



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



November 1, 2007

Via Overnight Mail

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
395 E. Street, N.W.
Washington, D.C. 20424

ENTERED
Office of Proceedings
NOV - 2 2007
Part of
Public Record

Re: Docket No. AB-303 (Sub-No 31X), Wisconsin Central Ltd.
- Abandonment Exemption - in Hayward, Sawyer County, Wisconsin

Dear Secretary Williams.

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Wisconsin Central Ltd. dated November 1, 2007, pursuant to 49 C.F.R. § 1152.50. I am also enclosing a check in the amount of \$3,200.00, representing the appropriate fee for this filing.

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

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

Respectfully submitted,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.

FILED
NOV - 2 2007
SURFACE
TRANSPORTATION BOARD

Encls.

cc: Wisconsin Department of Transportation

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO AB-303 (SUB-NO. 31X)



220633

WISCONSIN CENTRAL LTD
— ABANDONMENT EXEMPTION —
IN HAYWARD, SAWYER COUNTY, WISCONSIN

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

ENTERED
Office of Proceedings
NOV - 2 2007
Part of
Public Record

FEE RECEIVED
NOV 2 - 2007
SURFACE
TRANSPORTATION BOARD

FILED
NOV - 2 2007
SURFACE
TRANSPORTATION BOARD

Thomas J. Healey
17641 S Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381
ATTORNEY FOR
WISCONSIN CENTRAL LTD.

Dated. November 1, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO AB-303 (Sub-No. 31X)

WISCONSIN CENTRAL LTD.
- ABANDONMENT EXEMPTION -
IN HAYWARD, SAWYER COUNTY, WISCONSIN

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

Wisconsin Central Ltd. ("WCL") hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in Hayward, Sawyer County, Wisconsin, referred to herein as the "Line" between milepost 100.80 and milepost 102.60, a distance of 1.80 miles

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

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

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

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

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

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152, Subpart F, WCL intends to abandon its line of railroad between Mileposts 100 80 to 102 60, a distance of approximately 1.80 miles in Hayward, Sawyer County, Wisconsin.

Map: 49 C.F.R. § 1152.22(a)(4)

A map of the Line to be abandoned is attached hereto as Exhibit A.

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

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

Thomas J Healey
17641 S Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

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

The portion of the Line to be abandoned traverses United States Postal Service ZIP Code 54843.

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

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

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

WCL will not consummate the proposed abandonment any earlier than January 2, 2008.

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

The Line may be suitable as a trail or for use as a levee. WCL does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a highly developed urban area with a mature roadway system.

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

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

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

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

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

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

Since submitting the Environmental Report and Historic Report, WCL has received correspondence from the NOAA Ocean Service. They have located 1 marker in the area described. See correspondence attached as Exhibit D.

WCL has also received additional correspondence from the US Environmental Protection Agency. See correspondence attached as Exhibit E. The Agency has suggested that WCL contact the County Commissioners Office to discuss possible trail use. WCL remains willing to discuss possible trail use with any organization that is interested in this proposed abandonment.

Finally, WCL has also received correspondence from the State of Wisconsin Department of Natural Resources. See correspondence attached as Exhibit F. The DNR has asked WCL to be mindful of proper erosion control measures, the 100-year mapped floodplain, and possible endangered resources. In addition, WCL remains willing to discuss possible trail use with any organization that is interested in this proposed abandonment

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

Respectfully submitted,

By 
Thomas J. Healey
17641 S Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ATTORNEY FOR WISCONSIN CENTRAL LTD.

