



PAN AM RAILWAYS

IRON HORSE PARK
No. BILLERICA, MA 01862

LEGAL DEPARTMENT
(978) 663-1215

December 10, 2014

237226

Ms. Cynthia T. Brown, Chief
Section of Administration/Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings
December 12, 2014
Part of



Public Record
**Re: STB Docket No. AB 355 (Sub No. 42X) – Springfield Terminal
Railway Company –Discontinuance of Service –
Manchester and Lawrence Branch – Essex County, MA – Verified
Notice of Exemption**

Dear Ms. Brown:

Enclosed for filing with the Board in the subject docket is an original and ten (10) copies of Springfield Terminal Railway Company's Verified Notice of Exemption for discontinuance of service over the Manchester and Lawrence Branch. Also enclosed is a check totaling \$3,800 for the filing fees.

Should you have any questions in regard to this filing, please do not hesitate to contact the undersigned at (978) 663-1215. Thank you in advance for your assistance in this matter.

Very truly yours,

Robert B. Burns
Legal Counsel
Springfield Terminal

Encl.

FILED
December 12, 2014
Surface Transportation Board

FEE RECEIVED
December 12, 2014
Surface Transportation Board

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NOS.:
AB 355 (Sub No. 42X)

SPRINGFIELD TERMINAL RAILWAY COMPANY
--DISCONTINUANCE OF SERVICE--
MANCHESTER AND LAWRENCE BRANCH, ESSEX COUNTY,
MASSACHUSETTS

VERIFIED NOTICE OF EXEMPTION

Robert B. Burns, Esq.
Law Department
Iron Horse Park
North Billerica, MA 01862

Counsel for:
SPRINGFIELD TERMINAL RAILWAY
COMPANY

Dated: December 10, 2014

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NOS.:
AB 355 (Sub No. 42X)

SPRINGFIELD TERMINAL RAILWAY COMPANY
-DISCONTINUANCE OF SERVICE-
MANCHESTER AND LAWRENCE BRANCH, ESSEX COUNTY,
MASSACHUSETTS

VERIFIED NOTICE OF EXEMPTION

Springfield Terminal Railway Company (the "ST") files this Verified Notice of Exemption pursuant to the Board's regulations at 49 C.F.R. §1152.50. This Notice of Exemption seeks to discontinue service by ST over a line of railroad known as the Manchester and Lawrence Branch ("M&L Branch") in Lawrence, MA extending from milepost 0.00 to milepost 1.4 (the "Line") in Essex County, Massachusetts. In accordance with the aforementioned regulations, ST makes the following responses:

RESPONSE TO 49 C.F.R. SECTION 1152.50(d)(2):

1. Proposed Consummation Date.

The proposed consummation date of this discontinuance is on or about January 30, 2015.

2. Certification Required in Section 1152.50(b).

The required certification is set forth as **Exhibit B** to this Notice of Exemption.

3. Information required in Section 1152.22(a) (1-4), (7), (8) and (e) (4).

(a) General.

(1) Exact name of applicant.

Springfield Terminal Railway Company

(2) Whether applicant is a common carrier by railroad subject to the Interstate Commerce Act.

ST is a common carrier by railroad
subject to the Interstate Commerce Act.

- (3) Relief sought.

ST seeks to discontinue
service over the line.

- (4) Detailed map of the line.

Map is attached hereto as **Exhibit A**

- (7) Name, title and address of representative of
applicant to whom correspondence should be sent.

Robert B. Burns, Esq.
Pan Am Railways
Iron Horse Park
Billerica, MA 01862

- (8) United States Postal Zip Codes that the line
traverses.

Zip Code(s): 01840 (Lawrence)

- (e) Rural and community impact.

- (4) Statement of whether the properties proposed to be
abandoned are suitable for use for other public
purposes, including roads or highways, other forms
of mass transportation, conservation, energy
production or transmission, or recreation. If the
applicant is aware of any restriction on the title to
the property, including any reversionary interest,
which would affect the transfer of title or the use
of property for other than rail purposes, this shall
be disclosed.

ST is unsure about the suitability of the
Line for public non-rail purposes. As of the
effective date of this discontinuance, ST's intent is
to no longer service the M&L Branch.

4. The Level of Labor Protection

Applicants understand that, in exempting the proposed discontinuance, the Board does not relieve the carrier of its statutory obligation to protect the interests of employees. See 49 C.F.R. § 1152.50(c). Accordingly, the Applicants anticipate that the Board will impose the conditions set forth in Oregon Short Line R. Co. –Abandonment- Goshen, 360 I.C.C. 91 (1979), for the benefit of employees who may be adversely affected by the proposed discontinuance.

