

222467



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Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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



May 23, 2008

Surface Transportation Board  
ATTN Anne K Quinlan, Acting Secretary  
395 E Street, SW,  
Washington, DC 20424

Re: Environmental Report, Historic Report and Required Certifications for  
Docket No. AB-506 (Sub-No. 1X),  
Sault Ste Marie Bridge Company — Notice of Exemption for Abandonment  
in Iron Mountain, Dickinson County, Michigan

Dear Ms Quinlan:

Sault Ste. Marie Bridge Company intends to file a Notice of Exemption for the above-referenced proposed abandonment any time on or after June 30, 2008. Enclosed for the above-referenced abandonment exemption are the following documents, 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,

Thomas J. Healey  
Attorney for Sault Ste. Marie Bridge Company

Encls

ENTERED  
Office of Proceedings  
MAY 29 2008  
Part of  
Public Record



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Counsel - Regulatory

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Homewood IL 60430-1339

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May 23, 2008

**Re: Sault Ste. Marie Bridge Company Notice of Exemption for Abandonment –  
Iron Mountain, Dickinson County, Michigan - Docket AB-506 (Sub-No. 1X)**

To Whom It May Concern

Any time on or after June 30, 2008, Sault Ste Marie Bridge Company ("SSMB") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 29.60 and milepost 30.24, a distance of 0.64 miles, in Dickinson County, Michigan. 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, 395 E. Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number

SSMB will file the Environmental Report and Historic Report with the STB on or about June 30, 2008. 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) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey  
Attorney for Sault Ste Marie Bridge Company

Encls

Docket No. AB-506 (Sub-No. 1X)

SAULT STE. MARIE  
BRIDGE COMPANY

NOTICE OF EXEMPTION FOR  
ABANDONMENT IN DICKINSON  
COUNTY, MICHIGAN

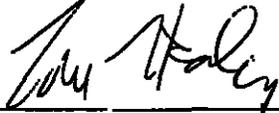
To: Anne Quinlan, Acting Secretary  
Surface Transportation Board (STB)  
395 E. Street, SW  
Washington, DC 20424

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

I hereby certify that on May 23, 2008, 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 Michigan Department of History, Arts and Libraries. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Sault Ste. Marie Bridge Company intends to file its Notice of Exemption in the above-captioned matter no earlier than June 30, 2008. 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 April 19, 2008, in *The Daily News*, a newspaper of general circulation in Dickinson County, Michigan. 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 is attached to this certificate as Attachment B.

Dated this 23rd day of May, 2008.



\_\_\_\_\_  
Thomas J. Healey  
Attorney for Sault Ste. Marie Bridge Company

**State Historic Preservation Officer  
Attn: Martha MacFarlane Faes  
Michigan Historical Center  
702 W. Kalamazoo St.  
PO Box 30740  
Lansing, MI 48909-8240**

**Chief, Spatial Reference System Division  
National Geodetic Survey  
Nat'l Oceanic & Atmospheric Adm.  
1315 East West Highway, Room 8813  
Silver Spring, MD 20910**

**Mr. Robert D. Deroche  
Marquette Field Office  
U.S. Army Corps of Engineers  
1030 Wright Street  
Marquette, MI 49855-1834**

**Mr. Jim Caron  
MDEQ, Crystal Falls Field Office  
1420 W. US-2  
Crystal Falls, MI 49920**

**Mr. Mike Premo, Manager  
Michigan Department of Transportation  
120 Tobin-Alpha Road  
Crystal Falls, MI 49920**

**Mr. Rick Potts, Regional Director  
National Park Service  
1201 Eye Street, NW, 9<sup>th</sup> Floor  
Washington, DC 20005**

**Mr. Craig Czarnecki  
Field Supervisor  
U.S. Fish & Wildlife Service  
2651 Coolidge Road, Suite 101  
East Lansing, MI 48823**

**Ms. Ann Martin  
Dickinson County Board Member  
812 West "B" Street  
Iron Mountain, MI 49801**

**Michigan Department of Environmental Quality  
Upper Peninsula District Office  
420 5<sup>th</sup> Street  
Gwinn, MI 49841**

**Michigan Natural Resources Conservation Service  
780 Commerce Drive, Suite D  
Marquette, MI 49855**

**US Environmental Protection Agency  
Office of Water  
1200 Pennsylvania Ave., NW  
Washington, DC 20460**

**Mr. Chris Antieau  
Michigan Department of Environmental Quality  
525 W. Allegan St., PO Box 30458  
Lansing, MI 48909**

5-1-103

**PROOF OF PUBLICATION**

**PUBLISHER'S AFFIDAVIT**

**STATE OF MICHIGAN**  
**County of Dickinson**

**Sault St Marie Bridge Company**

Gayle Strutz being duly sworn, deposes and says that he/she is clerk of THE DAILY NEWS, a newspaper printed, published, and circulated in the City of Iron Mountain and the County of Dickinson, State of Michigan, that the annexed printed notice has been duly published in said newspaper on the 19th day of April A D. 2008, and the succeeding publications on the following dates

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed *Gayle Strutz*

Subscribed and sworn to before me this 19th day of April A.D. 2008

Signed *Kristen D Erickson*  
Kristen D. Erickson  
Notary Public for Dickinson County, MI  
Acting in Dickinson County, MI

My Commission expires January 16, 2013

**SAULT-STE-MARIE  
BRIDGE COMPANY**

gives notice that on or after May 30, 2008, 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 0.64 miles of line of railroad starting at milepost 29.60 and ending at milepost 30.24 in Iron Mountain, Dickinson County, Michigan, which line traverses through U.S. Postal Zip Code 49801. There are two stations located along this line. The proceeding will be docketed as AB-506 (Sub NO 1X). 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 SEA, Surface Transportation Board, 395 E Street SW, Washington, DC 20423 or by calling that office at (202) 245-0245. 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 1104.11(a) and 1104.3(a)) and one

copy must be served on applicant's representative. (See 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trail use may be directed to the Commission's Office of Congressional and Public Services at (202) 565-1592.

Copies of any comments or requests for conditions should be served on the applicant's representative, Thomas J. Healey, (708) 332-4381 (ext. 1764), 15 Ashland Avenue, Homewood, IL 60430, Pub #362, April 19, 2008 P.

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

DOCKET NO. AB-506 (SUB-NO. 1X)

SAULT STE. MARIE BRIDGE COMPANY  
-- ABANDONMENT EXEMPTION --  
IN DICKINSON COUNTY, MICHIGAN

---

**ENVIRONMENTAL/HISTORIC REPORT**

Sault Ste. Marie Bridge Company, ("SSMB") 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.** SSMB seeks to abandon its line of railroad extending from milepost 29.60 to milepost 30 24 in Iron Mountain, Michigan, (the "Line"). The Line is situated in Dickinson County, Michigan and extends a total distance of approximately 0.64 miles.

The Line has not been required to serve any customer in many years. The Line was formerly the main line for Chicago and North Western Railroad traveling from Iron Mountain, MI to Ironwood, MI. 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.

Following abandonment, SSMB intends to salvage rail, ties and track materials from the Line. Two crossings will be closed with this abandonment:

MP 29.68 - Public, At Grade on Main Street. and

MP 29.90 – Public, At Grade on US-2.

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

SSMB has contacted and requested comments from a Dickinson County Board Member. See correspondence attached herein as **Appendix B**. There have been no comments to date.

2. Transportation System. SSMB 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 this portion of 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.

SSMB has contacted and requested comments from the State of Michigan Department of Transportation. The Department has made no comments to date, but SSMB anticipates that the proposed abandonment will have no adverse effects on the community. See correspondence attached herein as **Appendix C**.

3. Land Use.

(i) SSMB has contacted and requested comments from the NOAA/National Geodetic Survey. See correspondence attached herein as **Appendix D**. There are no survey markers within the proposed abandonment.

(ii) The proposed abandonment lies entirely within the limits of Dickinson County, Michigan. The Department of Environmental Quality – Upper Peninsula District Office has been contacted and comments requested. See correspondence attached herein as **Appendix E**. No comments have been received to this date.

(iii) SSMB has contacted the Department of Environmental Quality and comments have been received. See correspondence attached herein as **Appendix F**. The DEQ has indicated that this project is located outside of Michigan's coastal management boundary and will have no adverse impact on coastal resources.

