



US Army Corps
of Engineers
St Paul District

APPLICANT: Wisconsin Central
Limited (WCL)

Public Notice

ISSUED: December 19, 2014

EXPIRES: January 21, 2015

REFER TO: 2014-03326-WMS

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material into 5 unnamed streams and 4.51 acres of wetlands at 14 locations for the construction of the Hawthorne Hill rail siding.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: 17641 S. Ashland Avenue
Homewood, IL 60430

AGENT'S ADDRESS: Golder Associates, Inc.
4775 Two Mile Road, Suite A
Bay City, MI 48706

PROJECT LOCATION: The project site is located in Sections 5, 6, 7, 18, 19, 20, 28, 29, 33, and 34, T. 47N., R. 12W., Douglas County, Wisconsin. The latitude/longitude of the linear project begins at approximately 46.5041, -91.8607 and ends at 46.5788, -91.9133.

DESCRIPTION OF PROJECT: The applicant proposes to construct the Hawthorn Hill rail siding to alleviate problems associated with two-way rail traffic and the slowing and stalling of trains due to a relatively steep grade along this section of rail line. The new siding tie into an existing 1.6 miles long siding located between South Gun club Road and Old 11 Road, thereby extending the overall length of the siding to approximately 5.5 miles in length.

The purpose of the proposed project is to improve the safety, efficiency, and capacity of the WCL Superior Subdivision (Superior Sub), which is located between Proctor, Minnesota and Steven's Point, Wisconsin (a distance of approximately 233 miles). WCL is experiencing overall growth, and especially on the core route between United States and Canada including this portion of the Superior Sub. This additional traffic consists of more and longer cars for unit train traffic, and longer trains overall. The section of rail along the proposed project location consists of a relatively steep grade referred to as Hawthorne Hill which causes trains to stall due. When a train stalls, the rail line is blocked for hours until additional locomotives can be dispatched to move the train, or the train is taken up the hill by the locomotives in two or more shorter sections, called doubling. These episodes are increasing with increasing train lengths and more numerous movements. The proposed siding at this location would reduce the frequency of train stalls, allow trains to bypass each other, and maintain two-way traffic. Construction of this project is an extension of an existing 1.6 mile long siding that was constructed prior to WCL's purchase of the rail line in 1987.

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QUANTITY, TYPE, AND AREA OF FILL: The proposed project would result in discharges of granular fill material into 5 unnamed streams for culvert extensions and approximately 4.51 acres of wetlands in 14 locations. See summary of wetland impacts below.

Summary of Wetland Impacts

Wetland Fill/Impact Area (Part of Wetland)	Fill/Impact Area (acres) ¹	Impacted Wetland Type(s) ² and Area (acres) ¹
F1 (Wetland A)	0.39	PEM/Wet Meadow – 0.31 PSS/Shrub-Carr – 0.08
F2 (Wetland B)	0.97	PEM/Wet Meadow – 0.78 PSS/Shrub-Carr – 0.19
F3 (Wetland C)	0.58	PEM/Wet Meadow – 0.46 PSS/Shrub-Carr – 0.12
F4 (Wetland D)	0.01	PEM/Wet Meadow – 0.01
F5 (Wetland E/AM)	0.01	PEM/Wet Meadow – 0.01
F6 (Wetland F)	0.13	PEM/Wet Meadow – 0.10 PSS/Shrub-Carr – 0.03
F7 (Wetland J)	0.09	PEM/Wet Meadow – 0.09
F8 (Wetland K)	1.14	PEM/Sedge Meadow – 0.57 PEM/Wet Meadow – 0.57
F9 (Wetland L)	0.07	PSS/Shrub-Carr – 0.06 PFO/Hardwood Swamp – 0.01
F10 (Wetland M)	0.02	PEM/Wet Meadow – 0.02
F11 (Wetland N)	0.16	PEM/Wet Meadow – 0.13 PSS/Shrub-Carr – 0.03
F12 (Wetland OP)	0.65	PEM/Wet Meadow – 0.26 PEM/Sedge Meadow – 0.26 PSS/Shrub-Carr – 0.13
F13 (Wetland AP)	0.26	PEM/Wet Meadow – 0.23 PSS/Shrub-Carr – 0.03
F14 (Wetland AO)	0.03	PFO/Hardwood Swamp – 0.03
Totals	4.51	PEM/Wet Meadow – 2.97 PEM/Sedge Meadow – 0.83 PSS/Shrub-Carr – 0.67 PFO/Hardwood Swamp – 0.04

SOURCE OF FILL MATERIAL: Fill material would be obtained from a commercial source.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Fuel, hydraulic fluid, lubricants, coolant, and other fluids commonly used by construction equipment would be expected to be present for construction of the project.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Appropriate Best Management Practices (BMPs) and soil and sedimentation controls would be installed and maintained in accordance with the requirements of a Wisconsin Pollution Discharge Elimination System (WPDES) Construction Storm Water Permit.

