

## Information for File # 2013-04887-DWW

**Applicant** Wisconsin Central Limited

**Authorized Agent** Golder Associates Inc., 4775 Two Mile Road, Suite A, Bay City, Michigan 48706

**Corps Contact** Daryl W. Wierzbinski

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Two Harbors, MN 55616

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**Phone** 651-290-5691

**Primary County** St. Louis

**Location** Sec. 3, 4, T. 48N., R. 15W., (City of Duluth); and  
Sec. 29, 30, 32, 33, 34, T. 49N., R. 15W., (Midway Township)

**Information Complete On** April 16, 2014

**Posting Expires On** May 4, 2014

**Authorization Type** LOP-05-MN

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated wetland and waterway impacts, and compensatory mitigation requirements. As requested by Wisconsin Central Limited (WCL), the Corps will prepare a preliminary jurisdictional determination (JD) for the work prior to making a permit decision.

**PROJECT DESCRIPTION AND PURPOSE:** WCL has applied for a Department of the Army (DA) permit to work in wetlands and waters of the United States within a five-mile long corridor crossing the City of Duluth and Midway Township in St. Louis County, Minnesota. The purpose of the work is to construct a second mainline railroad track adjacent to the existing WCL mainline track and realign a portion of the WCL mainline railroad track to improve the horizontal and vertical track alignment to add train capacity and increase train speed on Steelton Hill. The project would improve the efficiency of the WCL rail network to transport products for industrial and commercial use, which would be needed to safely and cost-effectively provide materials to various end users.

The project along the corridor would be constructed in Phases 1 and 2, but would be reviewed as one single and complete project under Section 404 of the Clean Water Act.

A Phase 3 (1,500 linear-foot track extension) was recently proposed by the applicant with additional work in waters of the United States, but is currently being evaluated by the Corps for independent utility. The Corps would determine if Phase 3 could be constructed absent from Phase 1 and 2, with a distinct purpose and function.

This web notice will only describe the proposed Phase 1 and 2, however if the Corps determines that Phase 3 does not have independent utility, then an amended web notice with the additional work would be posted for an additional 10 days.

A cumulative effects analysis would be completed for the overall work for Phase 1, 2, and 3, prior to a permit decision.

**NAME, AREA AND TYPES OF WATERS (INCLUDING WETLANDS) SUBJECT TO LOSS:** Work for Phase 1 and 2 is proposed in and across wetlands at 24 individual locations within the five-mile long corridor. The project would result in the discharge of dredged and fill material into 1.36 acres of shrub-carr (Type 6) and forested (Type 7) wetlands adjacent to named and unnamed tributaries to the St. Louis River.

Work for Phase 1 and 2 is also proposed in and across 14 watercourse locations within the five-mile long corridor. There may be minor channel realignments (no more than 500 linear feet in length) at a couple of the crossings to facilitate a new culvert or bridge structure for the purpose of providing better flow and fish passage. These actions may be evaluated as stream restoration and/or enhancement activities under Section 404 of the CWA. The Corps may not require mitigation for these actions because of the resultant restoration and enhancement of degraded watercourses, and the proposed work would not adversely affect adjacent aquatic resources (e.g. drainage).

**ALTERNATIVES CONSIDERED:**

Alternative 1: The No Action or No build; Alternative 2: Increase the capacity by constructing a new set of tracks at a different location along the WCL rail network; Alternative 3: Construct the new tracks on the north/east side of the existing track; and Alternative 4: WCL to obtain trackage rights from the Burlington Northern Santa Fe (BNSF) Railroad and bypass Steelton Hill.

