



December 19, 2014

IP-WC-2014-47-04047

BNSF Railway  
John Stilley  
4515 Kansas Ave.  
Kansas City, KS 66106

Dear Mr. Stilley:

This letter contains important information regarding your DNR permit application to discharge dredged or fill material into wetlands along Lake Pepin. Wisconsin law (chapters 30 and 281, Wisconsin Statutes) requires that the public be allowed an opportunity to comment on projects like yours. Your proposed project is currently in the public comment phase and the Department received a request for a public informational hearing.

The Department has scheduled a public informational hearing on your proposal for January 13, 2015 at 1:00 P.M. at the Wide Spot Performing Arts Center, N2030 Spring Street 2, Stockholm, WI 54769.

The hearing provides an opportunity for you and the Department to gather additional facts to help gauge the possible environmental impacts of your proposed project. The hearing is informational only. Department staff will manage the hearing agenda according to set procedures to allow all who attend a chance to be heard and to gather as much factual information as possible.

The enclosed document is a "Notice of Public Hearing" for your project. The Department will publish the notice on our Internet website. The period to submit written public comment will end 10 days after the date the hearing is completed.

Before the Department can proceed further toward a decision, state law requires you to:

1. Publish this as a Class I Notice, at your expense, in Durand Courier-Wedge, 103 W Main St, Durand WI 54736-1144, gmdmediainc@nelson-tel.net, Phone (715) 672-4252, Fax (715) 672-4254 **at least 10 days prior** to the hearing date.
2. Provide the Department an Affidavit of Publication from the newspaper to prove that the notice was published.
3. Provide a copy of the enclosed notice to the parties listed below by U.S. Mail or in person. If provided by U.S. Mail, send the notice Certified Mail - Return Receipt Requested. If provided in person, obtain a signature from each party to verify that they received the notice. You may notify others at your discretion. You also must provide a copy of the notice to any person or group who asks you to do so.

Village of Stockholm, P.O. Box 17, Stockholm, WI 54769  
Randal L. Rahrman, N819 Spruce Dr. Pepin, WI 54759  
Andy Properties LLC, W12053 State Hwy 35, Stockholm, WI 54769

Thomas J. Coyne, W12055 State Hwy 35, Stockholm, WI 54769  
Charles Hencier, W12059, State Hwy 35, Stockholm, WI 54769  
David A Hanson, P.O. Box 618, Stockholm, WI 54769  
Rebecca Pope, W12241 O'Toole Rd., Stockholm, WI 54769  
Mavity-LPPP, N2969 W. Bluff St., Stockholm, WI 54769

Please send me the Affidavit for proof of publication, and the Return Receipts or other signed document for proof of notification of the groups or individuals, as soon as possible.

Please write or call me at (715) 839-3781 or email [mark.harings@wisconsin.gov](mailto:mark.harings@wisconsin.gov) if you have any questions.

Sincerely,

  
Mark Harings  
Water Management Specialist

E-copy:

Dan Munson, Army Corp of Engineers  
Nate Campbell, Army Corp of Engineers  
Brian Brecka, Fishery Biologist  
Maria Holl, Pepin County Zoning Administrator  
Jacques Foust, Village of Stockholm President  
Connie White, Consultant HNTB Corporation  
Aaron Bowe, Consultant HNTB Corporation  
JJ Redemann, Conservation Warden  
Brennan Caughron, BNSF Railway  
Pam Schense, Wetland Mitigation Coordinator  
Dave Pericak, Waterways Field Supervisor  
Matt Jacobson, Storm Water Specialist  
William Mavity  
David Smith  
Jane Whiteside  
Judy Krohn

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**Water Division Customer Service Survey**

<https://www.surveymonkey.com/s/WDNRWater>

## Notice of Public Hearing for Proposed Wetland Individual Permit

Burlington Northern Santa Fe Corporation (BNSF Railway), 4515 Kansas Ave., Kansas City, KS 66106 has applied to the Department of Natural Resources for a permit to discharge dredged or fill material into Lake Pepin.

The project is located in the NE1/4 of the NE1/4 of Section 13, Township 23 North, Range 16 West, Village of Stockholm, Pepin County.

The project includes the installation of four turnouts and associated signals. Additionally, the project proposes to add staging areas to both sides of the tracks, which are needed to provide space for construction and future maintenance operations. The pads may extend about 45 feet out from the track centerline for approximately 1,200 feet and be within the rail Right of Way. These pads will remain in place to contain the signals and related equipment necessary for the new infrastructure. The project area will impact roughly 0.471 acres of wetland. Wetland mitigation credits will be purchased to compensate for the loss of wetlands in this area. A site inspection was conducted on October 29, 2014 by the Army Corp of Engineers and WDNR.

The Department will review the proposal provided by the applicant and any information from public comments and the public informational hearing. The Department will determine whether the proposal complies with ss. 1.11 and 281.36, 401 CWA, Stats., and ch. NR 150, Wis. Adm. Code, and ensure that the required mitigation meets the standards in s. 281.36(3r), Stats. if the project impacts wetlands.

The Department has made a tentative determination that it will issue the permit or contract for the proposed activity.

If you would like to know more about this project or would like to see the application and plans, please visit the Department's permit tracking website at <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx>.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

The public hearing is scheduled for January 13, 2015 at 1:00 P.M. at the Wide Spot Performing Arts Center, N2030 Spring Street Ste 2, Stockholm, WI 54769..

The Department scheduled a public hearing on this activity or project because the Department received a request for a public hearing. The hearing will be a public informational hearing where members of the public can learn more about the proposed activity and submit written or oral comments about the waterway and project in light of the legal standards above. Any member of the public may submit written comments by emailing [mark.harings@wisconsin.gov](mailto:mark.harings@wisconsin.gov) or writing to Mark Harings, 1300 W Clairemont Ave., PO Box 4001, Eau Claire, WI 54702 by U.S. mail. Comments should include the docket number or applicant name, and should relate to whether the project meets the legal standards listed above. Comments must be postmarked no later than 10 days after the date that the public informational hearing is completed in order for them to be considered.

The final decision may be appealed as indicated in the permit decision document.

Docket Number IP-WC-2014-47-04047

**WISCONSIN DEPARTMENT OF NATURAL RESOURCES**  
For the Secretary

  
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Mark Harings  
Water Management Specialist

12/19/2014  
Date