Dated November 1, 2007

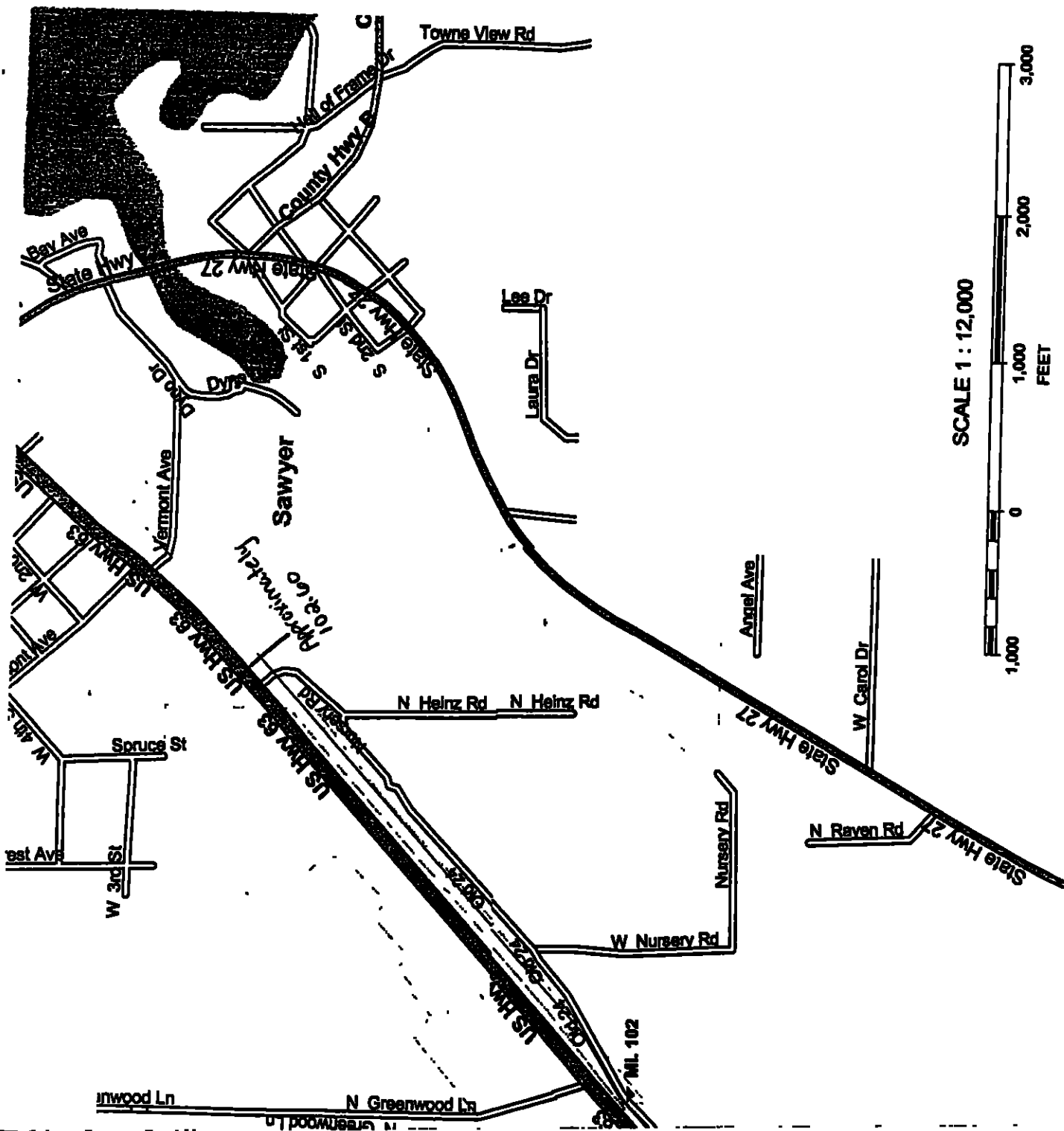


EXHIBIT A

DOCKET NO. AB-303 (SUB-NO. 31X)

**WISCONSIN CENTRAL LTD.
— ABANDONMENT EXEMPTION —
IN HAYWARD, SAWYER COUNTY, WISCONSIN**

CERTIFICATE AND VERIFICATION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Robert M. Wedam, being duly sworn, deposes and says

1 That no local traffic has moved over the line of Wisconsin Central Ltd ("WCL") from milepost 100 80 to 102 60, a distance of 1.80 miles in Hayward, Sawyer County, Wisconsin, for at least two years, and that there is no overhead traffic to be rerouted over other lines; and

2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U S District Court or has been decided in favor of the complainant within the last two years; and

3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated

Date. November 1, 2007



Robert M. Wedam
Senior Manager – Network Strategies
Wisconsin Central Ltd

Subscribed and sworn to before me
this 1st day of November, 2007

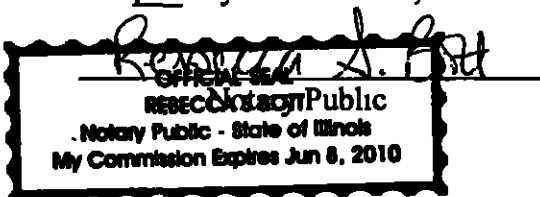


EXHIBIT B

EXHIBIT C

CERTIFICATE

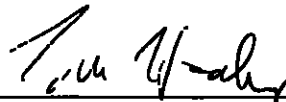
I, Thomas J Healey, an attorney for Wisconsin Central Ltd , hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-303 (Sub-No 31X), Wisconsin Central Ltd — Abandonment Exemption — in Hayward, Sawyer County, Wisconsin.