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MITIGATION: The applicant proposes to compensate for the loss of 4.51 acres of wetlands by purchasing wetland credits from the Wisconsin Wetland Conservation Trust (WWCT) In-lieu Fee Program (ILFP) approved by the St. Paul District Corps on November 19, 2014.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 15954 Rivers Edge Drive, Suite 240, Hayward, Wisconsin, 54843.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Bill Sande at the Hayward office of the Corps, telephone number (715) 934 -2170.

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4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Washington County is within the known or historic range of the following Federally-listed threatened (T) proposed threatened (PT), endangered (E) and proposed endangered (PE) species:

<u>Species</u>	<u>Habitat</u>
Canada Lynx (T)	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
Kirtland's Warbler (E)	Potential breeding in young jack pine stands (5 to 25 years old).

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Piping Plover (E)	Sandy beaches; bare alluvial and dredge spoil Islands.
Fassett's Locoweed (T)	Open sandy lakeshores
Northern long-eared bat (PE)	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
Rufa red knot (PT)	Coastal areas along Lake Superior

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION.

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 08-02. We have made an initial 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 and/or Section(s) 9 & 10 of the Rivers and Harbors Act. The Corps will prepare an approved or preliminary jurisdictional determination prior to making a permit decision. Approved jurisdictional determinations are posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/>.

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: A Wisconsin Pollution Discharge Elimination System (WPDES) Construction Storm Water Permit.

6. STATE SECTION 401 WATER QUALITY CERTIFICATION.

This Public Notice has been sent to the Wisconsin Department of Natural Resources and is considered by the District Engineer to constitute valid notification to that agency for water quality certification. A permit will not be granted until the Wisconsin Department of Natural Resources has issued Section 401 certification.

7. HISTORICAL/ARCHAEOLOGICAL.

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This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

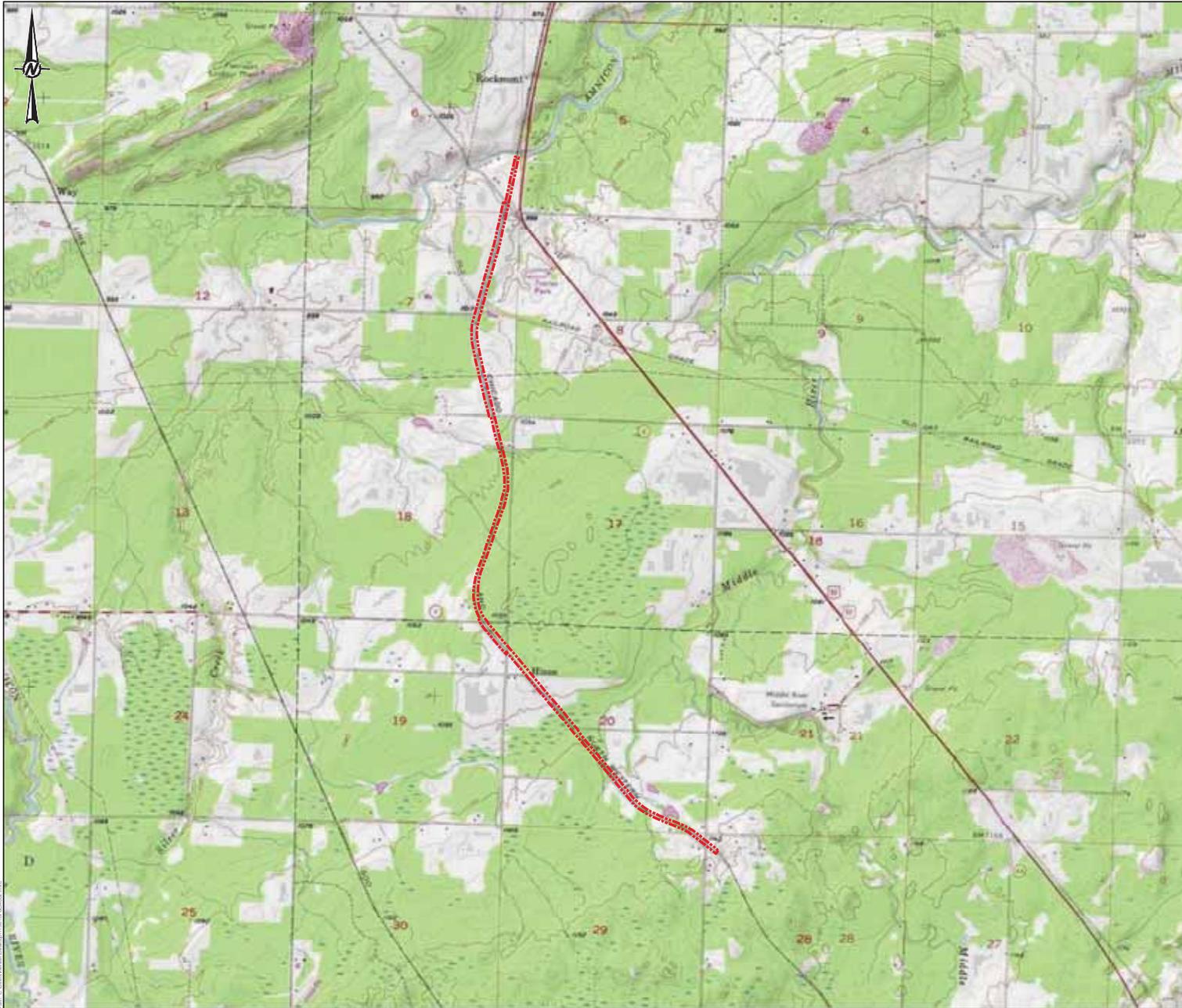
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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Jeff Olson
Chief, Northeast Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.



