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May 26, 2010

Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW,
Washington, DC 20424

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

227164



Re: Environmental Report, Historic Report and Required Certifications for
Docket No. AB-31 (Sub No. 42X)
Grand Trunk Western Railroad Company — Notice of Exemption for Abandonment
in Richmond, Macomb County, Michigan

Dear Sir or Madam:

Grand Trunk Western Railroad Company ("GTW") intends to file a Notice of Exemption for the above-referenced proposed abandonment any time on or after June 18, 2010. 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
Grand Trunk Western Railroad Company

ENTERED
Office of Proceedings
MAY 27 2010
Part of
Public Record

Encls.



Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

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May 26, 2010

**Re: Grand Trunk Western Railroad Company Notice of Exemption for Abandonment –
Richmond, Macomb County, Michigan - Docket AB-31 (Sub-No. 42X)**

To Whom It May Concern:

Any time on or after June 18, 2010, Grand Trunk Western Railroad Company ("GTW") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 0.00 and milepost 0.42, a distance of 0.42 miles, in Richmond, Macomb 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.

GTW will file the Environmental Report and Historic Report with the STB on or about May 26, 2010. 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 Grand Trunk Western Railroad Company

Encls.

ENTERED
Office of Proceedings

MAY 27 2010

Part of
Public Record

Docket No. AB-31 (Sub-No. 42X)

GRAND TRUNK WESTERN
RAILROAD COMPANY

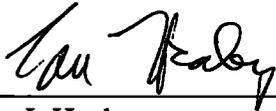
NOTICE OF EXEMPTION FOR
ABANDONMENT IN MACOMB
COUNTY, MICHIGAN

To: Chief, Section of Administration
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 26, 2010, 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 Archives and History. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Grand Trunk Western Railroad Company intends to file its Notice of Exemption in the above-captioned matter no earlier than June 18, 2010. All appropriate agencies as listed in 49 C.F.R. § 1105.7(e) have been consulted well in advance of preparing the Environmental Report.

Dated this 26th day of May, 2010.



Thomas J. Healey
Attorney for Grand Trunk Western Railroad Company

US EPA, Region 5
77 W. Jackson Blvd.
Mail Code B-19J
Chicago, IL 60604

Mr. Steven Chester
Michigan Department of Environmental Quality
Land and Water Management Division
525 West Allegan Street, PO Box 30458
Lansing, MI 48909

Mr. Craig Czarnecki, Field Supervisor
Fish and Wildlife Services
East Lansing Field Office
2651 Coolidge Road, Suite 101
East Lansing, MI 48823-6316

Mr. John Konik
U.S. Army Corps of Engineers
Detroit District
477 Michigan Ave.
Detroit, MI 48231-1027

Mr. William Moritz
Department of Natural Resources
Stevens T. Mason Bldg.
PO Box 30028
Lansing, MI 48909-7528

Mr. Simon Monroe
Simon.Monroe@noaa.gov

Natural Resource Conservation Service
3001 Coolidge Road, Suite 250
East Lansing, MI 48823

Mr. Dennis LaFore
City Counselor, City of Richmond
68225 Main Street
Richmond, MI 48062

Mr. Paul McAllister
MI Department of Transportation
Murray D. Van Wagoner Bldg.
PO Box 30050
Lansing, MI 48909

National Park Service
9922 W. Front Street
Empire, MI 49630

MI Department of Environmental Protection
SE Michigan District Office
27700 Donald Court
Warren, MI 48092-2793

Mr. Brian D. Conway
MI State Historic Preservation Office
702 West Kalamazoo Street
PO Box 30740
Lansing, MI 48909-8240

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-31 (SUB-NO. 42X)

GRAND TRUNK WESTERN RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN RICHMOND, MACOMB COUNTY, MICHIGAN

ENVIRONMENTAL/HISTORIC REPORT

Grand Trunk Western Railroad Company ("GTW") 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. GTW seeks to abandon its line of railroad extending from milepost 0.00 to milepost 0.42 in Richmond, Michigan (the "Line"). The Line is situated in Macomb County, Michigan and extends a total distance of approximately 0.42 miles.

2. The Line has not been required to serve any customer in many years. At one time, there were two grain elevators located along this line, but have been dormant for several years. 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, GTW intends to salvage rail, ties and track materials from the Line. The railbed and subgrade of the Line will remain in place and not be disturbed. GTW does not believe that state or local parties may be interested in potential trails use of the Line.

No other alternatives to the proposed abandonment have been considered. The only alternative is retention of the Line in its current, unused state, which would have no environmental impact.

A map showing the location of the Line is attached herein as **Appendix A**.

3. Transportation System. GTW does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic on the Line, and no passenger trains are operated over the Line

Abandonment of the Line will close one at-grade crossing at S. Forest/Maple Street, also known as DOT Crossing No. 284125J.

GTW has contacted and requested comments from the State of Michigan Department of Transportation. See correspondence attached herein as **Appendix B**. The State of Michigan Department of Transportation has made no comments to date.

The City of Richmond, City Counselor was contacted and comments were requested. To date, no comments have been received. See correspondence attached herein as **Appendix C**.

4. Land Use.

(i) GTW does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the National Geodetic Survey. See correspondence attached herein as **Appendix D**. The NGS has no markers in this area.

(ii) The proposed abandonment lies entirely within the city limits of Richmond, Michigan. The Natural Resources Conservation Service of the United States Department of Agriculture has confirmed that the proposed abandonment will not have an

adverse impact on any prime agricultural lands. See correspondence attached herein as **Appendix E**.

(iii) This track does not lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. The Michigan Land and Water Management Division has stated that a permit will not be required for this abandonment. See correspondence attached herein as **Appendix F**.