(1) The notice requirements of 49 C F R. § 1152.50(d)(1) have been complied with, to-wit. On October 15, 2007, written notice was mailed to the. (a) Wisconsin Department of Transportation, (b) U S Department of Defense, MTMCTEA; (c) U.S. Department of Agriculture; and (d) National Center for Recreation and Conservation (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit. On September 28, 2007, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C F R § 1105 11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105 7(b) and § 1105.11.

EXHIBIT C

(3) A newspaper notice was published on June 13, 2007, in the Sawyer County Record, a newspaper of general circulation in Sawyer County, Wisconsin. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.



Thomas J. Healey

Dated: November 1, 2007



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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

October 15, 2007

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

Re: Docket No. AB-303 (Sub-No. 31X), Wisconsin Central Ltd.
Notice of Exemption in Hayward, Sawyer County, Wisconsin

Dear Sir/Madam

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after October 31, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.80 miles of railroad line between milepost 100.80 and milepost 102.60 in Hayward, Sawyer County, Wisconsin. Such line runs through U.S. Postal Zip Code 54843.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.

ATTACHMENT I



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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

October 15, 2007

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

Re. Docket No. AB-303 (Sub-No. 31X), Wisconsin Central Ltd.
Notice of Exemption in Hayward, Sawyer County, Wisconsin

Dear Mr. Bosworth:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after October 31, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.80 miles of railroad line between milepost 100.80 and milepost 102.60 in Hayward, Sawyer County, Wisconsin. Such line runs through U.S. Postal Zip Code 54843.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.

ATTACHMENT 2



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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

October 15, 2007

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

Re Docket No. AB-303 (Sub-No. 31X), Wisconsin Central Ltd.
Notice of Exemption in Hayward, Sawyer County, Wisconsin

Dear Mr. Ross:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after October 31, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.80 miles of railroad line between milepost 100.80 and milepost 102.60 in Hayward, Sawyer County, Wisconsin. Such line runs through U.S. Postal Zip Code 54843.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.



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

October 15, 2007

Mr. Allyn Lepeska, Attorney
Wisconsin Department of Transportation
4802 Sheboygan Ave., Room 115B
PO Box 7910
Madison, WI 53707

Re: Docket No. AB-303 (Sub-No. 31X), Wisconsin Central Ltd.
Notice of Exemption in Hayward, Sawyer County, Wisconsin

Dear Mr. Lepeska:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after October 31, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.80 miles of railroad line between milepost 100.80 and milepost 102.60 in Hayward, Sawyer County, Wisconsin. Such line runs through U.S. Postal Zip Code 54843.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.

ATTACHMENT 4



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

September 28, 2007

Re: Wisconsin Central Ltd. Notice of Exemption for Abandonment – Hayward, Sawyer County, Wisconsin - Docket AB-303 (Sub-No. 31X)

To Whom It May Concern

Any time on or after October 22, 2007, Wisconsin Central Ltd ("WCL") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 100.80 and milepost 102.60, a distance of 1.80 miles, in Hayward, Sawyer County, Wisconsin. 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.