5. Certificate of Compliance with the Notice Requirements of Section 1152.50(d)(1).

The required certificate is set forth as **Exhibit C** to this Notice of Exemption.

6. Environmental Report and Historical Report.

The Environmental /Historical Report required by 49 C.F.R.1105.7 and 1105.8 is attached as **Exhibit D** to this Notice of Exemption. Attached, as **Exhibit C**, is a certificate affirming ST's compliance with 49 C.F.R. 1105.11, 1105.7 and 1105.8.

7. Newspaper Notice.

The Newspaper Notice required by 49 C.F.R. 1105.12 was published on November 24, 2014, in the Eagle Tribune. An affidavit/certification from this newspaper is attached as **Exhibit C**.

8. Verification.

The required verification is set forth as **Exhibit E** to this Notice of Exemption.

Respectfully submitted,



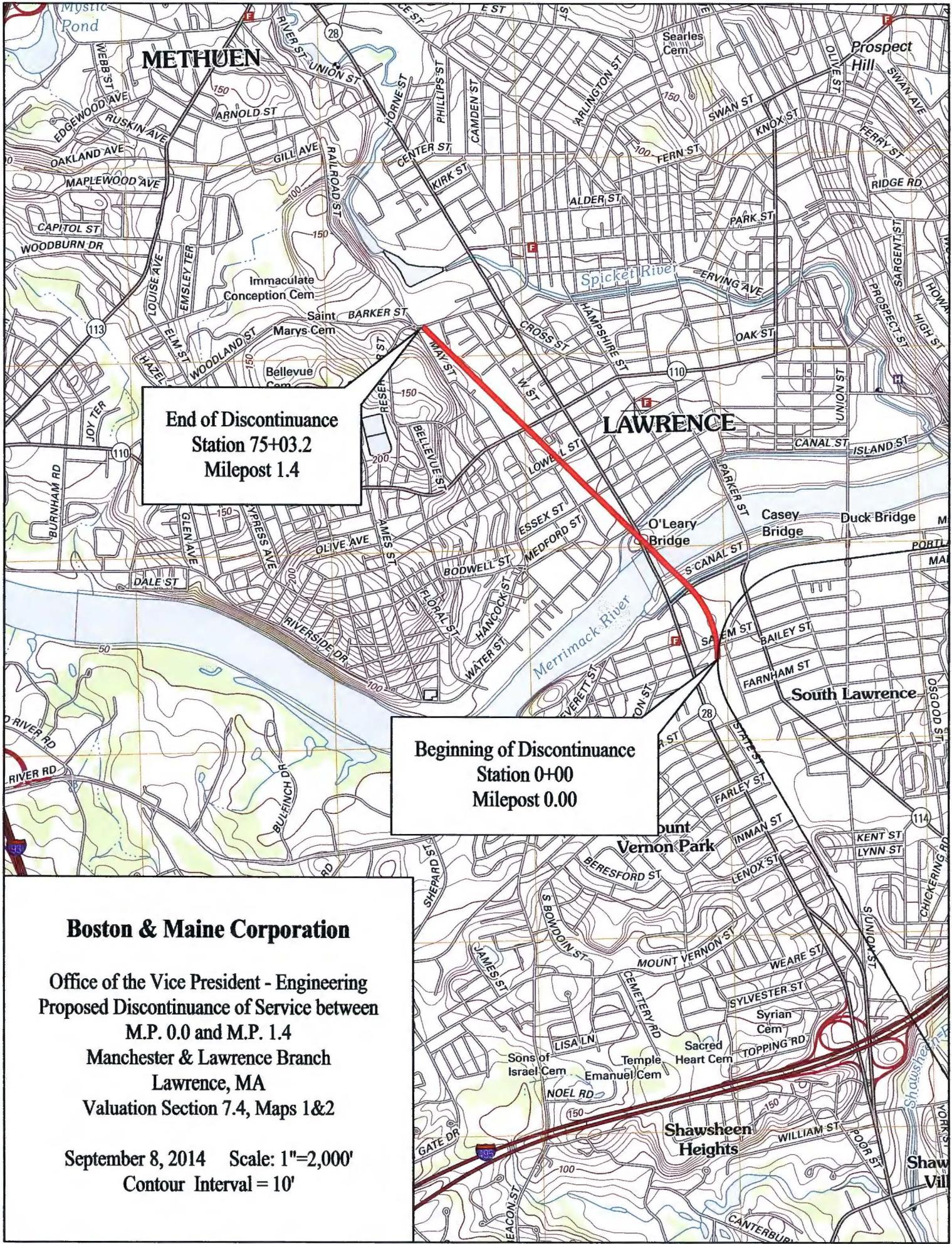
Robert B. Burns, Esq.
Law Department
Springfield Terminal Railway Company
Iron Horse Park
North Billerica, MA 01862