(iv) GTW 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.

5. 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 GTW foresees little or no possibility that such on-line traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on this line for many years (if ever), and GTW 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.

6. 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. There is no traffic on the proposed abandonment, thus no shipments of ozone-depleting materials will be diverted as a result of this abandonment.

7. 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.

8. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. During any salvage operations on the track, precautions will be taken to ensure public safety.

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

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

9. Biological Resources.

(i) GTW does not believe that any endangered or threatened species are present in the area or would be adversely affected. Salvage operations will be handled within the right-of-way using existing access routes. The Michigan Department of Natural Resources responded to our initial request for comments, seeing further consultation. GTW submitted additional correspondence to the DNR, which outlined our findings that this proposed abandonment will not adversely affect any species that would be located in the area. The MDNR has subsequently agreed with our findings. See correspondence attached as **Appendix G**.

GTW sent further correspondence to The U.S. Fish and Wildlife Service indicated that the proposed abandonment will not affect any endangered species that are possibly within this area. See correspondence attached as **Appendix H**. No additional comments have been received to date.

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

10. Water. Any water quality effects of the proposed abandonment should be minimal. The Line does not pass over any waterways. GTW does not intend to alter the contour of the roadbed underlying this line in connection with the proposed abandonment. GTW likewise does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act.

(i) GTW has contacted the US Environmental Protection Agency to determine whether the proposed abandonment is consistent with applicable federal, state and

local water and air quality standards. See correspondence attached herein as **Appendix J**. There has been no response to date.

(ii) GTW also requested comments from the Army Corps of Engineers. See correspondence attached herein as **Appendix K**. The Corp advised GTW they should contact the Michigan DNRE. See correspondence referenced above at Appendix G.

(iii) The Michigan Department of US Environmental Protection has been contacted and we have requested comments from them. See correspondence attached herein as **Appendix L**. There has been no response to date. GTW believes that no permits under section 402 of the Clean Water Act (33 U.S.C. 1342) will be required for the proposed action.

11. Proposed Mitigation. As no adverse impact is anticipated, GTW 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. GTW seeks to abandon its line of railroad extending from milepost 0.00 to milepost 0.42 in Richmond, Michigan.
3. Photographs. There are no photographs of this line since there are no structures or bridges.
4. Information on Structures. There are no buildings, structures, or bridges within the proposed Line abandonment.
5. History of Operations. The Line has not been required to serve any customer in many years. At one time, there were two grain elevators located along this line, but have been dormant for several years. 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.

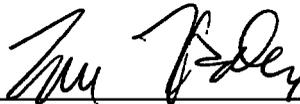
6. Engineering Documents. If such documents exist, GTW will disclose any documents, or drawings that might be useful in preparation for this abandonment.

7. Historic Criteria. There are no structures or bridges located along this portion of the line. GTW believes that no culturally significant locations, archaeological sites or unique landforms will be affected by the abandonment. GTW has contacted and given notice of the proposed abandonment to the Michigan State Historic Preservation Office. See correspondence attached as **Appendix M.** The Office has agreed that no historic properties are affected.

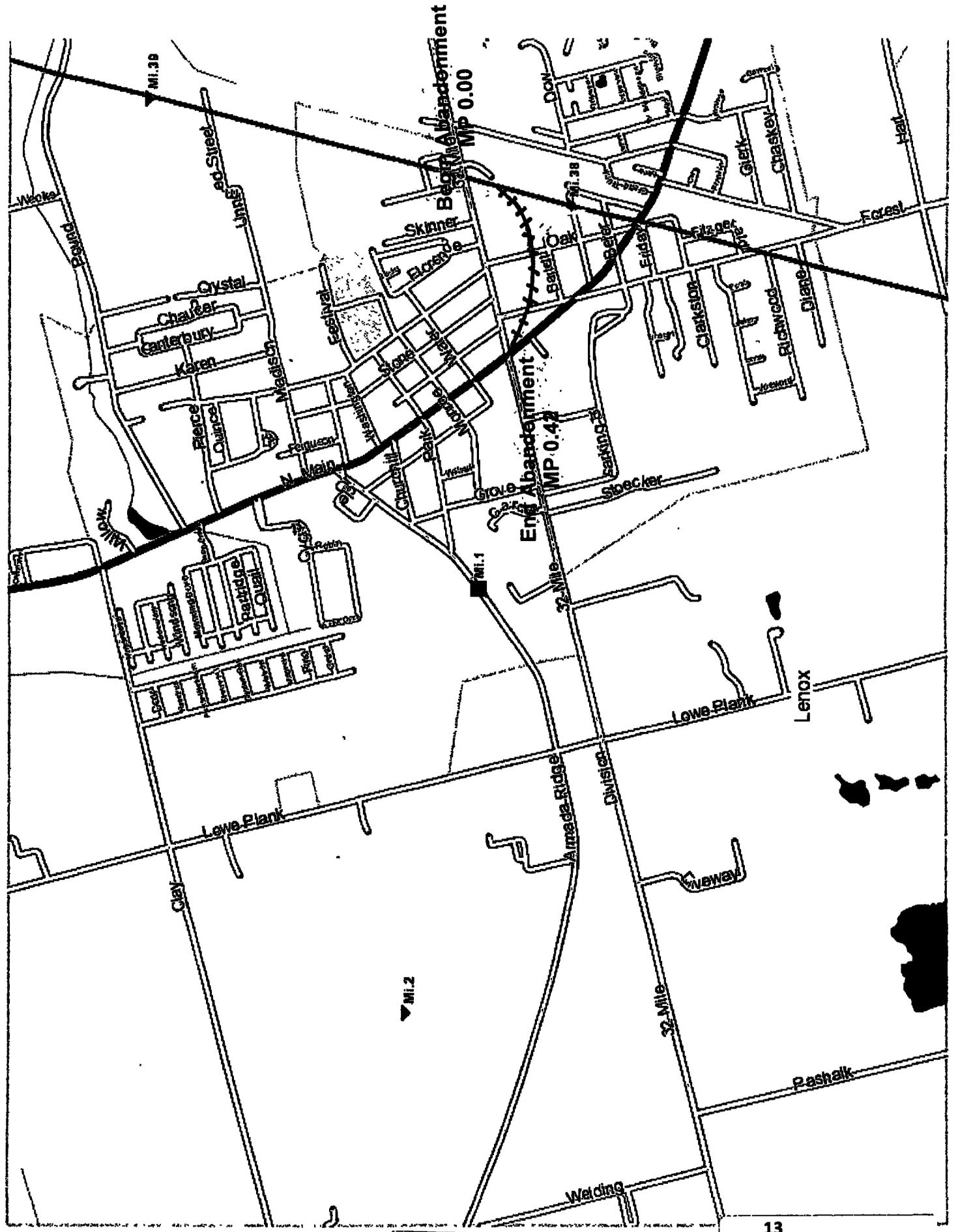
8. Ground Disturbances. GTW is unaware of any possibility that archaeological resources may be in the area. The abandonment activities should have no impact as GTW simply intends on removing the rail and ties and leaving the right-of-way intact for possible trail-conversion purposes. Access to the line is generally good.