WCL will file the Environmental Report and Historic Report with the STB on or about September 28, 2007. 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 Wisconsin Central Ltd

Encls

ATTACHMENT 5

Mr. Sherman Banker, SHPO
Wisconsin Historical Society
816 State Street
Madison WI 53706

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

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

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

Mr. Hal Helwig
Board Chairman
10610 Main Street, PO Box 836
County Courthouse
Hayward WI 54843-6595

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

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

Mr. Bill Sande
Department of the Army Corp of Engineers
15954 Rivers Edge, Suite 240
Hayward, WI 54843

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

Natural Resource Conservation Service
Service Center
1120 West Lake Ave
PO Box 222
Ladysmith, WI 54848

Wisconsin DNR
DNR Service Center
10220 St. Hwy 27
Hayward, WI 54843

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

PRINTER'S AFFIDAVIT

State of Wisconsin
Sawyer County

Andrew Pennington, being duly sworn, says that he is the Publisher of

THE SAWYER COUNTY RECORD

which is a weekly newspaper printed and published in the city of Hayward in said county and state that a notice of which the annexed is a printed copy taken from said newspaper was printed and published in the full regular edition of said newspaper once each week for

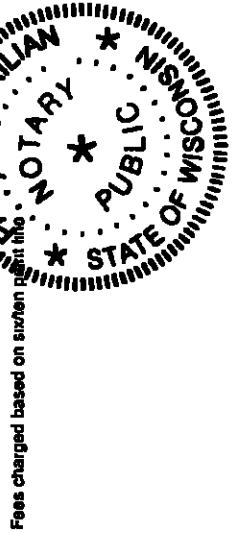
ONE (1) successive weeks, commencing and the first publication being on the 13TH day of JUNE, 2007 and ending and the last publication being on the 13TH day of JUNE, 2007, being ONE (1) such publications

[Signature] subscribed and sworn to the above this 14th day of June Atkins J. Kilian 2007

My Commission Expires January 18 2007
Fees: 48 line one week at 7331 \$35.19

1 lines weeks at 5760
AFFIDAVIT FEES \$1.00
Total \$36.19

Received the above fees JUNE 7 2007
SAWYER COUNTY PUBLICATIONS



Fees charged based on sixteen page bill

WISCONSIN CENTRAL LTD gives notice that on or after July 3, 2007, 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 1.80 miles of railroad line between milepost 100.80 and milepost 102.60 in Sawyer County, Hayward, Wisconsin, which line traverses through U.S. Postal Zip Code 54843. The proceeding will be decided as AB-303 (Sub No. 31X).

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 banding/haile 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 traffic 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 20423-0001. [See 49 CFR 1104.1(a) and 1104.3(a)]. and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or rail use may be directed to the Commission's Office of Congressional and Public Services at (202) 245-0245. Copies of any comments or requests for conditions should be served on the applicant's representative, Thomas J. Healey, (708) 332-6361 at 17641 S. Ashland Avenue, Homewood, IL 60430.

WVWAXLP

R9

Tom
Healey/HEALEY03/IL/CNR/C
A

10/16/2007 10 57 AM

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

cc

bcc

Subject Fw [Fwd [Fwd NGS Response, STB Docket AB-303 (SUB
NO 031X)]]

— Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 10/16/2007 10 57 AM —



Simon Monroe
<Simon.Monroe@noaa.gov>

10/16/2007 10 52 AM

To tom.healey@cn.ca

cc Surface Transportation Board <sea@stb.dot.gov>, National
Society of Professional Surveyors
<Dawn.James@acsm.net>, John Ellingson@noaa.gov,
Gilbert Mitchell <Gilbert.Mitchell@noaa.gov>

Subject [Fwd [Fwd NGS Response, STB Docket AB-303 (SUB NO
031X)]]

Thank you for sharing your railroad abandonment environmental report for
Hayward, Sawyer County, Wisconsin.

Approximately 01 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/marks/railroads/>

|Dist|PID...|H V|Vert_Source|Approx.|Approx..|Stab|Designation

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

|....|QN0350|. 1|88/ADJUSTED|N455923|W0912956|B .|T 146

EXHIBIT D



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

OCT 12 2007

REPLY TO THE ATTENTION OF

E-19J

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

Re **Wisconsin Central Ltd. (WCL) Notice of Exemption for Abandonment – Hayward, Sawyer County, Wisconsin – Docket AB-303 (Sub-No. 31X)**

Dear Mr. Williams.

The U.S. Environmental Protection Agency (U S EPA) received and reviewed the Environmental and Historic Report (Report) prepared for the above-mentioned abandonment. Our comments in this letter are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

According to the information supplied in the Report, WCL proposes to abandon 1.80 miles of a rail line in Sawyer County, between mileposts 100.80 and 102.60. WCL intends to continue operation up to milepost 100.80, and there is no track beyond milepost 102.60.