Counselor for:
Springfield Terminal Railway Company

Dated: December 10, 2014

Attachments: Exhibit A -- Map
Exhibit B -- Certificate of Compliance with 49 C.F.R. §1152.50(b)
Exhibit C -- Certificate of Compliance with 49 C.F.R. §1152.50(d)(1) and
§1105.7, §1105.8 and §1105.11.
Exhibit D -- Environmental/Historical Report
Exhibit E -- Verification

EXHIBIT A



End of Discontinuance
 Station 75+03.2
 Milepost 1.4

Beginning of Discontinuance
 Station 0+00
 Milepost 0.00

Boston & Maine Corporation

Office of the Vice President - Engineering
 Proposed Discontinuance of Service between
 M.P. 0.0 and M.P. 1.4
 Manchester & Lawrence Branch
 Lawrence, MA
 Valuation Section 7.4, Maps 1&2

September 8, 2014 Scale: 1"=2,000'
 Contour Interval = 10'

EXHIBIT B

CERTIFICATION REQUIRED
IN 49 C.F.R. SECTION 1152.50(b)

In accordance with 49 C.F.R. Section 1152.50(b), I hereby certify that, with respect to the line, which is the subject of the Notice of Exemption in Docket No. AB 355 (Sub No. 42X): (1) no local traffic has moved over the line for at least two years prior to the date hereof; and (2) there is no overhead traffic on the line; and (3) no formal complaint filed by a user of rail service on the line (or state or local agency acting on behalf of such user) regarding cessation of service over the line is either pending with the Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period prior to the date hereof. The foregoing certification is made on behalf of the Springfield Terminal Railway Company by the undersigned after due and careful investigation of the matters herein certified and based on the best knowledge, information and belief of the undersigned.


Robert B. Burns, Esq.

Dated: December 10, 2014

**CERTIFICATE OF COMPLIANCE WITH
NOTICE REQUIREMENTS OF
49 C.F.R. §1152.50(d)(1)
AND
49 C.F.R. §1105.11
AND
49 C.F.R. §1105.7
AND
49 C.F.R. 1105.8**

In accordance with 49 C.F.R. Section 1152.50 (d) (2), I hereby certify that:

(A) On August 1, 2011, at least 10 days prior to the date of filing of the Notice of Exemption to which this certificate is attached, I caused to be served by U.S. first class mail, postage pre-paid, the notice required by 49 C.F.R. Section 1152.50(d)(1), upon the following: (i) the Public Service Commission (or equivalent agency) in the State(s) where the line will be abandoned or the service of trackage rights discontinued; (ii) Department of Defense (Military Traffic Management Command Transportation Engineering Agency, Railroads for National Defense Program); (iii) National Park Service, Recreation Resources Division; and (iv) U.S. Dept. of Agriculture, Chief of Forest Service.

(B) On July 14, 2011, I complied with all the requirements of the provisions of 49 C.F.R. §1105.7 and §1105.8, and §1105.11 as set-forth therein, including but not limited to, by serving (at least 20 days prior to filing the Notice of Exemption) a copy of the Environmental/Historical Report upon the parties listed in §1105.7(b), and/or the appropriate State Historic Preservation Officer(s), as required by §1105.11, via First Class Mail, postage prepaid.

(C) In accordance with 49 C.F.R. § 1105.7(c), I hereby certify that with respect to the line, which is the subject of the Notice of Exemption filed herewith, and pursuant to 49 C.F.R. 1105.12, I have published a notice in a newspaper of general circulation in each county in which the line is located before the date of the Notice of Exemption was filed (see attached Affidavit of Publication).

Dated: December 10, 2014



Robert B. Burns

AFFIDAVIT OF PUBLICATION

I, Katie Sullivan, of North Andover, County of Essex, Editor and/or
Publisher of The Eagle Tribune, a newspaper published in said
Essex County, hereby certify that the attached legal notice was published in said newspaper in
the issue of November 14, 2014.

Dated at this 28th, day of November, 2014.

Katie Sullivan
(Signature)

The Commonwealth of Massachusetts

Essex County ss.

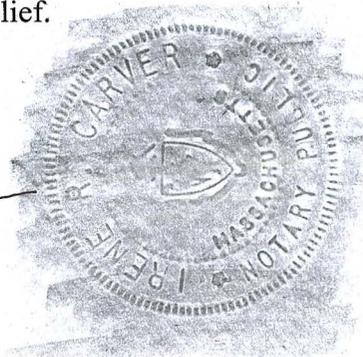
Nov 28, 2014

Then personally appeared the above named Katie Sullivan, as aforesaid,
being duly authorized, whose identity was verified through Daniel L. Lense, and upon oath
acknowledged the foregoing instrument to be his free act and deed for its stated purpose, before
me, and swore that the above/attached affidavit is true and of his own personal belief.