Dated: May 26, 2010

Respectfully submitted,



Thomas J. Healey
Attorney for the Grand Trunk Western
Railroad Company
17641 South Ashland Avenue
Homewood, IL 60430-1345
Telephone: 708-332-3954
Fax: 708-332-4361





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March 5, 2010

Mr. Paul McAllister
MI Department of Transportation
Murray D. Van Wagoner Bldg.
PO Box 30050
Lansing, MI 48909

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

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tom.healey@cn.ca

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. McAllister:

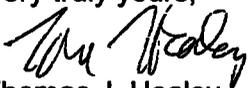
Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending MP 0.42 in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW 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 Grand Trunk Western Railroad Company

Encl.

APPENDIX B

14



Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
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www.cn.ca

March 5, 2010

Mr. Dennis LaFore
City Counselor, City of Richmond
68225 Main Street
Richmond, MI 48062

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. LaFore:

Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending MP 0.42 in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW 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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Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Encl.

APPENDIX C

15



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Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
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tom.healey@cn.ca

March 5, 2010

Mr. Simon Monroe
Simon.Monroe@noaa.gov

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. Monroe:

Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending MP 0.42 in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW 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 Grand Trunk Western Railroad Company

Encl.

Fw: [NGS Response, STB Docket AB-31 (SUB NO. 042X)]

Tom Healey to: Rebecca Bott

03/08/2010 12:40 PM

History: This message has been replied to.

----- Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 03/08/2010 12:37 PM -----



Simon Monroe
<Simon.Monroe@noaa.gov>
03/08/2010 12:34 PM

To tom.healey@cn.ca
cc Surface Transportation Board <sea@stb.dot.gov>, Surveyorlady@yahoo.com, Dave.Rigney@noaa.gov, Gilbert Mitchell <Gilbert.Mitchell@noaa.gov>, Simon Monroe <Simon.Monroe@noaa.gov>
Subject [NGS Response, STB Docket AB-31 (SUB NO. 042X)]

Thank you for sharing your railroad abandonment environmental report for Some City, Some County, Some State.

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

If marks will be disturbed by the abandonment, [THE RAILROAD] shall consult with the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic station

marks are described on the attached file. Additional advice is provided at

<http://geodesy.noaa.gov/marks/railroads/>

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

No Stations Found.



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March 5, 2010

Natural Resource Conservation Service
3001 Coolidge Road, Suite 250
East Lansing, MI 48823

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Sir or Madam:

Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending MP 0.42 in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW 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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Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Encl.

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Thomas J. Healey
Counsel - Regulatory

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United States Department of Agriculture



Helping People Help the Land

Natural Resources Conservation Service

3001 Coolidge Road, Suite 250

East Lansing, MI 48823

T (517) 324-5270/ F (517) 324-5171/ www.mi.nrcs.usda.gov

March 12, 2010

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

RE: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan; Docket: AB-31 (Sub-No. 42X)

Dear Mr. Healey:

We have reviewed the proposal to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending at MP 0.42 within the City of Richmond, Michigan. It is our determination that the abandonment will not have a negative impact on prime and unique farmland.

Sincerely,



GARRY LEE
State Conservationist

cc:

Benjamin Thelen, Soil Conservationist, NRCS, Kimball, Michigan

Albert Jones, Area Conservationist, NRCS, Flint, Michigan



www.cn.ca

March 5, 2010

Mr. Steven Chester
Michigan Department of Environmental Quality
Land and Water Management Division
525 West Alleghan Street, PO Box 30458
Lansing, MI 48909

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. Chester:

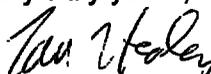
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Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Encl.

APPENDIX F

20

Law

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STATE OF MICHIGAN
 DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT
 SOUTHEAST MICHIGAN DISTRICT OFFICE

JENNIFER M. GRANHOLM
 GOVERNOR

REBECCA A. HUMPHRIES
 DIRECTOR

March 19, 2010

CN Law
 17641 S. Ashland Avenue
 Homewood, IL 60430-1339

Attention: Mr. Thomas Healy

SUBJECT: Grand Trunk Western Railroad Company Proposed Abandonment in
 Richmond, Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X).