(iv) SSMB is not aware of any alternative public use under 49 U.S.C. § 10905 for which the right-of-way of this track would be suitable, other than possibly 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 SSMB 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. The Empire Mine, which produced ore, was previously served by this line. No such traffic has been handled for many years, and SSMB 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(e)(5)(i) will be exceeded as a result of the abandonment

7. **Safety.**

(i) The proposed action will have no adverse effect upon public health or safety Abandonment of the line will allow elimination of two grade crossings. During any salvage operations on the Line, precautions will be taken to ensure public safety.

(ii) **Not applicable.** Hazardous commodities have not been handled on this Line for many years. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) **Hazardous waste** Iron Mountain, MI was part of the SSBM purchase from Union Pacific Railroad (“UPRR”) in 1996 UP has been investigating and performing remediation in the Iron Mountain Yard since before SSBM purchased the property. On April 15, 2008, the MDEQ issued a no further action letter. See correspondence at **Appendix G**. According to Delta Consultants, UPRR will be sealing the remaining monitoring wells in the near future

8. Biological Resources.

(i) The U.S Fish and Wildlife Service were contacted and we have received comments. The Service has no record of any federally listed species at this site, and asked if this site would be suitable for Canadian Lynx. Since SSMB will continue to provide rail service on the remaining portion of this line, SSMB believes that the site would not be suitable for Canadian Lynx. The response further states that SSMB should contact the Michigan Department of Environmental Quality in Gwinn, MI (this correspondence is referenced at **Appendix E**) See the DEQ correspondence attached as **Appendix H**.

(ii) SSMB believes that the Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. SSMB has contacted and requested comments from the National Park Service. See correspondence attached herein as **Appendix I**. There has been no response to date.

9. Water.

(i) SSMB has contacted the US Environmental Protection Agency – Office of Water, to determine whether the proposed abandonment is consistent with applicable federal, state and local water quality standards. See correspondence attached hereto as **Appendix J**. To date, no comments have been received.

(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**. The Department of the Army has concluded that a separate authorization is not required, but that SSMB should contact the MDEQ office in Crystal Falls. See SSMB's correspondence to the Crystal Falls office and their response attached

as **Appendix L**. That office states that if no streams or wetlands are affected, than SSMB will not be required to obtain a permit

(iii) The U.S. EPA has been contacted and comments have been requested. There has been no response to date. See correspondence attached hereto as **Appendix M**.

SSMB also believes that removal of the rails 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.

10. Proposed Mitigation. As no adverse impact is anticipated, SSMB 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. SSMB seeks to abandon its line of railroad extending from milepost 29.60 to milepost 30.24 in Iron Mountain, Michigan, (the "Line"). The Line is situated in Dickinson County, Michigan and extends a total distance of approximately 0.64 miles.
3. Photographs. Color photographs are attached to SSMB's Section 106 Review submitted to the Michigan State Historic Preservation Office, attached hereto as **Appendix N**. These pictures were taken to show the condition of the track. There are no structures or bridges located along this portion of the line.
4. Information on Structures. There no structures along this proposed abandonment
5. History of Operations. The Line was formerly the main line for Chicago and North Western Railroad traveling from Iron Mountain, MI to Ironwood, MI. 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.

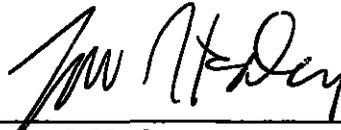
6. Engineering Documents. To the best of SSMB's knowledge, it does not have any relevant engineering documents for this proposed abandonment.

7 Historic Criteria As noted above, there are no structures or bridges located within the proposed abandonment area. SSMB has contacted and given notice of the proposed abandonment to the Michigan Historic Preservation Office. See correspondence attached as **Appendix N.** The SHPO has informed SSMB that they have no reservations with the proposed project.

8. Ground Disturbances. SSMB is unaware of any possibility that archaeological resources may be in the area. Access to the line is generally good.

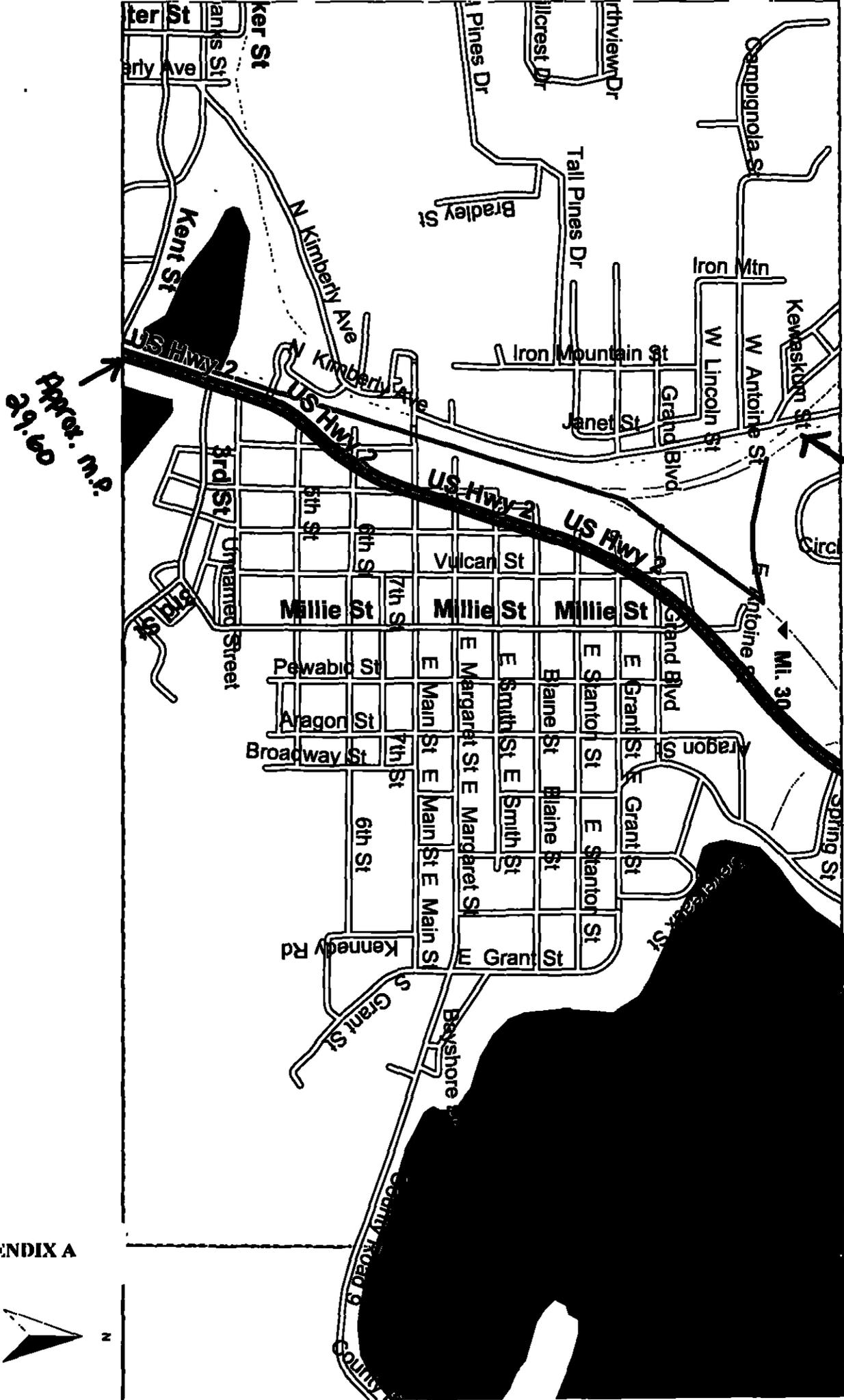
Dated: May 23, 2008

Respectfully submitted.