Irene A. Carver

Notary Public

My commission expires: 3/9/18



this matter.
For further information call the Office of the Clerk-Magistrate at 978-725-4900.
WITNESS:
Hon. Sally F. Padden
FIRST JUSTICE
Judith M. Brennan
Clerk-Magistrate
DATE ISSUED: 07/23/2014
ET - 11/21, 11/24, 12/1/14

on or before December 22, 2014 or you will be forever barred from claiming that you are entitled to the benefits of said Act.
Witness, JUDITH C. CUTLER, Chief Justice of this Court on November 7, 2014
Attest:
Deborah J. Patterson
Recorder
201407-0895-TEA
ET - 11/24/14

Innes of Haverhill, MA in the above captioned matter alleging that **Seth A. Motyka-McInnes** is in need of a Conservator or other protective order and requesting that Michelle L. McInnes of Haverhill, MA (or some other suitable person) be appointed as Conservator to serve **With Surety** on the bond.

The petition asks the court to determine that the Respondent is disabled, that a protective order or appointment of a Conservator is necessary, and that the proposed conservator is appropriate. The petition is on file with this court.

You have the right to object to this proceeding. If you wish to do so, you or your attorney must file a written appearance at this court on or before 10:00 A.M. on the return date of **12/19/2014**. This day is NOT a hearing date, but a deadline date by which you have to file the written appearance if you object to the petition. If you fail to file the written appearance by the return date, action may be taken in this matter without further notice to you. In addition to filing the written appearance, you or your attorney must file a written affidavit stating the specific facts and grounds of your objection within 30 days after the return date.

IMPORTANT NOTICE

The outcome of this proceeding may limit or completely take away the above-named person's right to make decisions about personal affairs or financial affairs or both. The above-named person has the right to ask for a lawyer. Anyone may make this request on behalf of the above-named person. If the above-named person cannot afford a lawyer, one may be appointed at State expense.

WITNESS, Hon. Mary Anne Saha-gian, First Justice of this Court.
Date: November 14, 2014
Pamela Casey O'Brien
Register of Probate
ET - 11/24/14

Notice of Intent to Discontinue Rail Service

Springfield Terminal Railway Company, a subsidiary of Pan Am Railways, (hereinafter "ST") hereby give notice that on or about December 20, 2014, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Exemption under 49 CFR 1152.50(d)(1) —Exempt Discontinuances - permitting the discontinuance of service of the Manchester & Lawrence Branch, a 1.4 mile line of railroad between railroad milepost 0.00 to milepost 1.4, which traverses through United States Postal Service ZIP Codes: 01840, Lawrence, MA Essex County, Massachusetts. The proceeding will be docketed as No. AB - 355 (Sub No. 42X).

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 Section of Environmental Analysis (SEA), Surface Transportation Board -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 banking/trails 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 trails use, public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 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 applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs and Compliance at (866) 254-1792. Copies of any comments or requests for conditions should be served on the applicant's representative.

Robert B. Burns, Esq.
Corporate Counsel
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862
ET - 11/24/14

MANCHESTER AND LAWRENCE BRANCH

ENVIRONMENTAL/HISTORICAL REPORT

Docket No. AB 355, Sub No. 42X

I. ENVIRONMENTAL REPORT

The following information is provided in accordance with 49 C.F.R. § 1105.7 (e):

(1) **Proposed Action and Alternatives**

The Springfield Terminal Railway Company (the "Applicant") propose to discontinue service over an approximate 1.4 mile portion of the so-called "Manchester & Lawrence Branch" line of railroad (the "Line") located in the City of Lawrence, Middlesex County, Massachusetts. A map of the proposed discontinuance has previously been provided to all parties receiving this report, and is attached as Exhibit A hereto.

Due to the inability to generate traffic over the Line, there is no reasonable alternative to discontinue service.

(2) **Transportation System**

There will be no substantial effect on existing regional or local transportation systems or patterns.

There is no passenger or freight traffic on the Line. Any traffic previously moving over the Line was rerouted well more than two years ago.

(3) **Land Use**¹

- (i) The Applicants believe that the proposed action is consistent with and in furtherance of local land use plans.
- (ii) The Applicants believe the proposed action will have no effect or adverse impact on any prime agricultural land.
- (iii) This action is outside the boundary of the Massachusetts coastal zone.
- (iv) Applicants are unsure whether the right-of-way is suitable for alternative public use under 49 U.S.C. 10906.