Dear Mr. Healy:

Thank you for contacting the Michigan Department of Natural Resources (DNRE), Land and Water Management Division (LWMD), regarding any potential permit requirements, for the abandonment of a 0.42 mile section of railroad in Richmond, MI. The State of Michigan DNRE has assumed the federal authority to administer Section 404 of the Clean Water Act, through Part 303, Wetlands Protection of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA).

The LWMD has reviewed the information submitted with your March 5, 2010 letter. Based on the information provided in your letter, the LWMD has determined that a permit is not required under Part 301, Inland Lakes and Streams, nor Part 303, Wetlands Protection, of the NREPA.

Again, thank you for contacting us regarding potential permit requirements. If you have any other questions or concerns, please feel free to contact me at 586-753-3870, or hokanson@michigan.gov.

Sincerely,

Anne Hokanson
 District Representative
 Land and Water Management Division

cc: Macomb County Office of Public Works, Soil Erosion
 Macomb County Office of Public Works, Drain Office
 Richmond Township Clerk
 Mr. Andrew Hartz, DNRE
 Ms. Lynda Jones, DNRE



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

www.cn.ca

March 5, 2010

Mr. William Moritz
Department of Natural Resources
Stevens T. Mason Bldg.
PO Box 30028
Lansing, MI 48909-7528

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. Moritz:

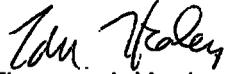
Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending MP 0.42 in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW 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 Grand Trunk Western Railroad Company

Encl.

APPENDIX G

22

Fw: Endangered Species Act Consultation (electronic initiation) - Grand Trunk Western RR Co. Proposed Abandonment, Macomb County, Michigan
Tom Healey to: Rebecca Bott

03/22/2010 03:53 PM

----- Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 03/22/2010 03:53 PM -----



Tameka_Dandridge@fws.gov

03/22/2010 03:51 PM

To tom.healey@cn.ca

cc

Subject Endangered Species Act Consultation (electronic initiation) -
Grand Trunk Western RR Co. Proposed Abandonment,
Macomb County, Michigan

Mr. Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Re: Endangered Species Act Section 7 Consultation for Grand Trunk Western Railroad Company Proposed Abandonment in Richmond, Macomb County, Michigan;
Docket: AB-31 (Sub-No. 42X)

Dear Mr. Healey:

Please refer to the below information for initiating section 7 consultations with the U.S. Fish and Wildlife Service as well as obtaining species lists.

Region 3 of the U.S. Fish and Wildlife Service has designed a 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. Please initiate consultations pursuant to the Endangered Species Act electronically, using the below websites. Some consultations may be concluded with this process without contacting this office. The following provides a brief description of the website.

Section 7 Consultation Main Page -

<http://www.fws.gov/midwest/endangered/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/endangered/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.

In addition, refer to the Michigan Department of Natural Resources and Environment Endangered Species Assessment website, www.mcgi.state.mi.us/esa and contact Ms. Lori Sargent at SargentL@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.

Bald eagle information

Bald eagles are no longer federally listed under the Endangered Species Act (ESA). However, bald eagles, along with their foraging and winter roosting habitat, remain protected pursuant to the Bald and Golden Eagle Protection Act (BGEPA) and Migratory Bird Treaty Act (MBTA). Disturbance of these birds should be minimized and any resulting take must be permitted by the US Fish and Wildlife Service (Service). The National Bald Eagle Management Guidelines offer guidance on minimizing any disturbance that may be caused by project activities near eagle nests.

Limited permits to disturb nesting eagles and, in some cases, remove nest trees are available from the Service. Applicants must meet the permit requirements as specified in the BGEPA and the resulting disturbance or take must be compatible with the ongoing preservation of the species, as determined by the Service. For more information on eagle protections, permit requirements, and to view the Bald Eagle Management Guidelines, please visit <http://www.fws.gov/migratorybirds/baldeagle.htm>. For technical assistance with assessing your project's impacts on bald eagles or applying for a permit, please contact Matt Stuber at 517-351-8469.

Tameka Dandridge
U.S. Fish & Wildlife Service
East Lansing Field Office
2651 Coolidge Rd., Suite 101
East Lansing, MI 48823
517-351-8315
tameka_dandridge@fws.gov



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

April 28, 2010

Ms. Tameka Dandridge
US Fish & Wildlife Service
East Lansing Field Office
2651 Coolidge Road., Suite 101
East Lansing, MI 48823

Re: Endangered Species Act Section 7 Consultation for Grand Trunk Western
Railroad Company Proposed Abandonment in Richmond, Macomb
County, MI; STB Docket: AB-31 (Sub-No. 42X)

Dear Ms. Dandridge:

We are requesting concurrence from the U.S. Fish and Wildlife Service that the
proposed abandonment in Macomb County is *not likely to adversely affect*:

County	Species	Status	Habitat	Affect
Macomb	Indiana Bat (Myotis sodalist)	Endangered	Summer habitat includes small to medium river and stream corridors with well developed riparian woods; woodlots within 1 to 3 miles of small to medium rivers and streams; and upland forests. Caves and mines as hibernacula.	Abandonment is not likely to adversely affect this species. This portion of the line of rail does pass near rivers or streams.
Macomb	Eastern Massasauga (Sistrurus catenatus catenatus)	Candidate		Abandonment is not likely to adversely affect this species.