Thomas J. Healey  
Attorney for the Sault Ste Marie Bridge Company  
17641 South Ashland Avenue  
Homewood, IL 60430-1345  
Telephone: 708-332-4381  
Fax: 708-332-4361

# Iron Mountain Sub and Antoine Spur



APPENDIX A





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Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood IL 60430-1339

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

February 12, 2008

Ms Ann Martin  
Dickinson County Board Member  
812 West "B" Street  
Iron Mountain, MI 49801

Re Sault Ste Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur AB-506 (Sub-No 1X)

Dear Ms Martin

Sault Ste Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County Michigan. For your convenience, we have attached a map for your reference. SSMB is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

- 1 Water quality,
- 2 Designated wetlands
- 3 100-year-old flood plains,
- 4 Endangered or threatened species
- 5 Critical habitats,
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

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

Thank you for your assistance.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste Marie Bridge Company

Encl



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Law

Thomas J. Healey  
Counsel - Regulatory

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

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

February 12, 2008

Chief, Spatial Reference System Division  
National Geodetic Survey  
Nat'l Oceanic & Atmospheric Adm  
1315 East West Highway, Room 8813  
Silver Spring, MD 20910

Re Sault Ste. Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur AB-506 (Sub-No 1X)

Dear Sir or Madam

Sault Ste. Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste. Marie Bridge Company

Encl

APPENDIX D



Rebecca  
 Bott/BOTT01/IL/CNR/CA  
 04/21/2008 09:35 AM

To Rebecca Bott/BOTT01/IL/CNR/CA@CNR  
 cc  
 bcc

Subject Fw [Fwd: NGS Response, STB Docket AB-506(SUB NO 01X)]



Simon Monroe  
 <Simon.Monroe@noaa.gov>  
 04/15/2008 03:18 PM

To tom healey@cn.ca  
 cc Surface Transportation Board <sea@stb.dot.gov>, National Society of Professional Surveyors <Dawn.James@acsm.net>, Gilbert Mitchell <Gilbert.Mitchell@noaa.gov>, Dave Rigney@noaa.gov

Subject [Fwd: NGS Response, STB Docket AB-506(SUB NO 01X)]

```
>>
>>
>> -----
>> Thank you for sharing your railroad abandonment environmental report for
>> Mt. Mansfield, Dickinson County, MICHIGAN.
>>
>> 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), and notify NGS at least
>> 90 days prior to beginning salvage activities that will disturb, or
>> destroy any geodetic station marks.
>> These marks are described on the attached file. Additional advice is
>> provided at http://geodesy.noaa.gov/nars/railroads/
>> -----
>>
>> |Dist|PID...|H V|Vert_Source|Approx.|Approx..|Stab|Designation
>>
>> |-----|-----|-----|-----|-----|-----|-----|
>> No Stations Found.
>>
```



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Thomas J. Healey  
Counsel - Regulatory

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Homewood, IL 60430-1339

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February 12, 2008

Michigan Department of Environmental Quality  
Upper Peninsula District Office  
420 5<sup>th</sup> Street  
Gwinn, MI 49841

Re Sault Ste Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur AB-506 (Sub-No 1X)

Dear Sir or Madam

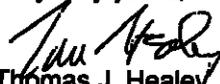
Sault Ste Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB 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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- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

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

Thank you for your assistance.

Very truly yours,

  
Thomas J. Healey  
Counsel for Sault Ste Marie Bridge Company

Encl

APPENDIX E



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Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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tom.healey@cn.ca

February 12, 2008

Mr. Chris Anteau  
Michigan Department of Environmental Quality  
525 W Allegan St , PO Box 30458  
Lansing, MI 48909

Re Sault Ste Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur AB-506 (Sub-No 1X)

Dear Mr Anteau

Sault Ste Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB 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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12. The need for permits under Sections 402 or 404 of the Clean Water Act.

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste Marie Bridge Company

Encl

APPENDIX F



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



STEVEN E. CHESTER  
DIRECTOR

March 17, 2008

Mr. Thomas Healey  
17641 South Ashland Avenue  
Homewood, Illinois 60430

Dear Mr. Healey

**SUBJECT** Federal Consistency Determination Sault Ste. Marie Bridge Company Iron Mountain and Antoine Spur Rail Abandonment, Iron Mountain, Dickinson County, Michigan

Staff of the Land and Water Management Division have reviewed this phase of the project for consistency with Michigan's Coastal Management Program (MCMP), as required by Section 307 of the Coastal Zone Management Act, PL 92-583, as amended (CZMA). Thank you for providing the opportunity to review this proposed activity.

Our review indicates that this project is located outside of Michigan's coastal management boundary. No adverse impacts to coastal resources are anticipated from this proposed activity as described in the information you forwarded to our office. Therefore, this phase of the project is consistent with the MCMP.

This consistency determination does not waive the need for permits that may be required under other federal, state or local statutes. Please call me if you have any questions regarding this review.

Sincerely,

Chris Antieau  
Great Lakes Shorelands Section  
Land and Water Management Division  
517-373-3894

cc Ms Catherine C Ballard, DEQ



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
UPPER PENINSULA DISTRICT OFFICE



April 15, 2008

Mr. Geoffrey Reader  
Manager Environmental Site Remediation  
Union Pacific Railroad  
24125 Aldine Westfield Road  
Spring, Texas 77373

Dear Mr. Reader:

**SUBJECT:** Chicago & North Western Transportation Company – Antoine Yard  
Iron Mountain, Dickinson County, Michigan, Site ID 22000040

The Michigan Department of Environmental Quality (MDEQ) Remediation and Redevelopment Division (RRD) reviewed the "Union Pacific Railroad Site Closure Report, Antoine Rail yard, Iron Mountain, Michigan" (report) which is dated June-December 2007, and was submitted on your behalf by Coleman Engineering Company. The report details several corrective actions that were undertaken by Union Pacific Railroad to remediate areas of petroleum release and general rubbish. The areas were discovered in 1994 during a voluntary program designed to investigate their former fueling areas and lease sites across their system.

Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the Part 201 Administrative Rules provide the requirements and procedures for remediation activities at sites of environmental contamination such as this one

According to the report

- In April 1998, approximately 200 gallons of diesel fuel was extracted from the former fueling system and taken to an oil recycling facility for disposal. The piping was also removed from the site, and disposed of as scrap.
- In November 1998, the former track pit was cleaned and approximately two tons of non-hazardous sludge was removed and disposed of at United Waste Systems Landfill in Menominee, Michigan.
- In November 1998, a lead impacted area around the former pump house was excavated and 11.7 tons of soil was transported to United Waste System in Menominee, Michigan for disposal.
- In November 1998, approximately 127.3 tons of general rubbish was removed and taken to Great American Disposal, in Kingsford, Michigan.

- And in May 2006, approximately 490 tons of petroleum contaminated soil in the vicinity of the former pump house was excavated and transported to Wood Island Landfill for disposal.

Based on the information provided in the Closure Report, the RRD *does not* concur with your consultant that all corrective actions have been completed in accordance with Part 201; however, your response actions have significantly mitigated risks. The RRD will expend no further resources pursuing Part 201 responsibilities for the site unless new information comes to our attention that warrants further action. This does not indicate that all Part 201 obligations have been completed. For example, the report is not a remedial action plan compliant with Rule 532. Section 20c applies regarding any intended soil relocation, and section 16 applies regarding notices related to transfer of interest of real property.

The RRD is unable to express any opinion as to whether other portions of the site which were not included in the remedial efforts are clean or not, due to lack of information. We have no warranty or guarantee as to the fitness of this site for any general or specific use, and prospective purchasers or users of this site are advised to use due diligence in acquiring or using this site. The MDEQ reserves the right to require additional investigation or remedial action, pursuant to applicable regulations, should site conditions change or additional information become known or available

If you have any questions or need further assistance, please contact Mr. Christopher Austin at the MDEQ Crystal Falls Office, 1420 West U.S. 2, Crystal Falls, MI 49920, or at 906-875-2072.