(4) **Energy**

- (i) The transportation of energy resources will not be effected by the proposed action.
- (ii) The proposed action will have no effect on the movement and/or recovery of recyclable commodities.
- (iii) The proposed action will increase overall energy efficiency in that it will allow Applicants to eliminate their potential responsibility for costly and energy-consuming maintenance operations for this unused portion of line.
- (iv) The proposed action will not cause a diversion from rail to motor carrier in excess of the threshold levels set forth at § 1105.7 (e)(4)(iv)(A) or (B).

(5) **Air**

The proposed action will not result in any of the increases set forth at § 1105.7

(e)(5).

¹ The Applicants attach to this Environmental/Historical Report as an Appendix, all correspondence received from federal, state, and local authorities and agencies in response to the Applicants' request for comments regarding the proposed discontinuance of service.

(6) **Noise**

The proposed action will not result in or exceed any of the thresholds set forth at § 1105.7 (e) (6).

(7) **Safety**

(i) The proposed action will have no adverse effect on public health and safety.

(ii) No hazardous materials will be diverted to highway transportation.

(iii) No known hazardous waste sites or spills exist on the Line.

(8) **Biological Resources**

(i) Applicant knows of no endangered or threatened species or critical habitats that will be affected by the proposed action. The Applicants previously requested comments from the New England Region, U.S. Fish and Wildlife Service in this regard. The Service has responded to Applicant by stating, "... no federally listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area." (Attached).

(ii) Applicant believes no national or state parks or forests will be affected by the proposed action.

(9) **Water**

(i) The Applicants contemplate no action inconsistent with federal, state and/or local water quality standards.

(ii) The Applicants do not believe the proposed action will require any permits under § 404 of the Clean Water Act. Salvage operations are expected to be undertaken by applicant. There are no known swampy conditions located in the area of Mile Post 0.00 & Mile Post 1.4. There are no indications of environmental contamination. No

designated wetlands or 100-year flood plains will be affected by the proposed action.

(iii) It is not expected that permits under § 402 of the Clean Water Act will be required for the proposed action. Applicant has no knowledge whether rail salvage operations may be undertaken by the owner of the property, Massachusetts Bay Transportation Authority, at this time.

(10) **Proposed Mitigation**

Whereas no adverse environmental impacts are expected to result from the proposed action, no mitigation will be needed or is planned.

(11) **Additional Information for Rail Constructions**

The proposed action is not a rail construction proposal, therefore this section does not apply.

II. HISTORIC REPORT

The following information is provided in accordance with 49 C.F.R. § 1105.8 (d):

(1) **Maps**

A map of the line is attached hereto as Exhibit A.

(2) **Description of Right-of-Way**

The portion of Line at issue is approximately 1.4 miles in length. The width of the right-of-way varies slightly but is primarily 82.5 feet in width in the vast majority of locations. The attached topographic map indicates the Line's topography.

(3) **Photographs of Railroad Structures**

The Applicants know of a bridge structure on the Line that is 50 years or older but is not listed in the National Register of Historic Places. The Applicants have requested comments from the Massachusetts Historic Commission ("MHC") in

regard to the anticipated effect of the proposed action on historical resources. The Historical Commission has responded by letter (attached) and has indicated that the bridge that crosses the Merrimack River (LAW.93) appears to be located within the area of potential effect. The MHC states that LAW.93 is included in the Inventory of Historic and Archaeological Assets of the Commonwealth and is considered to be eligible for listing in the National Register of Historic Places. The MHC further recommended that the Applicant provide additional information to the MHC, the STB and the Lawrence Historical Commission for further comment. The Applicant responded by letter dated November 11, 2014 (attached).

(4) **Construction Dates**

The Applicant knows of no construction planned for the site.

(5) **History of Operations**

No local or overhead traffic has moved over the Line for well over two years. The proposed discontinuance will not effect carrier operations in the area.

(6) **Summary of Useful Documents**

The Applicant knows of no sites or structures on the Line that are 50 years or older or that are listed on the National Register of Historic Places at this time.

(7) **Opinion as to Historical Significance**

The Applicants know of a bridge structure on the Line that is 50 years or older that is not listed in the National Register of Historic Places. The Applicants have requested comments from the Massachusetts Historic Commission in regard to the anticipated effect of the proposed action on historical resources. The Historical Commission has responded by letter (attached) and has indicated that the bridge

that crosses the Merrimack River (LAW.93) appears to be located within the area of potential effect. The MHC states that LAW.93 is included in the Inventory of Historic and Archaeological Assets of the Commonwealth and is considered to be eligible for listing in the National Register of Historic Places. The MHC further recommended that the Applicant provide additional information to the MHC, the STB and the Lawrence Historical Commission. The Applicant responded by letter dated November 11, 2014 (attached). The Applicants are not aware of any culturally significant locations, archaeological sites or unique landforms located along the Line or that will be affected by the proposed action.