Macomb	Rayed Bean Mussel (<i>Villosa fabalis</i>)	Candidate	Clinton River	Abandonment is not likely to adversely affect this species. This portion of the line of rail does pass near rivers or streams.
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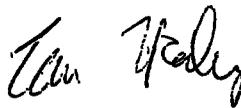
The proposed project is located in Richmond, Michigan.

Grand Trunk Western Railroad Company ("GTW") intends to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending at MP 0.42. 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.

We carefully reviewed on April 27, 2010, your agency's Section 7 Consultation website for a list of species and critical habitat that "may be present" within the project area. Please see chart above.

For these reasons, GTW concludes that the proposed abandonment is not likely to adversely affect the three species listed above. We request your concurrence with our determination.

Very truly yours,



Thomas J. Healey
Attorney for Grand Trunk Western Railroad Company



Fw: Endangered Species Act Consultation : Request for Concurrence for Abandonment in Richmond , Macomb County , MI

Rebecca Bott o Rebecca Bott

05/24/2010 01:27 PM

— Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 05/24/2010 01:03 PM —



Tameka_Dandridge@fws.gov

To tom.healey@cn.ca

05/24/2010 12:59 PM

cc

Subject Endangered Species Act Consultation : Request for Concurrence for Abandonment in Richmond , Macomb County, MI

Mr. Thomas J. Healey
Grand Trunk Western Railroad Company

Re: Endangered Species Act Consultation for Grand Trunk Western Railroad Company (GTW) Proposed Abandonment in Richmond, Macomb County, Michigan

STB Docket: AB-31 (Sub-No. 42X)

Dear Mr. Healey:

We are responding to your April 28, 2010 letter requesting consultation under section 7 of the Endangered Species Act of 1973, as amended (Act). Under this project, GTW proposes to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending at MP 0.42. Rails, ties, and other track materials will be removed, but the underlying embankment will not be modified and land disturbance is not proposed.

You have determined that the proposed project is "not likely to adversely affect" the endangered Indiana bat and requested our concurrence with your determination. However, you advised in our May 24, 2010 telephone conversation that habitat for Indiana bat is not available in the project area. The appropriate determination should be "no effect" because Indiana bat nor its habitat will not be exposed to this project. Once this determination is made, consultation ends and contact with this office is not required. Also, we do not provide written concurrence for "no effect" determinations.

Eastern massasauga rattlesnake and rayed bean mussel
The Act does not extend protection to candidate species, but we encourage their consideration in resource planning. If early evaluation of your project indicates that it may impact a candidate, your agency may request technical assistance from this office. Avoidance of unnecessary impacts to candidate species will reduce the likelihood that they will require the protection of the Act in the future.

We appreciate the opportunity to cooperate with you in conserving endangered species. If you have any questions regarding these comments, please contact me at the below address or email.

Sincerely,
Tameka Dandridge

Tameka Dandridge
U.S. Fish & Wildlife Service
East Lansing Field Office
2651 Coolidge Rd., Suite 101
East Lansing, MI 48823
517-351-8315
tameka_dandridge@fws.gov



www.cn.ca

March 5, 2010

Mr. Craig Czarnecki, Field Supervisor
Fish and Wildlife Services
East Lansing Field Office
2651 Coolidge Road, Suite 101
East Lansing, MI 48823-6316

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

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. Czarnecki:

Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending MP 0.42 in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW 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.

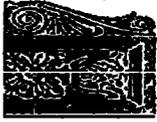
Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Encl.

APPENDIX H

29



To: sargentl@michigan.gov
Cc:
Bcc:
Subject: Proposed Railroad Abandonment

Email sent on behalf of Tom Healey:

Ms. Sargent,

The U.S. Fish and Wildlife Service has asked that Grand Trunk Western Railroad Company ("GTW") consult with the MDNR regarding endangered species that could possibly be affected by this abandonment.

GTW intends to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending at MP 0.42. 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.

Based on our search of the Michigan endangered species, GTW believes that no endangered species will be affected by the abandonment. I have attached a copy of our search. Please let me know if you have any questions or require further information.

Thank you,

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

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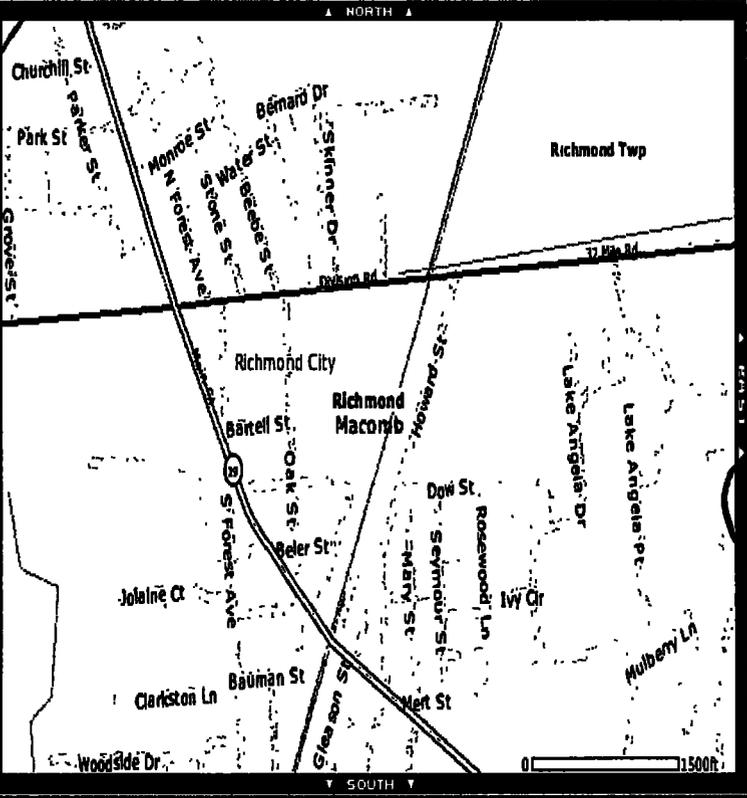
Department of Natural Resources