The Report indicates that WCL is not aware of any alternative public use for which the right-of-way (ROW) might be suitable following abandonment, other than possibly a trail. We suggest WCL contact the Sawyer County Commissioners Office and discuss whether the ROW might be desirable as part of a trail system in the County.

We appreciate the opportunity to provide comments on the Report and look forward to receiving the Surface Transportation Board's Environmental Assessment for this project. Should you have any questions concerning this letter, please contact me or Kathleen Kowal of my staff at (312) 353-5206 or via email at kowal.kathleen@epa.gov

Sincerely,

Kenneth A. Westlake, Supervisor
NEPA Implementation
Office of Enforcement and Compliance Assurance

cc Thomas J. Healey, Attorney for Wisconsin Central Ltd.

20



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
John Gozdziński, Regional Director

Northern Region Headquarters
810 W Maple Street
Spooner, Wisconsin 54801
Telephone 715-635-2101
FAX 715-635-4105
TTY 715-635-4001

October 17, 2007

Thomas Healey
Wisconsin Central Limited
17641 S Ashland Ave
Homewood, IL 60430-1339

SUBJECT Wisconsin Central Ltd Railroad abandonment
Hayward, Sawyer County, WI
Environmental and Historic Report, Docket #AB-303 (Sub-No 31X)

Dear Mr Healey

We have reviewed your letter regarding the proposed abandonment referenced above. Following are our comments regarding existing resources and potential issues regarding the abandonment.

Water Quality and Critical Habitats: Proper erosion control measures must be used and maintained during and after any track and tie removals. An erosion control plan should be developed and made part of the project plans and specifications. All areas of disturbed soil should be re-seeded as soon as possible. Native species should be used where appropriate.

Floodplains: A 100-year mapped floodplain crosses or runs adjacent to the railroad at one location within the proposal. If no additional fill is placed in the floodplain, the abandonment should not have an impact on the 100-year floodplain. As stated in Chapter 30 of the Wisconsin State Statutes, existing bridges and culverts must be permitted to a responsible party. Please coordinate with Dave Kafura, Water Management Specialist, on this issue. His office is in Hayward, and his phone number is 715-634-3523.

Threatened/Endangered Species: A preliminary check of our Natural Heritage Inventory files show that the Namekagon River at this location contains several endangered resources. They include the Greater Redhorse, a threatened fish species, the Elktote, a special concern mussel species; and the Wood Turtle, a threatened species.

Waste Disposal: All steel shall be salvaged for recycling. The treated ties should be disposed of by chipping and burning at an approved disposal facility or licensed landfill unless they can be recycled and used on other active rail lines or for landscape purposes. Any other proposed disposal methods than the above would require our prior approval.

Recreational Trail: Please coordinate with Terry Jordan, DNR Regional Trails Coordinator, to discuss whether the Department has any interest in obtaining this area for a recreational trail. His office is in Spooner, and his phone number is 715-635-4121. Sawyer County may also be interested in obtaining this grade for purposes of a recreational trail. Please coordinate with Kris Mayberry, County Clerk, on this issue. His phone number is 715-634-4866.

EXHIBIT F

State Parks or Forests: This portion of the railroad runs adjacent to the Hayward State Nursery. Please coordinate with Gordy Christians, Nursery Superintendent to address any concerns they may have with the proposed project His phone number is 715-634-2717

St. Croix National Scenic Riverway: The railroad also runs adjacent to a portion of the boundary of the St. Croix National Scenic Riverway, which includes the Namekagon River. Please coordinate with Jill Medland of the National Park Service to address any concerns they may have regarding your project Her office is in St. Croix Falls, and her phone number is 715-483-2284

Pre-Salvage Meeting: A pre-salvage meeting should be arranged between the representatives of the railroad, Wisconsin DOT, the salvage contractor, and this office prior to actual work to ensure proper abandonment/disposal techniques are being implemented

We thank you for the opportunity to review and comment on this proposed abandonment. All future correspondence regarding the environmental review of this project should be addressed to this office We look forward to continued coordination with you on this project

Sincerely,


Bill Gantz
Environmental Review Coordinator

cc: Dave Kafura – Hayward
Terry Jordan – Spooner
Bill Sande, ACOE – Hayward
Jill Medland, NPS
Kris Mayberry, Sawyer County County Clerk
Surface Transportation Board