(8) **Description of Prior Subsurface Disturbance**

The Applicants know of no prior subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of resources and the surrounding terrain.

III. CERTIFICATE OF SERVICE

This certifies that the Applicants have served copies of this Environmental/Historical Report upon and, prior to such service, consulted, or attempted to consult, with the following parties:

***** *SEE ATTACHED SERVICE LIST BELOW* *****

Dated this 10th day of Dec, 2014.



Robert B. Burns, Esq.



**Environmental/Historical Report Service List – Discontinuance of
Service - Manchester and Lawrence Branch – AB-355 (Sub No. 42X)**

Financial Assistant
Department of Housing and
Community Development
One Congress Street, 10th Floor
Boston, MA 02114

Regional Director
Commonwealth of Massachusetts
Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

Commonwealth of Massachusetts
Coastal Zone Management Program
Executive Office of Environmental Affairs
251 Causeway Street, STE 800
Boston, MA 02114-2138

Natural Resources Conservation Service
USDA
451 West Street
Amherst, MA 01002

Mayor's Office
City Hall
200 Common Street
3rd. Floor Room 309
Lawrence, Massachusetts 01840

State Historic Preservation Office
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Blvd.
Boston, MA 02125

Office Director
EPA New England, Region 1
5 Post Office Square - Suite 100
Boston, MA 02109-3912

New England Field Office
U.S. Department of Interior
Fish & Wildlife Service
70 Commercial Street, STE 300
Concord, NH 03301

Chief, Public Affairs Office
New England District
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

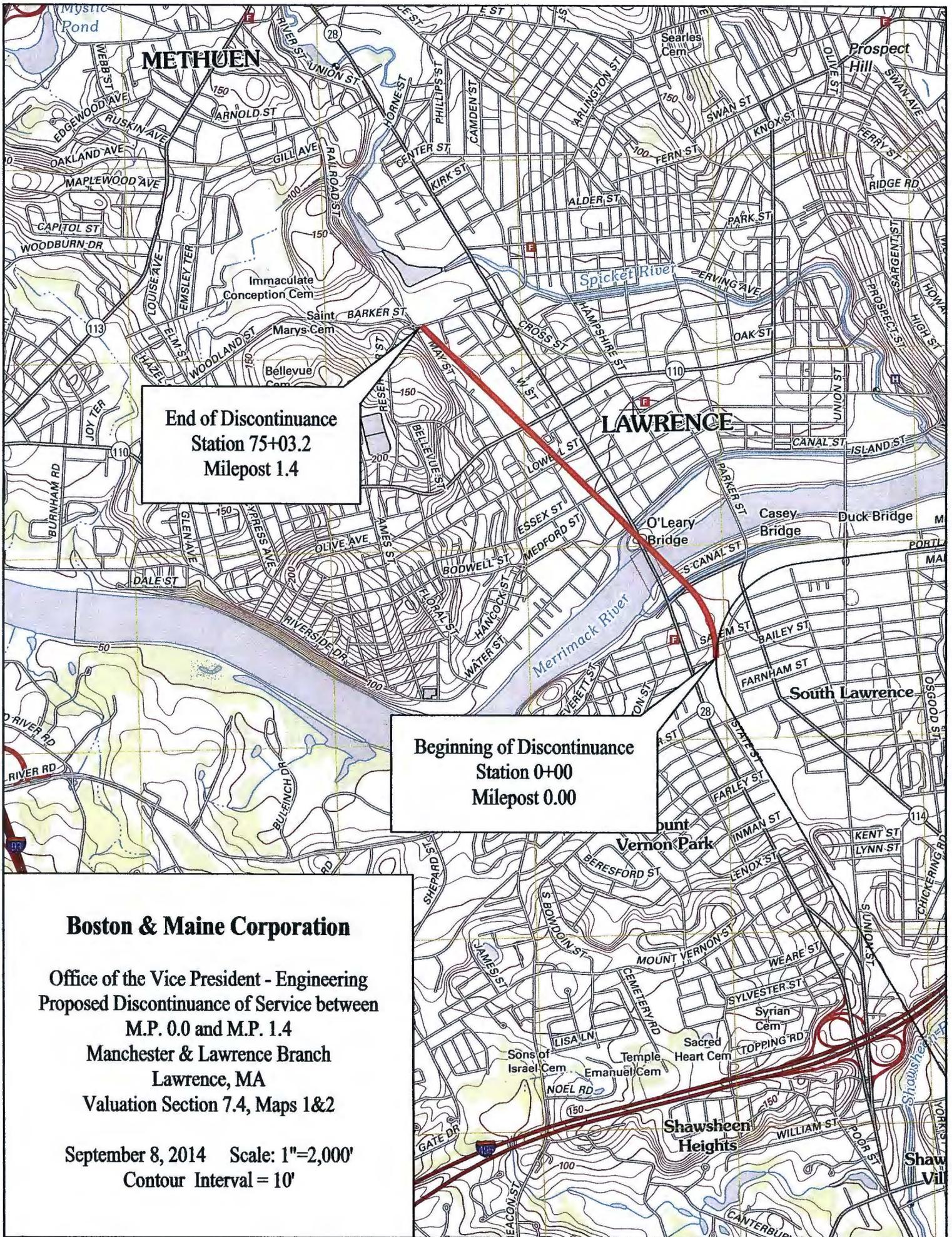
Regional Director
Northeast Region
National Park Service
U.S. Customs House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106