- Find a Location
- Browse the Map
- Related Links

ENDANGERED SPECIES ASSESSMENT

Location Overview



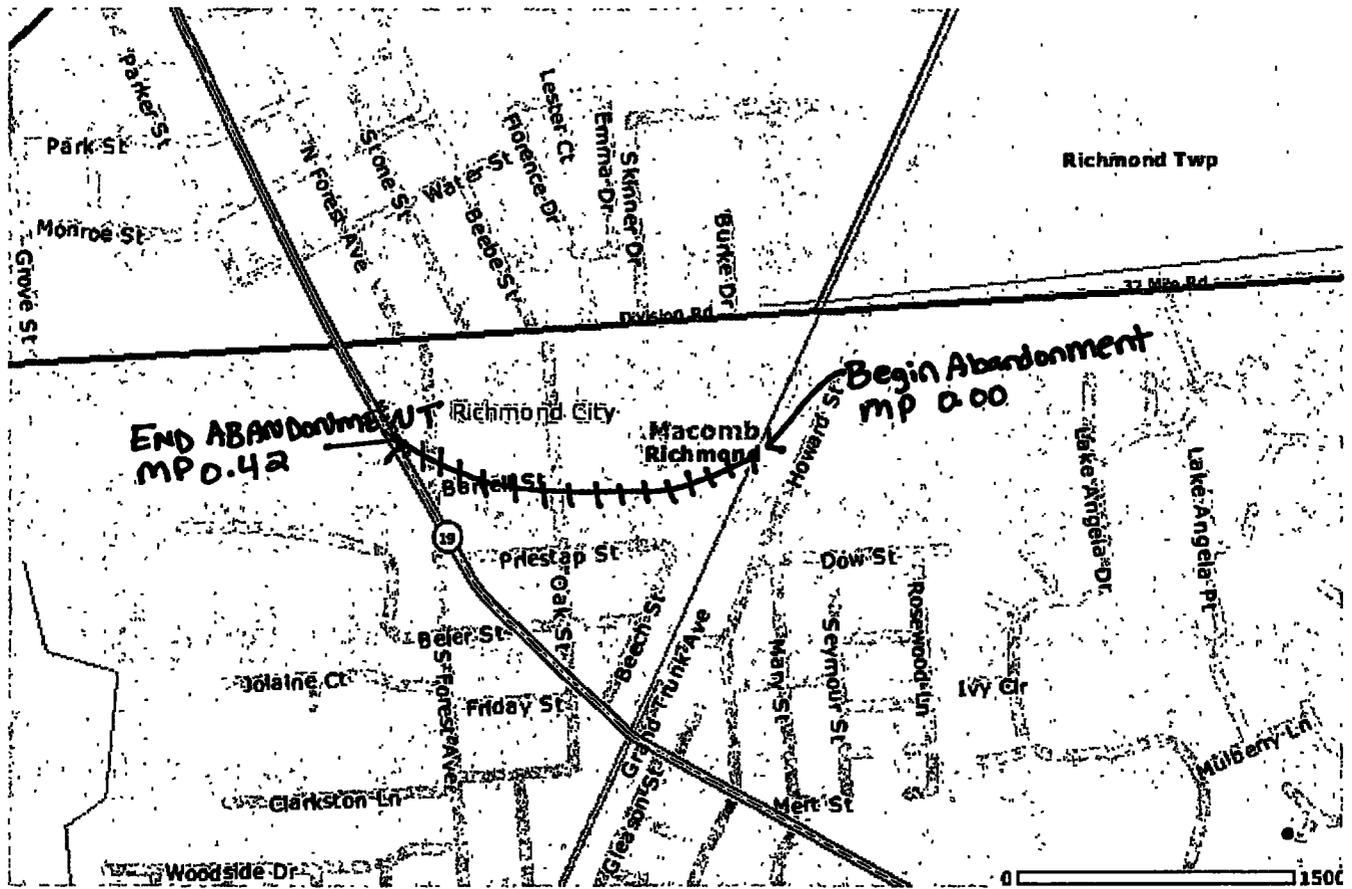
My Points of Interest

- Richmond City, Macomb County
-
- City of Richmond
- Redwood Grove



A ENDANGERED SPECIES ASSESSMENT

4/27/20



Disclaimer: No warranty, expressed or implied is made and no liability is assumed by the State of Michigan in general or the Michigan Center for Geographic Information specific as to the accuracy or usability of this data.

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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

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tom.healey@cn.ca

www.cn.ca

March 5, 2010

National Park Service
9922 W. Front Street
Empire, MI 49630

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Sir or Madam:

Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending MP 0.42 in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW 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;
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Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we 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 Grand Trunk Western Railroad Company

Encl.



www.cn.ca

March 5, 2010

US EPA, Region 5
77 W. Jackson Blvd.
Mail Code B-19J
Chicago, IL 60604

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

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

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Sir or Madam:

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Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Encl.

APPENDIX J

34



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

www.cn.ca

March 5, 2010

Mr. John Konik
U.S. Army Corps of Engineers
Detroit District
477 Michigan Ave.
Detroit, MI 48231-1027

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. Konik:

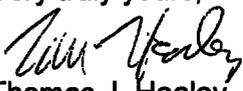
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Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Encl.