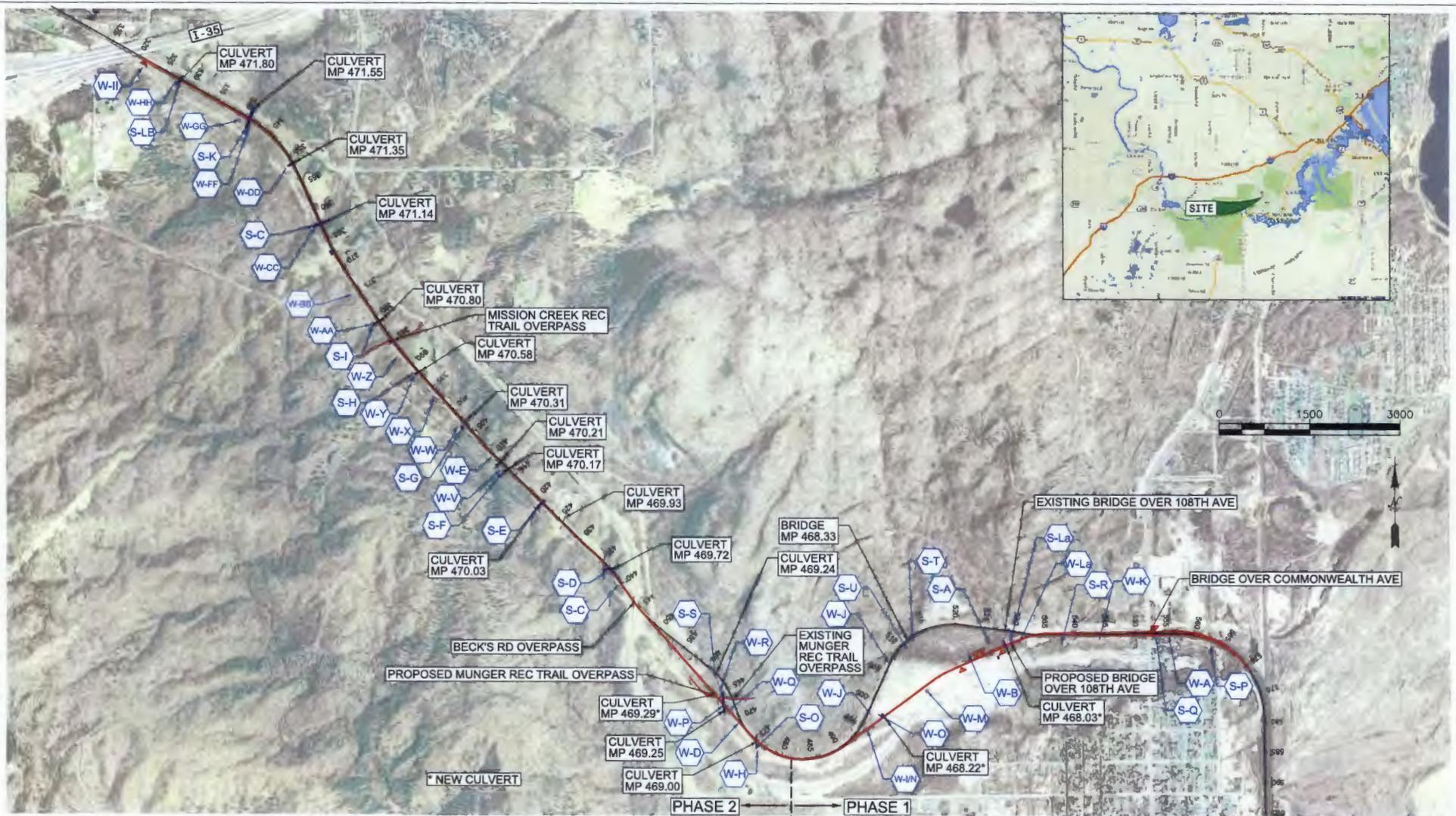
The Corps determined that the four (4) above alternatives would not meet the purpose and need of the proposed project and were not selected for further study.

**COMPENSATORY MITIGATION:**

The proposed permanent wetland impacts would be compensated by the purchase of 1.36 wetland credits from the established University of Minnesota wetland mitigation bank, also in the same watershed and bank service area as the proposed wetland impacts.

Any proposed temporary wetland impacts would be restored within 6 months to pre-project contours and elevations.

**Drawings** See attached.



LEGEND

- WETLAND ID NO.
- STREAM ID NO.

NOTES:



Alfred Benesch & Company  
4633 Washington Road  
Kenosha, Wisconsin 53144  
262-652-8677 Job No. 20171.00