District Conservationist
USDA – NRCS
319 Littleton Road, STE 205
Westford, MA 01886-4133

Simon Monroe, Geodetic Tech
Geodetic Services Division
National Geodetic Survey
NOAA, N/NGS-12
1315 East-West Highway
Silver Spring, MD 20910-3293

EXHIBIT A

[Map]



End of Discontinuance
 Station 75+03.2
 Milepost 1.4

Beginning of Discontinuance
 Station 0+00
 Milepost 0.00

Boston & Maine Corporation

Office of the Vice President - Engineering
 Proposed Discontinuance of Service between
 M.P. 0.0 and M.P. 1.4
 Manchester & Lawrence Branch
 Lawrence, MA
 Valuation Section 7.4, Maps 1&2

September 8, 2014 Scale: 1"=2,000'
 Contour Interval = 10'

APPENDIX TO

ENVIRONMENTAL/HISTORICAL REPORT



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
<http://www.fws.gov/newengland>

November 18, 2014

Reference:	<u>Project</u>	<u>Location</u>
	Railroad discontinuance of service AB-355 (Sub No. 42X)	Lawrence, MA

Mr. Robert Burns
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862

Dear Mr. Burns:

This responds to your recent correspondence requesting information on the presence of federally listed and/or proposed endangered or threatened species in relation to the proposed activity referenced above. These comments are provided in accordance with the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531, *et seq.*).

Based on information currently available to us, no federally listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area. Preparation of a Biological Assessment or further consultation with us under section 7 of the Endangered Species Act is not required. No further Endangered Species Act coordination is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

To obtain updated lists of federally listed or proposed threatened or endangered species and critical habitats, it is not necessary to contact this office. Instead, please visit the U.S. Fish and Wildlife Service's Environmental Conservation Online System website for the Information, Planning, and Conservation System:

<http://ecos.fws.gov/ipac/> (accessed October 2014)

By following the procedures outlined on the website, you should be able to generate a species list or a no species present determination for your project. There are also links to listed species documents that may allow you to conclude if habitat for a listed species is present in the project area. If no such habitat exists, then no federally listed species are present in the project area and there is no need to contact us for further consultation. If the above conclusion cannot be reached, further consultation

Mr. Robert Burns
November 18, 2014

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with this office is advised. Information describing the nature and location of the proposed activity that should be provided to us for further informal consultation can be found at the above-referenced site.

Thank you for your coordination. Please contact Maria Tur of this office at 603-223-2541, extension 12, if we can be of further assistance.

Sincerely yours,



Active
for

Thomas R. Chapman
Supervisor
New England Field Office



© 2014 Microsoft Corporation Pictometry Bird's Eye

Bridge 0.32



The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth

November 7, 2014

Massachusetts Historical Commission

Robert B. Burns
Corporate Counsel
Pan Am Railways
1700 Iron Horse Park
North Billerica, MA 01862

RE: Discontinuation of Service, Manchester & Lawrence Branch Railroad, Lawrence, MA. MHC # RC.57136, Docket No. FD-35871.

Dear Mr. Burns:

Thank you for submitting a Project Notification Form (PNF) to the Massachusetts Historical Commission (MHC), office of the State Historic Preservation Officer, for the project referenced above. Staff of the MHC have reviewed our files and the information submitted. The proposed project consists of the abandonment of 1.4 miles of railroad known as the Manchester and Lawrence Branch, in Lawrence, MA.