APPENDIX K

35



REPLY TO
ATTENTION OF:

**DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
REGULATORY OFFICE
477 MICHIGAN AVENUE
DETROIT, MICHIGAN 48226-2550**

April 1, 2010

Engineering & Technical Services
Regulatory Office
File No. LRE-2010-00145-250

Thomas Healey
Grand Trunk Western Railroad
17641 South Ashland Avenue
Homewood, Illinois 60430-1345

Dear Mr. Healey:

This is in response to your recent correspondence regarding Department of the Army jurisdiction on the proposed abandonment of rail line at Richmond, Michigan. 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 Natural Resources and Environment (MDNRE). 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 MDNRE. Therefore, we recommend that you contact the MDNRE office in Warren, Michigan at: (586) 753-3700 for a determination of State permit requirements.

If you have any questions please contact me of this office at the above address or telephone 313.226.2219 or e-mail at: stanley.f.cowton@lre02.usace.army.mil. Please refer to File No. LRE-2010-00145-250 in all future communications with this office.

[Faint, illegible text, likely bleed-through from the reverse side of the page]

We are interested in your thoughts and opinions concerning your experience with the Detroit District, Corps of Engineers Regulatory Program. If you are interested in letting us know how we are doing, you can complete an electronic Customer Service Survey from our web site at: <http://per2.nwp.usace.army.mil/survey.html>. Alternatively, you may contact us and request a paper copy of the survey that you may complete and return to us by mail or fax. Thank you for taking the time to complete the survey, we appreciate your feedback.

Sincerely,



Stanley F. Cowton, Jr.
Biologist, Project Manager
Permit Evaluation Eastern Branch

Copy Furnished

MDNRE, Hartz
Compliance and Enforcement, w/encl.



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

March 5, 2010

MI Department of Environmental Protection
SE Michigan District Office
27700 Donald Court
Warren, MI 48092-2793

Re: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond,
Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Sir or Madam:

Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending MP 0.42 in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
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6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
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 Grand Trunk Western Railroad Company

Encl.

APPENDIX L

38



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

www.cn.ca

March 5, 2010

Mr. Brian D. Conway
MI State Historic Preservation Office
702 West Kalamazoo Street
PO Box 30740
Lansing, MI 48909-8240

Re: Grand Trunk Western Railroad Company Proposed Abandonment in
Richmond, Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. Conway:

Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending at 0.42, in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in performing a historical review process. There are no buildings or structures located along this segment of the line and therefore, there are no historic properties.

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

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Enc.

APPENDIX M

39



STATE OF MICHIGAN
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
LANSING

JENNIFER GRANHOLM
GOVERNOR

KEITH MOLIN
EXECUTIVE DIRECTOR

March 16, 2010

THOMAS J HEALEY
CN
17641 S ASHLAND AVENUE
HOMEWOOD IL 60430-1339

RE: Grand Trunk Western Railroad Company Proposed Abandonment in Richmond, Macomb County, MI,
STB Docket No. AB-31 (SUB-No. 42X)

Dear Mr. Healey:

It appears that you are initiating consultation with the State Historic Preservation Office (SHPO) under Section 106 of the National Historic Preservation Act of 1966, as amended.

Section 106 requires federal agencies to take into account the effect of their undertakings on historic properties. The Section 106 regulations specify what is required for a Section 106 review [36 CFR § 800.11]. It is the responsibility of the federal agency, not the SHPO, to fulfill the requirements of Section 106. In some instances, the federal agency may delegate legal responsibility to a state, local, or tribal government. Consultants or designees contracted to prepare information, analyses, or recommendations, are not recognized as federally-delegated authorities. For your reference, a complete version of the Section 106 regulations can be found at www.achp.gov/regs.html.

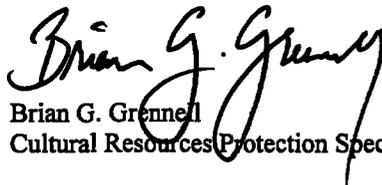
The mandatory application form and instructions for submitting projects for review under Section 106 may be downloaded in MS Word format from our website at <http://www.michigan.gov/shposection106>. Please read each requirement carefully in its respective field, and respond in full. In addition, please ensure that future project submissions will utilize the application form. Incomplete applications and projects not submitted on the application forms will be sent back to the applicant without comment.

If at this time, you are seeking information on above-ground historic resources that are listed in the National Register of Historic Places or in the State Register of Historic Sites, please refer to the Michigan Sites Online website at: <http://www.michiganhistory.org/preserve/michsite/index.html>. The SHPO cannot conduct such research on your behalf. For information regarding archaeological sites, please contact the State Archaeologist, Dr. John Halsey, at (517) 373-6358.

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 your cooperation.

Thank you for your cooperation.

Sincerely,


Brian G. Grennell
Cultural Resources Protection Specialist

for Brian D. Conway
State Historic Preservation Officer

Enclosure(s)





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

MAR 10 2010

March 5, 2010

Mr. Brian D. Conway
MI State Historic Preservation Office
702 West Kalamazoo Street
PO Box 30740
Lansing, MI 48909-8240

Re: Grand Trunk Western Railroad Company Proposed Abandonment in
Richmond, Macomb County, Michigan, Docket: AB-31 (Sub-No. 42X)

Dear Mr. Conway:

Grand Trunk Western Railroad Company ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending at 0.42, in Richmond, Macomb County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in performing a historical review process. There are no buildings or structures located along this segment of the line and therefore, there are no historic properties.

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

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Company

Enc.