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LEGEND
 Approximate Project Location



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PROJECT
 HAWTHORNE SIDING
 DOUGLAS COUNTY, WISCONSIN

TITLE
SITE LOCATION DIAGRAM
USGS TOPOGRAPHIC MAP

CONSULTANT	YYYY-MM-DD	2014-08-20
	PREPARED	DJC
	DESIGN	BJH
	REVIEW	---

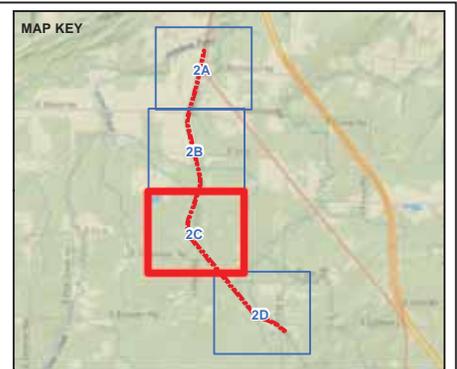
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FIGURE
 1

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LEGEND

- APPROXIMATE PROJECT LOCATION
- WETLANDS
- CULVERT



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PROJECT
 HAWTHORNE SIDING
 DOUGLAS COUNTY, WISCONSIN

TITLE
SITE LOCATION MAP
AERIAL PHOTOGRAPH
MAP 3 OF 4

CONSULTANT	YYYY-MM-DD	2014-11-20
	PREPARED	KJC
	DESIGN	LBN
	REVIEW	BH
	APPROVED	

PROJECT No:
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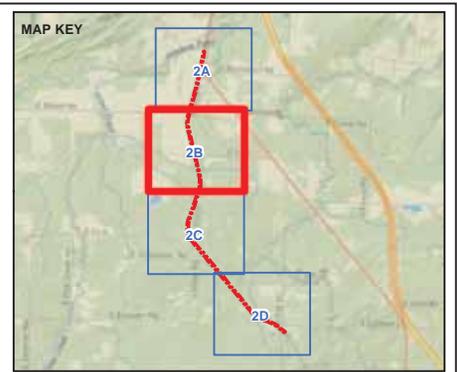
CONTROL
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FIGURE
2C

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IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SIZE HAS BEEN TYPED FROM PLAN B



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LEGEND

- APPROXIMATE PROJECT LOCATION
- WETLANDS
- CULVERT
- WATERCOURSE



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TITLE
SITE LOCATION MAP
AERIAL PHOTOGRAPH
MAP 2 OF 4

CONSULTANT	YYYY-MM-DD	2014-11-20
	PREPARED	KJC
	DESIGN	LBN
	REVIEW	BH



PROJECT No:
 11381076C

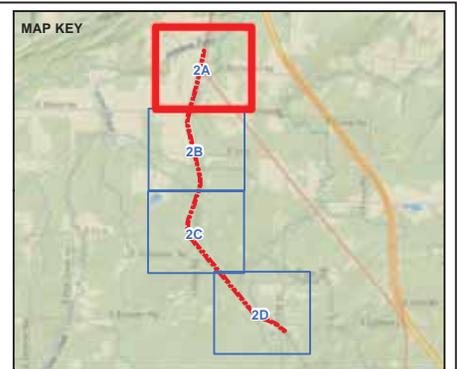
CONTROL
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FIGURE
2B

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TITLE
SITE LOCATION MAP
AERIAL PHOTOGRAPH
MAP 1 OF 4

CONSULTANT	YYYY-MM-DD	2014-11-20
	PREPARED	KJC
	DESIGN	LBN
	REVIEW	BH
	APPROVED	IP

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FIGURE
2A