Sincerely,



Clifton Clark  
District Supervisor  
Remediation and Redevelopment Division  
906-346-8515

ks

cc: Mr. Clarence Bieze, Jr , Delta Consultants  
Mr. Christopher Austin, MDEQ



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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

February 12, 2008

Mr. Craig Czarnecki  
Field Supervisor  
US Fish & Wildlife Service  
2651 Coolidge Road, Suite 101  
East Lansing, MI 48823

Re: Sault Ste. Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur AB-506 (Sub-No. 1X)

Dear Mr. Czarnecki:

Sault Ste. Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

- 1 Water quality,
- 2 Designated wetlands,
- 3 100-year-old flood plains,
- 4 Endangered or threatened species,
- 5 Critical habitats,
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

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

Thank you for your assistance.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste. Marie Bridge Company

Encl

APPENDIX II

Tom  
Healey/HEALEY03/IL/CNR/C  
A  
03/13/2008 10 16 AM

To Rebecca Bott/BOTT01/IL/CNR/CA@CNR  
cc  
bcc  
Subject Fw February 12, 2008 Endangered Species List Request for  
SSMB railroad abandonment in Iron Mountain

— Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 03/13/2008 10:15 AM —



Tameka\_Dandridge@fws.gov

03/13/2008 10.02 AM

To "Thomas J Healey" <tom.healey@cn.ca>  
cc "jimCaron" <caronj@michigan.gov>  
Subject February 12, 2008 Endangered Species List Request for  
SSMB railroad abandonment in Iron Mountain

Re: Endangered Species List Request, Sault Ste. Marie Bridge Company  
(SSMB) Proposed Abandonment in Iron Mountain, Dickinson County, Michigan,  
Iron Mountain Sub and Antoine Spur  
AB-5C6 (Sub-No. 1X)

Mr. Thomas J Healey  
Counsel for SSMB  
17641 S. Ashland Avenue  
Ironwood, 60430-1339

Dear Mr. Healey:

Thank you for your February 12, 2008 request for information regarding  
federally listed and proposed threatened and endangered species, candidate  
species, or critical habitat near your proposed project. Your request and  
this response are made pursuant to the Endangered Species Act of 1973, as  
amended (Act) and the Fish and Wildlife Coordination Act. Under this  
project, the SSMB proposes to abandon approximately 0.64 miles of railroad  
line from MP 29.60 to MP 30.24.

We have no record of any federally listed, proposed or candidate species at  
these sites and they are not within any designated or proposed critical  
habitat. As with most sites in the Upper Peninsula, Canada lynx may be  
present in suitable habitat, although no Canada lynx have been verified in  
the U.P. since 2004. You should determine whether this site may be  
suitable for Canada lynx, and/or whether lynx may be affected. If you  
determine the site is not suitable, or that lynx is not present, or that  
lynx would not be affected by the proposed project, you may conclude  
section 7 consultation without further contact with this office. If Canada  
lynx may be affected, further contact with us would be warranted.

Please refer to the Michigan Department of Natural Resources Endangered  
Species Assessment website, [www.mcgl.state.mi.us/esa](http://www.mcgl.state.mi.us/esa) and contact Ms. Lori  
Sargent at [SargentL2@michigan.gov](mailto:SargentL2@michigan.gov) for information regarding the protection  
of threatened and endangered species under State law. State law may  
require a permit in advance of any work that could potentially damage,  
destroy or displace state-listed species.

For future endangered and threatened species list requests and consultations with the U.S. Fish and Wildlife Service, we advise you to use our regional endangered species and technical assistance website, located at <http://www.fws.gov/midwest/endangered/section7/s/process/index.htm>. In some cases, you may be able to conclude the Endangered Species Act review process without contacting this office. Information about the website is attached.

**Wetlands - Fish and Wildlife Coordination Act Comments**

Wetlands and/or open water systems occur near the proposed project. Pursuant to Part 303, Wetland Protection, of the NREPA, the State of Michigan regulates certain activities in wetlands. Development that would impact wetlands may require a permit for which this office may have review authority under the Fish and Wildlife Coordination Act. In the review of these permit applications, we may concur (with or without stipulations) or object to permit issuance depending whether the proposed work may impact public trust fish and wildlife resources. We recommend you contact the Michigan Department of Environmental Quality (MDEQ), Land and Water Management Division, Upper Peninsula District Office in Gwinn at 906/346-8300 for information concerning the need for permits under State law.

We appreciate your concern for endangered and threatened species. Any questions can be directed to Tamoka Dandridge of this office at [Tamoka\\_Dandridge@fws.gov](mailto:Tamoka_Dandridge@fws.gov) or 517/351-8315.

(See attached file: TA Website-gen\_letter.doc)

s: admin/archives/Mar08/se list/CI-SSMB-aband- ynx\_enl.trd.doc

\*\*\*\*\*  
Tamoka Dandridge  
U.S. Fish & Wildlife Service  
East Lansing Field Office  
2651 Coolidge Rd., Suite 101  
East Lansing, MI 48823  
517-351-8315



[tamoka\\_dandridge@fws.gov](mailto:tamoka_dandridge@fws.gov) TA Website-gen\_letter.doc



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)

2651 Coolidge Road, Suite 101

East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

The East Lansing Field Office recommends the initiation of consultations pursuant to the Endangered Species Act electronically, using the below website. Some consultations may be concluded with this process without contacting this office. The following provides a brief description of the website.

Region 3 of the U.S. Fish and Wildlife Service has designed a new regional endangered species website to help federal agencies and their non-federal representatives complete section 7 consultations under the Endangered Species Act. The website is intended to be very useful for both federal agencies with section 7 obligations and non-federal entities.

**Section 7 Consultation Main Page - <http://www.fws.gov/midwest/angered/section7/index.html>**

This main Endangered Species Act Section 7 consultation webpage has been designed to provide a broad range of information, and includes links to the following specific pages:

- Section 7(a)(2) Consultation – An explanation of the consultation process
- Section 7(a)(2) Technical Assistance
- Guidelines for Preparing a Biological Assessment
- Section 7(a)(2) Guidance for Specific Species
- Section 7 Consultation Handbook

**Section 7(a)(2) Technical Assistance page -**

<http://www.fws.gov/midwest/angered/section7/s7process/index.htm>

This page is designed to guide you through the consultation process step by step. By following the instructions, agencies can determine their action area, whether listed species may be found within the action area, and if the project may affect listed species.

Federal agencies and non-federal representatives will find several products on the site that can streamline the consultation process. When determining if listed species may be located within a project area, agencies can download county specific species lists for all of the states in Region 3. Species specific best management practices will also eventually be available. Example letters and templates are available to assist with documenting “no effect” determinations and preparing requests for concurrence on “not likely to adversely affect” determinations

The website’s (step-by-step process) includes a specific section for HUD, pipeline, and telecommunications projects. This part of the site includes specific activities which appropriately fit the criteria for a “no effect” determination and includes a printable form for documenting the determination for your administrative record.

Please contact the East Lansing Field Office at 517/351-2555 with any questions or comments.



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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

February 12, 2008

Mr Rick Potts  
National Park Service  
1201 Eye St , NW, 9<sup>th</sup> Floor  
(Org Code 2240)  
Washington, DC 20005

Re Sault Ste Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur  
AB-506 (Sub-No 1X)

Dear Mr Potts

Sault Ste Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB 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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- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

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

Thank you for your assistance.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste Marie Bridge Company

Encl

APPENDIX I



www.cn.ca

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Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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

February 12, 2008

US Environmental Protection Agency  
Office of Water  
1200 Pennsylvania Ave , NW  
Washington, DC 20460

Re Sault Ste Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur AB-506 (Sub-No 1X)

Dear Sir or Madam

Sault Ste Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste Marie Bridge Company

Encl



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Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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

February 12, 2008

Mr Gary Mannesto  
Chief, Regulatory Office  
US Army Corp of Engineers  
Detroit District, PO Box 1027  
Detroit, MI 48231

Re Sault Ste Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur AB-506 (Sub-No 1X)

Dear Mr Mannesto

Sault Ste Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste Marie Bridge Company

Encl



**DEPARTMENT OF THE ARMY**  
DETROIT DISTRICT, CORPS OF ENGINEERS  
REGULATORY OFFICE  
MARQUETTE FIELD OFFICE  
1030 WRIGHT STREET  
MARQUETTE, MICHIGAN 49855-1834

IN REPLY REFER TO

April 16, 2008

Engineering & Technical Services  
Regulatory Office  
File Number. LRE-2008-00321-222

Thomas J Healey  
17641 S. Ashland Avenue  
Homewood, Illinois 60430-1339

Dear Mr. Healey:

This is in response to your recent correspondence regarding Department of the Army jurisdiction on the proposed abandonment, by the Sault Ste Marie Bridge Company, of approximately 0.64 miles of railroad line in Iron Mountain, Dickinson County, Michigan (AB-506 (Sub-No 1X)) Thank you for giving the Corps of Engineers the opportunity to review this project.