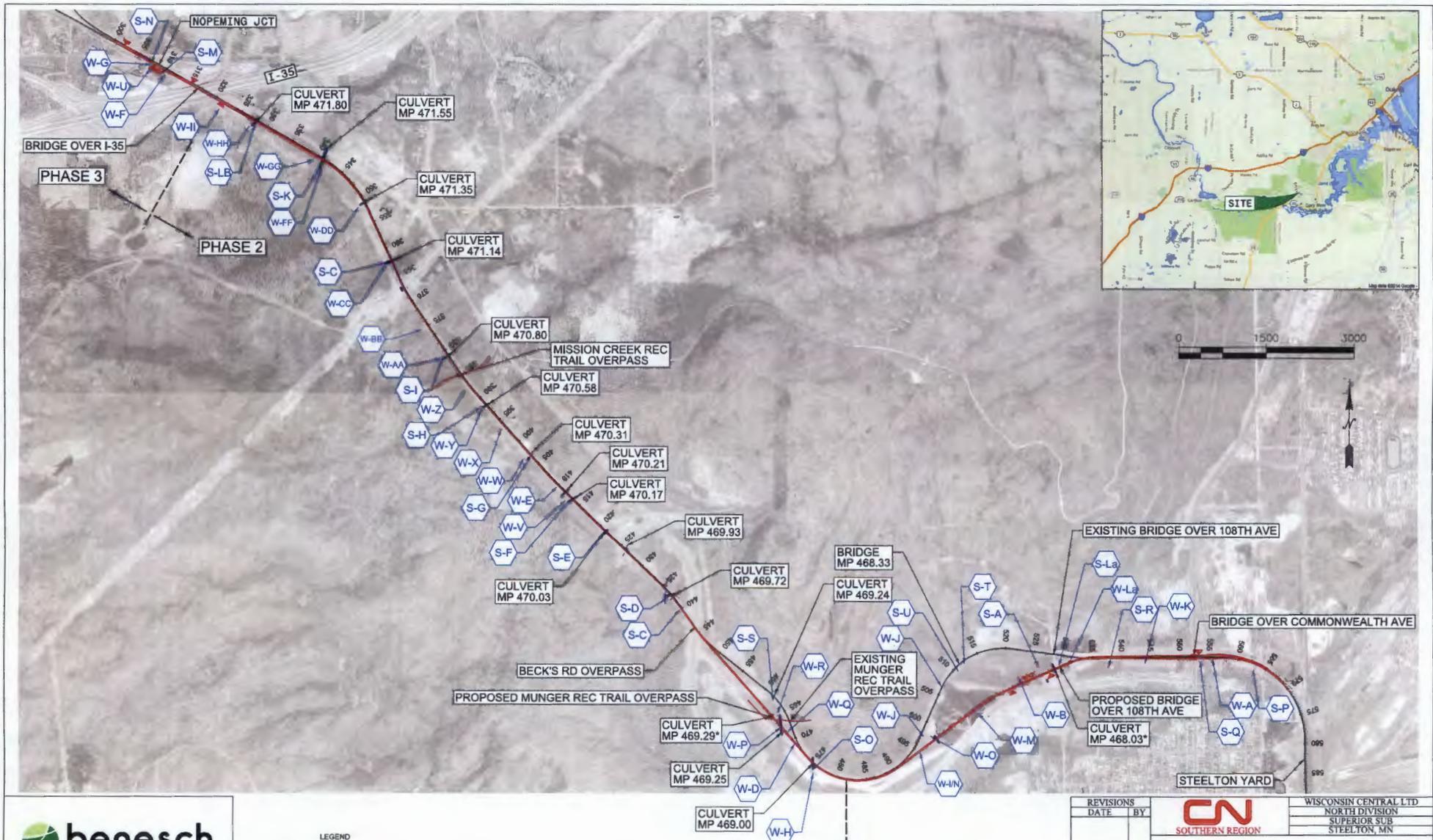
REVISIONS	
DATE	BY

	WISCONSIN CENTRAL LTD
	NORTH DIVISION
	SUPERIOR SUB STEELETON, MN

PROJECT LOCATION MAP

OFFICE OF DESIGN & CONSTRUCTION		
SHEET	DRAWN BY: BJW	SCALE: 1:1500
OF	CHECKED BY:	DATE: 4/7/2014

2013-04887-DWW  
Phases 1 and 2  
Drawing 1 of 1



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Alfred Benesch & Company  
4633 Washington Road  
Kenosha, Wisconsin 53144  
262-852-6877 Job No. 20171.00

LEGEND

WETLAND ID NO.

STREAM ID NO.

NEW CULVERT

REVISIONS		DATE		BY
APPROVALS				
SHEET OF				
DRAWN BY: BJW		SCALE: 1:1500		DWG NO:
CHECKED BY:		DATE: 4/16/2014		FILE: ACOE Overview.dgn



**SOUTHERN REGION**

WISCONSIN CENTRAL LTD  
NORTH DIVISION  
SUPERIOR SUB  
STEELTON, MN

**PROJECT LOCATION MAP**

OFFICE OF DESIGN & CONSTRUCTION

2013-04887-DWW  
Phases 1, 2 and 3  
Drawing 1 of 1