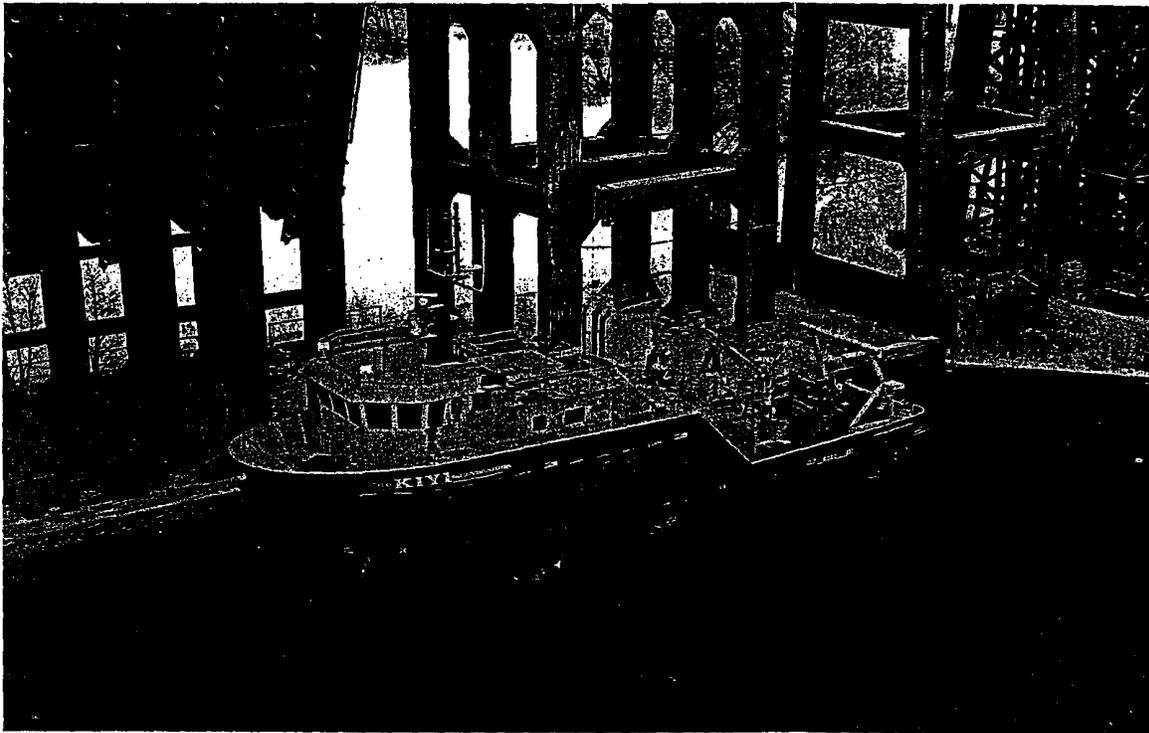
Every effort will be made to ensure the safety of the public when visiting and touring the Ore Dock and museum vessels.

The current waterfront trail will be incorporated into our plan for use of the dock property. We would like the trail to stay as close to the water and the dock facility as possible, allowing the public to enjoy the view of the boats and structure without having to take a paid tour.

We would like to build and display plaques along that section of the trail, pointing out historic aspects of the property as the visitors walk past. A general history of the Ore Dock, the ruins of the old No. 1 Ore Dock, and the local shipping and fishing industries would be areas covered on those plaques.

The *Kiyi*

The *Kiyi* is an important vessel to many in the community and we feel the same way. An actively working vessel arriving and departing from the Ore Dock slip adds excitement for those visiting the site. Initial meetings have placed the *Kiyi* on the west side of the Ore Dock slip. We would like to share a portion of that side, the rear of the slip and approximately 80-feet of the west side to be lined with sheet piling. In that area, we would like to build replica commercial fishing shanties, which could be used as shops or additional museum buildings. The waterfront trail would pass right through this area. Our museum fish tugs would be moored in this area, creating an authentic fishing village, linking the proposed *Kiyi* facility into the Ore Dock complex. Under Foundation ownership of the Ore Dock, the *Kiyi* will always have first rights to a berth at the dock.



KIYI working from the east side of the Ore Dock slip.

Alternate Plans

A concern that has been brought up in initial meetings regarding this project is the question of "What if the project fails?" Taking the Foundation's plan for restoration and museum use of the property out of the picture, the Ore Dock would still have value to the community as a pier.

As stated above, initial survey and plans from the c.1960 rehab, the dock base is in very solid condition. We believe the dock base itself is worth saving, even after removal of the structure resting on it. The base serves as a breakwall for seas along the shoreline (erosion control) and would provide endless dock space for large visiting vessels, the *Kiyi*, a community fishing pier, or a basis for construction of a marina.

Dismantling the upper Ore Dock structure would generate roughly \$750,000 in scrap steel in today's market, which has just taken a substantial drop. The remaining copper wiring also has a high value in the scrap market. With topside access limited at this point, the quantity of wiring is unknown.

A small amount of glass, wooden debris, and other items would be hauled away as trash. The remaining concrete structure can be cut down in sections, and hauled, perhaps by barge, to Duluth for processing. Concrete can be pulverized and reused in many applications, such as gravel. Steel rebar would also be recovered for scrap.

Dismantling the upper works in this fashion and leaving the dock base for reuse is a very cost effective way to eliminate the liability of a deteriorating structure. It is also the best alternative to restoration. In the unlikely event that our project should fail, this is the route we would take, with approval from the City and concerned parties.

Estimates for complete removal of the Ore Dock and restoration of the lakebed, including the removal of all debris and pilings, are said to be as high as \$30 million. Dismantling the upper structure and saving the dock base for reuse is estimated to be no more than \$5.5 million gross, excluding the profits from scrap and other resalable materials.

Conclusion

Ashland's Soo Line No. 2 Ore Dock is one of the last reminders of Ashland's commercial and industrial past. Located on Lake Superior's Chequamegon Bay, Ashland was once a vibrant deep water harbor, with daily arrivals and departures of lumber, brownstone, coal, and iron ore. All of the dozen or more dock facilities that once existed along the waterfront are long-gone, except one, the Soo Line No. 2 Ore Dock. Unfortunately the Ore Dock has not improved with age, and it is nearing the turning point where something must be done either to preserve it or dismantle it before it becomes an even greater liability.

We believe this property would form an excellent basis for a world-class maritime heritage center, and we feel that it should be preserved in this manner. Working with the City and the community, the Northeastern Maritime Historical Foundation would be honored to take such an important role in the revitalization of Ashland's waterfront, and bringing this amazing piece of regional history back to life.

Respectfully submitted for public record, August 15, 2005.

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