In 1984 a portion of the Corps' regulatory responsibilities was assumed by the Michigan Department of Environmental Quality (MDEQ). This project site is within the assumed area. Unless otherwise notified, a separate authorization from the Corps is not required; however, you may need to obtain a permit from the MDEQ. Therefore, we recommend that you contact Mr. Jim Caron of the MDEQ, Crystal Falls Field Office at (906)875-2071 for a determination of State permit requirements.

If you have any questions please contact me at the above address or telephone (906) 228-2833 or by E-Mail at [robert.d.deroche@lre02.usace.army.mil](mailto:robert.d.deroche@lre02.usace.army.mil) Please refer to File Number: I.RE-2008-00321-222

Sincerely,

Robert D. Deroche  
Marquette Field Office  
Enforcement Branch

Copy Furnished

MDEQ, Crystal Falls Field Office (Caron)  
Marquette Field Office



Rebecca  
Bott/BOTT01/IL/CNR/CA  
05/07/2008 08 44 AM

To "James Caron" <caronj@michigan.gov>  
cc  
Subject Re: Proposed abandonment in Iron Mountain, MI

Mr Caron,

All of that information was provided in the correspondence that I attached to my original email. I am sending it again for your convenience. This abandonment will not impact any water or wetlands during our removal of the rail.

Thank you



img-425143726-0001.pdf

\*\*\*\*\*

Rebecca S. Bott  
Paralegal  
CN Law Department  
17641 S. Ashland Avenue  
Homewood, IL 60430  
Phone 708-332-4355  
Fax: 708-332-4361  
Email: rebecca.bott@cn.ca

\*\*\*\*\*

Rebecca S. Bott  
CN Law Department  
17641 S. Ashland Avenue  
Homewood, IL 60430  
Phone. 708-332-4355  
Fax 708-332-4361  
Email rebecca.bott@cn.ca  
"James Caron" <caronj@michigan.gov>



"James Caron"  
<caronj@michigan.gov>

To <Rebecca.Bott@cn.ca>

APPENDIX I.



05/07/2008 08 38 AM

cc

Subject Re Proposed abandonment in Iron Mountain, MI

Rebecca-

In reference to your request for comments, I was not provided with any sort of plans for the abandonment, the location, or whether any streams or wetlands may be involved. If the abandonment consists of nothing more than the Company saying on paper that they are turning over easements/control of that portion of the rail line, then there will apparently be no resource impacts. If abandonment involves excavation of fill/removal of bridges/culverts from streams, or any use of a wetland, then permits from DEQ would likely be required.

Please contact me if the latter is the case

James Caron  
DEQ-LWMD  
1420 US 2  
Crystal Falls, MI 49920

>>> <Rebecca.Bott@cn.ca> 4/25/2008 3:46 PM >>>

Mr. Caron,

Attached please find Sault Ste. Marie Bridge Company's ("SSMB") correspondence to the US Army Corp of Engineers, and their response. In the response from Mr Deroche, he recommends that SSMB contact your office with respect to the referenced abandonment. I would ask that you submit your comments in writing so that we may include them in our environmental report to the Surface Transportation Board.

Please do not hesitate to contact either Mr. Tom Healey at 708-332-4381 or myself should you have any questions or concerns. Thank you.

Rebecca

(See attached file: img-425143/26-0001.pdf)

\*\*\*\*\*

Rebecca S. Bott  
Paralegal  
CN Law Department  
17641 S. Ashland Avenue  
Homewood, IL 60430  
Phone: 708-332-4355  
Fax: 708-332-4361  
Email: rebecca.bott@cn.ca



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Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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tom.healey@cn.ca

February 12, 2008

Mr Gary Mannesto  
Chief, Regulatory Office  
US Army Corp of Engineers  
Detroit District, PO Box 1027  
Detroit, MI 48231

Re Sault Ste Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur AB-506 (Sub-No 1X)

Dear Mr Mannesto

Sault Ste Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB 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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11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act

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

Thank you for your assistance

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste Marie Bridge Company

Encl.



IN REPLY REFER TO

**DEPARTMENT OF THE ARMY**  
DETROIT DISTRICT, CORPS OF ENGINEERS  
REGULATORY OFFICE  
MARQUETTE FIELD OFFICE  
1030 WRIGHT STREET  
MARQUETTE, MICHIGAN 49855-1834

April 16, 2008

Engineering & Technical Services  
Regulatory Office  
File Number: LRE-2008-00321-222

Thomas J. Healey  
17641 S. Ashland Avenue  
Homewood, Illinois 60430-1339

Dear Mr. Healey:

This is in response to your recent correspondence regarding Department of the Army jurisdiction on the proposed abandonment, by the Sault Ste. Marie Bridge Company, of approximately 0.64 miles of railroad line in Iron Mountain, Dickinson County, Michigan (AB-506 (Sub-No. 1X)). Thank you for giving the Corps of Engineers the opportunity to review this project.

In 1984 a portion of the Corps' regulatory responsibilities was assumed by the Michigan Department of Environmental Quality (MDEQ). This project site is within the assumed area. Unless otherwise notified, a separate authorization from the Corps is not required; however, you may need to obtain a permit from the MDEQ. Therefore, we recommend that you contact Mr. Jim Caron of the MDEQ, Crystal Falls Field Office at (906)875-2071 for a determination of State permit requirements.

If you have any questions please contact me at the above address or telephone (906) 228-2833 or by E-Mail at [robert.d.deroche@lre02.usace.army.mil](mailto:robert.d.deroche@lre02.usace.army.mil). Please refer to File Number: LRE-2008-00321-222.

Sincerely,

Robert D. Deroche  
Marquette Field Office  
Enforcement Branch

Copy Furnished

MDEQ, Crystal Falls Field Office (Caron)  
Marquette Field Office





www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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

February 12, 2008

Mr Kenneth A Westlake  
Chief, NEPA Implementation Section  
US EPA  
77 W Jackson Blvd  
Mail Code B-19J  
Chicago, IL 60604-3590

Re Sault Ste Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson  
County, Michigan, Iron Mountain Sub and Antoine Spur  
AB-506 (Sub-No 1X)

Dear Mr Westlake

Sault Ste Marie Bndge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. For your convenience, we have attached a map for your reference. SSMB 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,
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- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

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

Thank you for your assistance.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste Marie Bridge Company

Encl

APPENDIX M



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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

February 12, 2008

Dr. William Anderson, Director  
State Historic Preservation Officer  
Michigan Historical Center  
702 W. Kalamazoo St, PO Box 30740  
Lansing, MI 48909

Re: Sault Ste. Marie Bridge Company Proposed Abandonment in Iron Mountain, Dickinson County, Michigan, Iron Mountain Sub and Antoine Spur  
AB-506 (Sub-No. 1X)

Dear Dr. Anderson:

Sault Ste Marie Bridge Company ("SSMB") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.64 miles of railroad line starting at MP 29.6 and ending at MP 30.24 in Iron Mountain, Dickinson County, Michigan. 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 performing a historical review process. There are no bridges or structures 50 years old or older on this line segment.

Thank you for your assistance. Please call me should you have questions.

Very truly yours,

Thomas J. Healey  
Counsel for Sault Ste. Marie Bridge Company

Enc.