STATE HISTORIC PRESERVATION OFFICE
Application for Section 106 Review

SHPO Use Only	
<input 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-31 (Sub-No. 42X) Grand Trunk Western Railroad Company]
b. Project Address (if available): [N/A Exempt Rail line abandonment - Richmond, Michigan]
c. Municipal Unit: [Richmond] County: [Macomb]
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): [Grand Trunk Western Railroad Company ("GTW") intends to abandon approximately 0.42 miles of railroad line starting at MP 0.00 and ending at MP 0.42. 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. GTW'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.

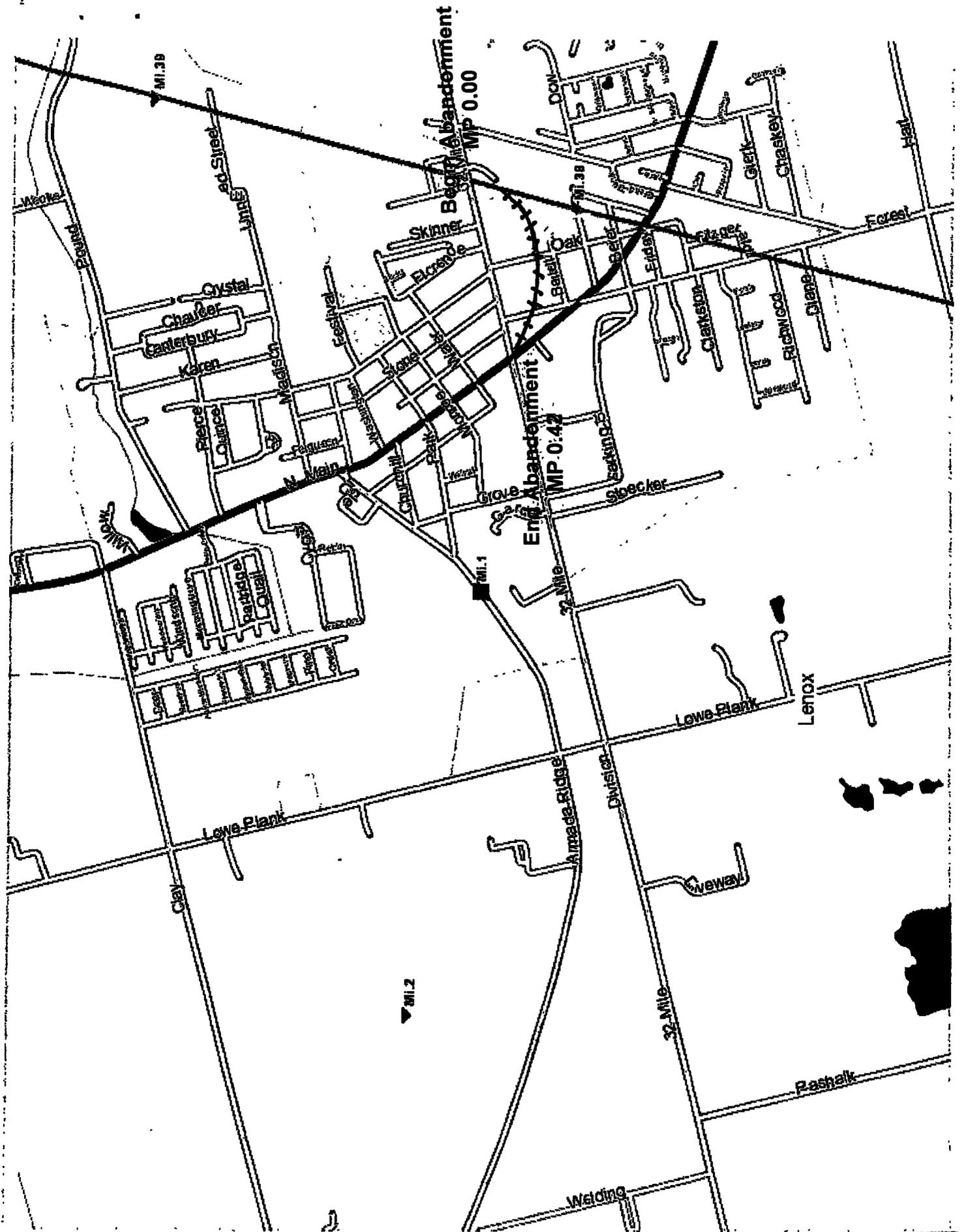
- a. Provide photographs of the site itself.
- b. Provide photographs of all properties 50 years of age or older located in the APE (faxed or photocopied photographs are not acceptable).

VI. DETERMINATION OF EFFECT

- No historic properties affected based on [36 CFR § 800.4(d)(1)], please provide the basis for this determination.
- No 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

Richmond, Michigan AB-31 (Sub-No: 42X)





JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
LANSING

KEITH MOLIN
EXECUTIVE DIRECTOR

May 3, 2010

VICTORIA RUTSON
CHIEF, SECTION OF ENVIRONMENTAL ANALYSIS
SURFACE TRANSPORTATION BOARD
395 E STREET, S.W.
WASHINGTON, D.C. 20424-0001

RE: ER-98-426 [AB-31(Sub-No.42X) Grand Trunk Western Railroad Company], MP 0.00 to 0.42 Richmond,
Macomb County, MI . (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.

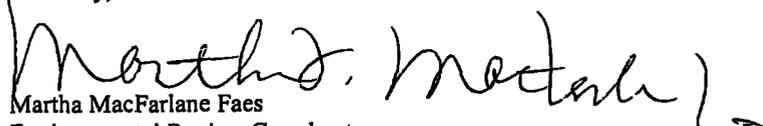
The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions 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 STB's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of 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, Cultural Resource Protection 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:BGG:arh

Copy: Thomas J. Healey, CN

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