APPENDIX N

STATE HISTORIC PRESERVATION OFFICE  
Application for Section 106 Review

mailed  
3-10-08

|  |  |
|--|--|
| SHPO Use Only                          |  |
| <input checked="" type="checkbox"/> IN | Received Date _____ Log In Date _____  |
| <input type="checkbox"/> OUT           | Response Date _____ Log Out Date _____ |
|  | Sent Date _____                        |

Submit one copy for each project for which review is requested This application is required Please type Applications must be complete for review to begin Incomplete applications will be sent back to the applicant without comment Send only the information and attachments requested on this application Materials submitted for review cannot be returned Due to limited resources we are unable to accept this application electronically

I. GENERAL INFORMATION

- THIS IS A NEW SUBMITTAL     THIS IS MORE INFORMATION RELATING TO ER#
- Funding Notice
  - Survey
  - MOA or PA
  - Other

- a Project Name. [AB-506 (Sub-No 1X) Sault Ste Marie Bridge Company]
- b Project Address (if available) [N/A Exempt Rail line abandonment - Iron Mountain, Michigan]
- c Municipal Unit [Iron Mountain] County [Dickinson]
- d Federal Agency and Contact (if you do not know the federal agency involved in your project please contact the party requiring you to apply for Section 106 review, not the SHPO, for this information ) [Surface Transportation Board, Attn Victoria Rutson, Chief-Section of Environmental Analysis, 395 E Street, S W , Washington, DC 20424-0001 ]
- e State Agency and Contact (if applicable)
- f Consultant or Applicant Contact Information (if applicable) [Thomas J Healey, Counsel-Regulatory, CN, 17541 S Ashland Ave , Homewood, IL 60430 708/332-4381 tom.healey@cn.ca ]

II. GROUND DISTURBING ACTIVITY (INCLUDING EXCAVATION, GRADING, TREE REMOVALS, UTILITY INSTALLATION, ETC.)

DOES THIS PROJECT INVOLVE GROUND-DISTURBING ACTIVITY?  YES  NO (if no, proceed to section III )

Exact project location must be submitted on a USGS Quad map (portions, photocopies of portions, and electronic USGS maps are acceptable as long as the location is clearly marked)

- a USGS Quad Map Name
- b Township          Range          Section
- c Description of width, length and depth of proposed ground disturbing activity
- d Previous land use and disturbances
- e Current land use and conditions
- f Does the landowner know of any archaeological resources found on the property? YES  
Please describe

III. PROJECT WORK DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Note: Every project has an APE.

- a Provide a detailed written description of the project (plans, specifications, Environmental Impact Statements (EIS), Environmental Assessments (EA), etc cannot be substituted for the written description) [Sault Ste Marie Bridge Company ("SSMB") intends to abandon approximately 0.64 miles of railroad line starting at MP 29.60 and ending at MP 30.23 The line has not been used for railroad purposes for at least two years There are no active shippers on the line, and no reasonable prospects of new shippers in the future Upon

consummation of abandonment, the rail, ties and other track materials will be removed, but the underlying embankment will not be modified ]

- b Provide a localized map indicating the location of the project, road names must be included and legible
- c On the above-mentioned map, identify the APE
- d Provide a written description of the APE (physical, visual, auditory, and sociocultural), the steps taken to identify the APE, and the justification for the boundaries chosen [The APE for this project is the actual railbed itself. There are no bridges or other structures on the line. SSMB's intent is to remove the rail, ties and other track materials, and leave the underlying land undisturbed. No other work on the right-of-way is planned.]

#### IV. IDENTIFICATION OF HISTORIC PROPERTIES

- a List and date all properties 50 years of age or older located in the APE. If the property is located within a National Register eligible, listed or local district it is only necessary to identify the district [There are no structures or properties in the APE that are 50 years old or older, and none listed on the National Register.]
  - b Describe the steps taken to identify whether or not any historic properties exist in the APE and include the level of effort made to carry out such steps: [The APE consists of the railbed. There are no bridges or structures on the line.]
  - c Based on the information contained in "b", please choose one
    - Historic Properties Present in the APE
    - No Historic Properties Present in the APE
  - d Describe the condition, previous disturbance to, and history of any historic properties located in the APE [N/A, as there are no historic properties located in the APE.]
- 

#### V. PHOTOGRAPHS

**Note: All photographs must be keyed to a localized map.**

- a Provide photographs of the site itself
  - b Provide photographs of all properties 50 years of age or older located in the APE (faxed or photocopied photographs are not acceptable)
- 

#### VI. DETERMINATION OF EFFECT

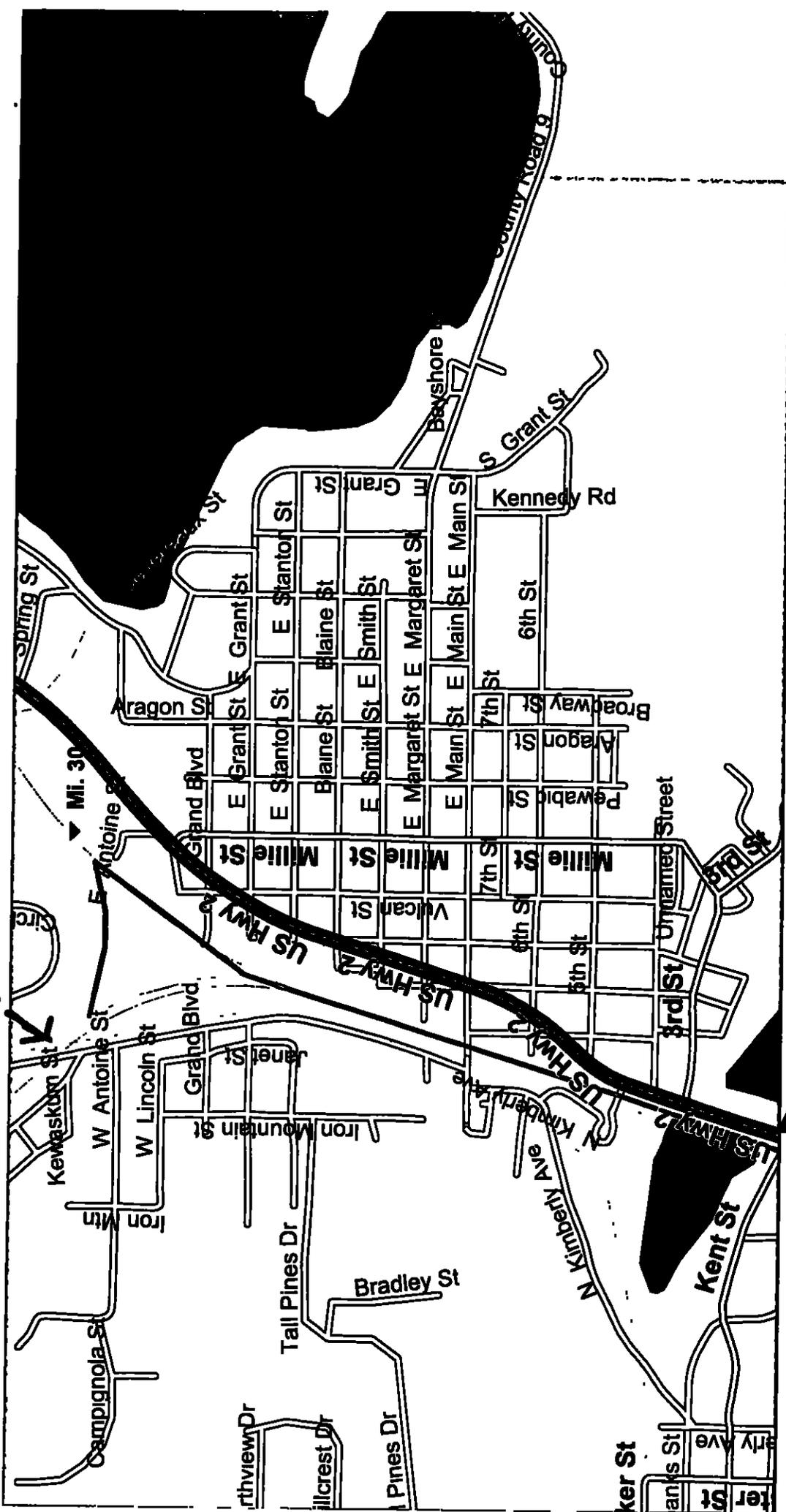
- No historic properties affected based on [36 CFR § 800.4(d)(1)], please provide the basis for this determination. No historic properties are affected because there are no historic properties in the APE.
- No Adverse Effect [36 CFR § 800.5(b)] on historic properties, explain why the criteria of adverse effect, 36 CFR Part 800.5(a)(1), were found not applicable.
- Adverse Effect [36 CFR § 800.5(d)(2)] on historic properties, explain why the criteria of adverse effect, [36 CFR Part 800.5(a)(1)], were found applicable.

***Please print and mail completed form and required information to:  
State Historic Preservation Office, Environmental Review Office, Michigan Historical Center, 702  
W Kalamazoo Street, P.O. Box 30740, Lansing, MI 48909-8240***

# Iron Mountain Sub and Antoine Spur

APE and Line to be abandoned

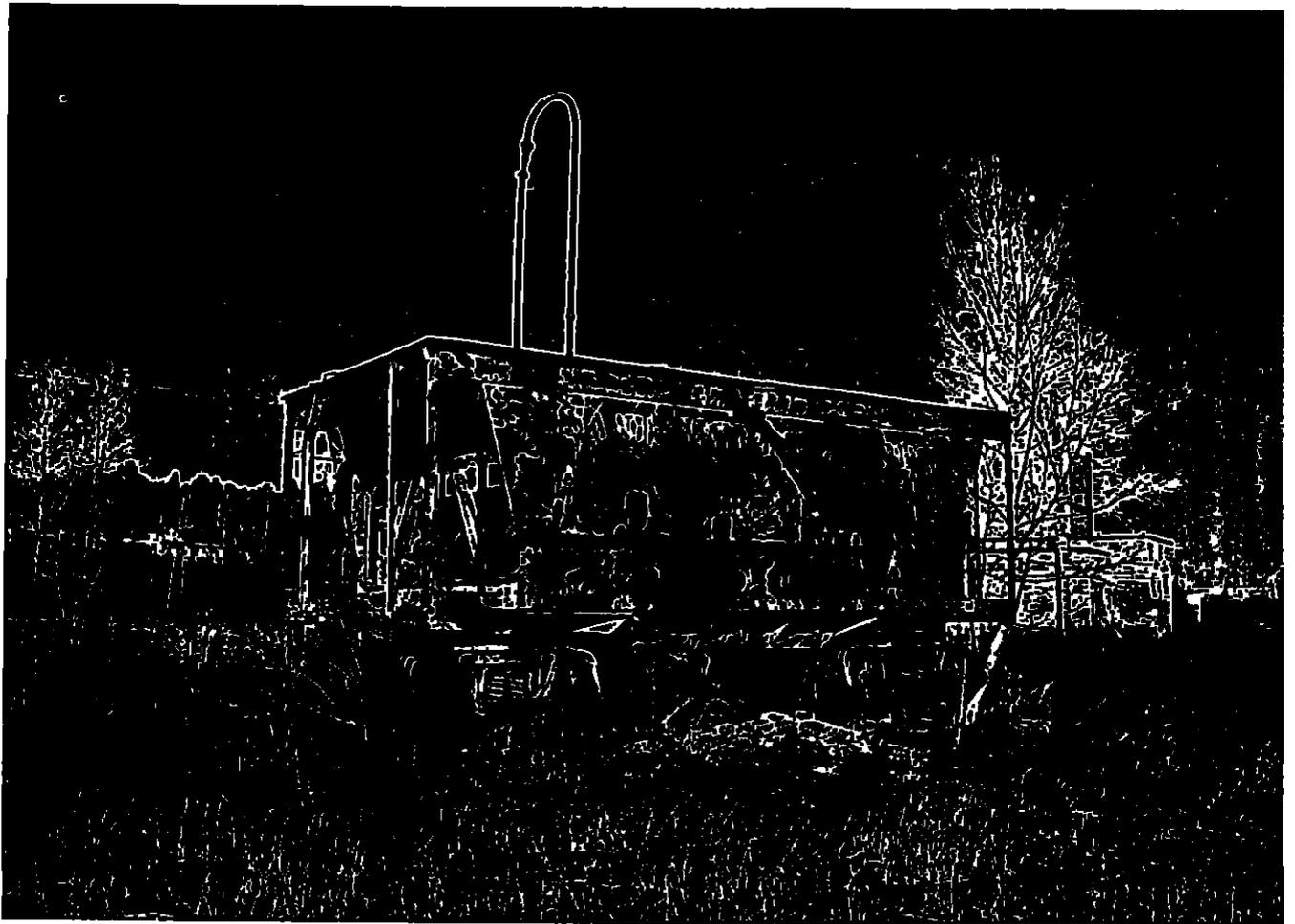
Apr. 20, 1960

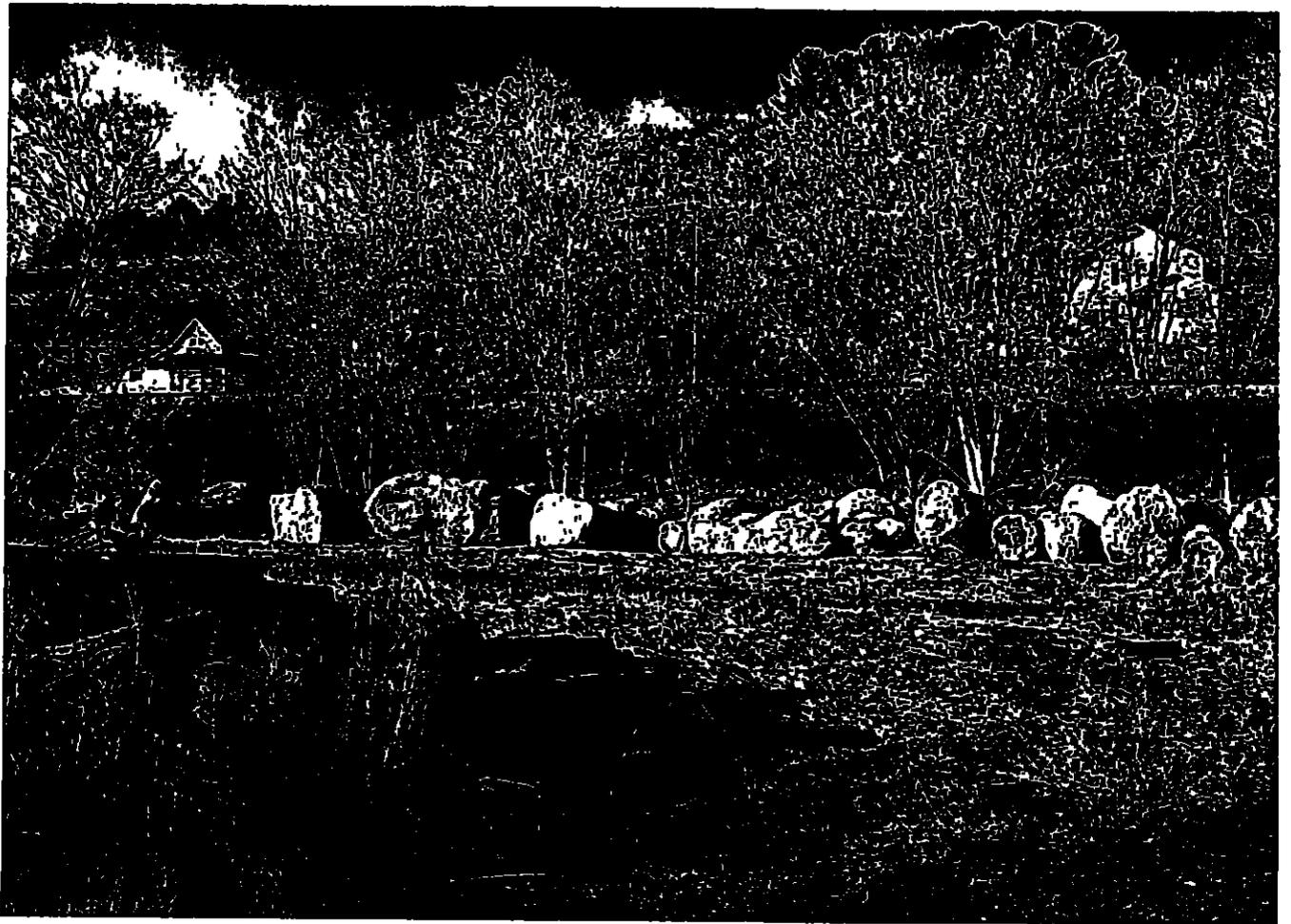


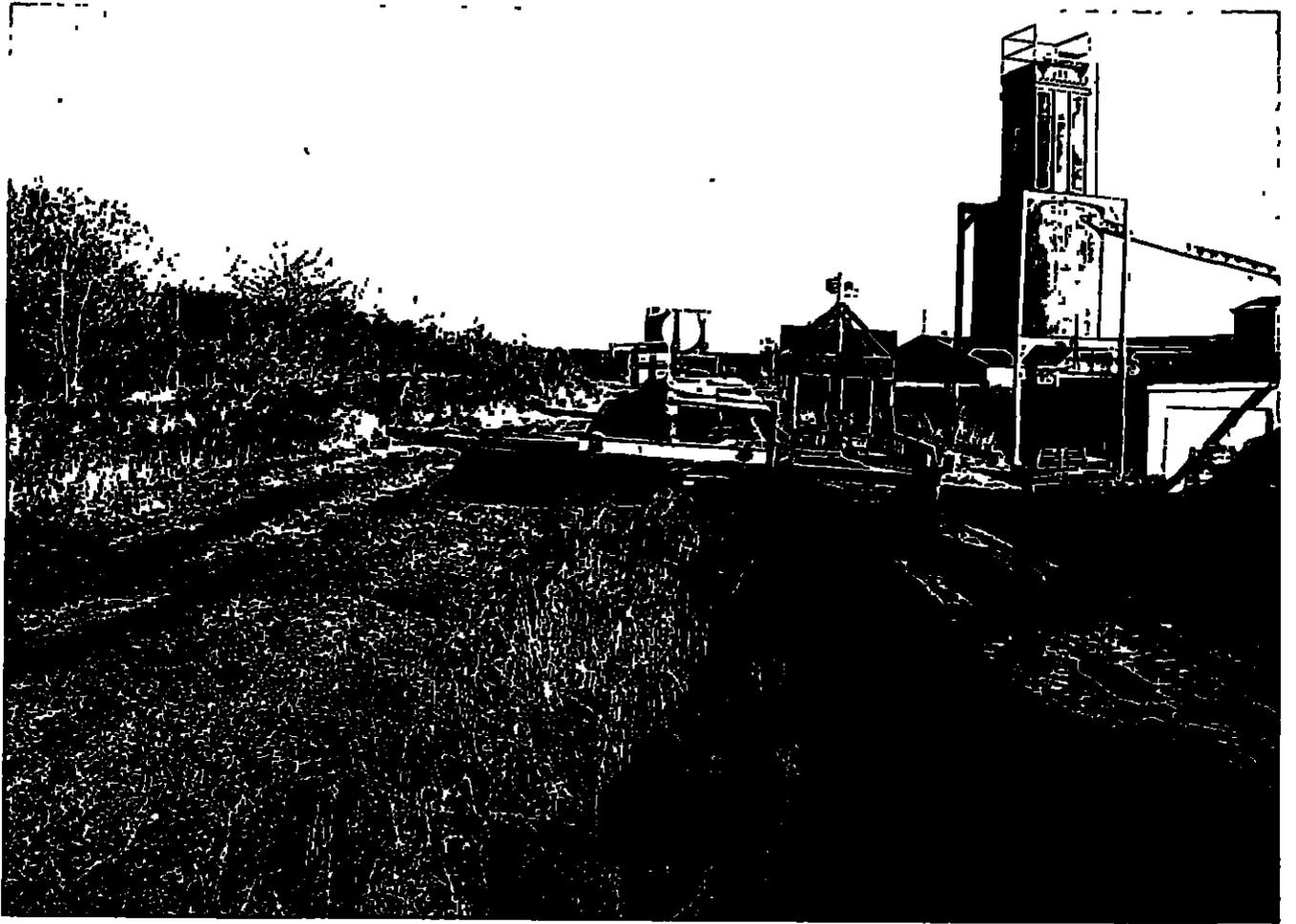
Apr. 29, 1960





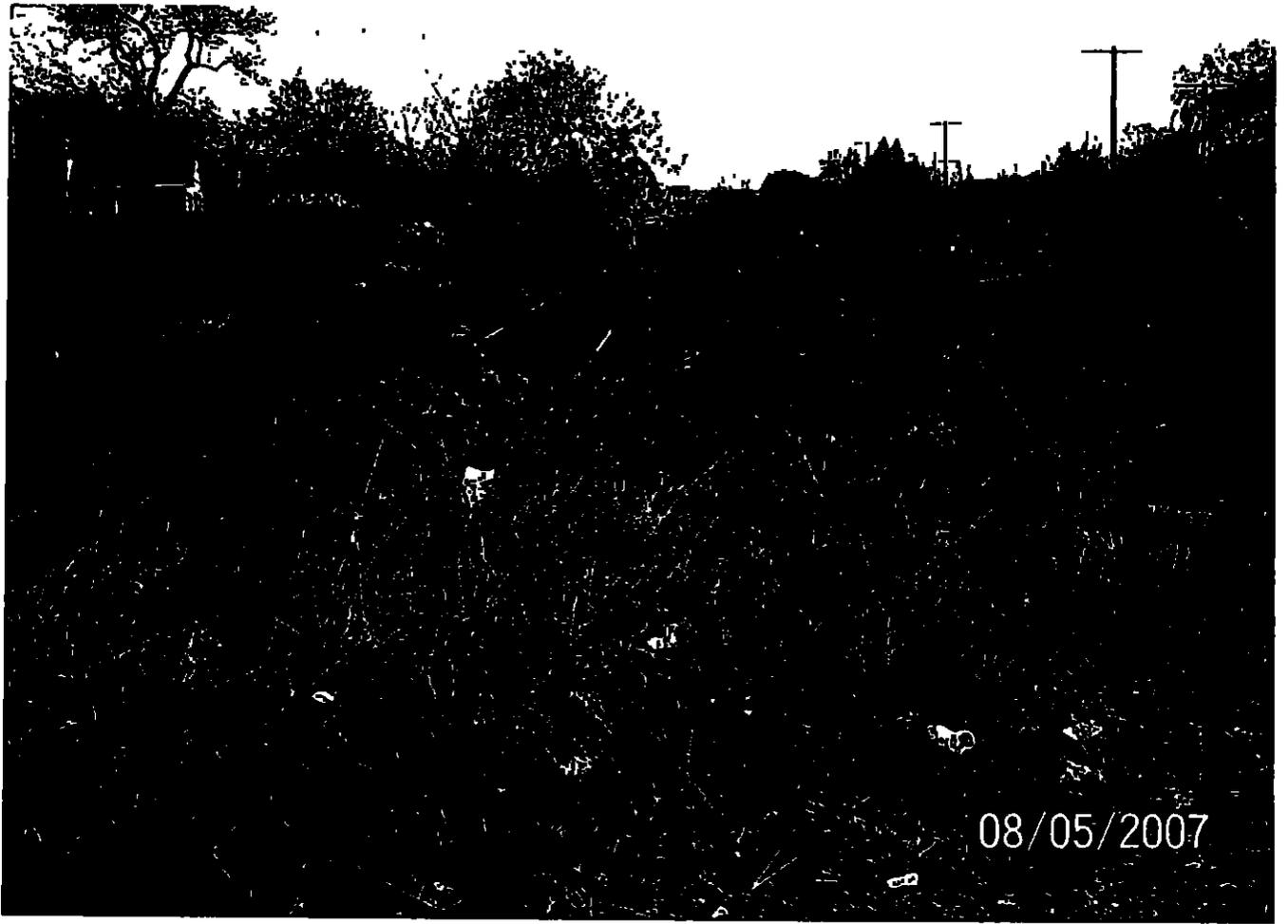
















STATE OF MICHIGAN  
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES  
LANSING

JENNIFER GRANHOLM  
GOVERNOR

DR WILLIAM ANDERSON  
DIRECTOR

March 24, 2008

VICTORIA RUTSON  
SURFACE TRANSPORTATION BOARD  
395 E STREET SW  
WASHINGTON DC 20424-0001

RE: ER08-253 STB Rail Line Abandonment, AB-506 (Sub-No 1X) Sault Ste Marie Bridge Company,  
MP29.60 to MP 30.23, Iron Mountain, Dickinson County (STB)

Dear Ms. Rutson.

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that no historic properties are affected within the area of potential effects of this undertaking

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800 2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. In all cases, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800 2(c-f)

This letter evidences the STB's compliance with 36 CFR § 800 4 "Identification of historic properties", and the fulfillment of the STB's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800 4(d)(1) "No historic properties affected"

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. Please reference our project number in all communication with this office regarding this undertaking. Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Martha MacFarlane Faes  
Environmental Review Coordinator

for Brian D Conway  
State Historic Preservation Officer

MMF:JRH ROC: bgg

Copy: Thomas Healey, CN