Based on the location of the proposed railroad abandonment shown at the scale of a USGS locus map, review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that the Manchester and Lawrence Railroad Bridge that crosses the Merrimack River (LAW.923) appears to be located within the area of potential effect. LAW.923 is included in the Inventory of Historic and Archaeological Assets of the Commonwealth and is considered to be eligible for listing in the National Register of Historic Places.

MHC requires additional information. Please describe what measures the Springfield Terminal Railway Company proposes to maintain the historical integrity of the historic bridge. Please provide the additional information to the Surface Transportation Board, the MHC, and the Lawrence Historical Commission. The Surface Transportation Board should provide its findings to the MHC and the Lawrence Historical Commission (36 CFR 800.5).

Please note that in accordance with 36 CFR 800.3(c)(4), the State Historic Preservation Officer has a 30 day review period to comment on all proposed undertakings that may affect historic resources. Please plan your submittals accordingly.

These comments are provided to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 (36 CFR 800). If you have questions or require additional information, please contact Alexandra Crowder at this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Bell".

Edward L. Bell
Deputy State Historic Preservation Officer
Massachusetts Historical Commission

xc: Catherine Glidden, Surface Transportation Board
Lawrence Historical Commission, 230 Morrissey Boulevard, Boston, Massachusetts 02125

(617) 727-8470 • Fax: (617) 727-5128

www.sec.state.ma.us/mhc



PAN AM RAILWAYS

IRON HORSE PARK
NO. BILLERICA, MA 01862

COPY

LEGAL DEPARTMENT
(978) 663-1215

November 11, 2014

Mr. Edward L. Bell
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

**Re: Notice of Exemption for Discontinuance - Springfield Terminal
Railway Company – Manchester & Lawrence Branch - AB 355 (Sub
No. 42X)**

Dear Mr. Bell:

I am writing in response to your letter dated November 7, 2014, in which you seek additional information as to a description of what Springfield Terminal Railway Company proposes to maintain the historic integrity of the historic bridge upon discontinuing service of the above referenced Manchester and Lawrence Branch (“M&L Branch”).

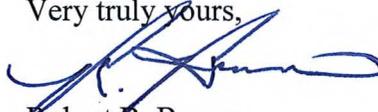
First, as a preliminary matter, allow this correspondence to serve to clarify the scope of the proposed project, which is to “discontinue” service on the branch – but not to abandon Boston and Maine Corporation’s (ST’s sister company) freight easement rights that were conveyed to B&M by the MBTA, the owner of the branch and the subject bridge. Boston and Maine intends to retain said easement rights for future use if necessary. The MBTA intends on reaching an arrangement with the City to use the branch as a public trail.

Second, whereas future use of the branch is possible, but present service will be discontinued, B&M will continue to inspect and maintain the bridge in its normal course pursuant to any maintenance obligations it contractually has with the MBTA.

Finally, please note the new docket number the STB issued and which this project will be filed under.

Should you have any questions or comments in regard to this matter, please do not hesitate to contact me at (978) 663-1215. Thank you in advance for your assistance in this matter.

Very truly yours,



Robert B. Burns
Legal Counsel
Springfield Terminal Railway Company

Cc: Catherine Glidden, STB
Jonas Stundza, Chairman, Lawrence Historical Commission



United States Department of Agriculture

Natural Resources Conservation Service

Westford Field Office, 319 Littleton Rd., Ste. 205, Westford, MA 01886 | 978-692-1904 ext. 3 | fax 855-596-7671
www.ma.nrcs.usda.gov

October 27, 2014

Robert B. Burns, Esq., Corporate Counsel
Springfield Terminal Railway Company
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862

**RE: Discontinuance of Service of Manchester and Lawrence Branch -
Docket Nos.: FD - 35871**

Dear Sir:

I am not aware of any adverse effect that the proposed abandonment and discontinuance of service of the above mentioned rail line will have on agricultural resources or businesses in the area.

Sincerely,

A handwritten signature in black ink that reads "Dan Lenthall".

Daniel J. Lenthall
District Conservationist
USDA-NRCS
319 Littleton Road, Suite 205
Westford, MA 0886-4133

Burns, Robert

From: Simon Monroe <simon.monroe@noaa.gov>
Sent: Thursday, October 30, 2014 5:33 PM
To: Burns, Robert
Cc: Surface Transportation Board; Lucy Hall; Simon Monroe
Subject: NGS Response, STB Docket FD - 35871

Thank you for sharing your railroad abandonment environmental report for
LAWRENCE, Essex County, MASSACHUSETTS.

Approximately 07 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/>

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- |....|MY5839|2 .|29/VERT ANG|N424234.87471|W0711019.29226|D...|S|414 J
- |....|MY0353|. 1|88/ADJUSTED|N424209.....|W0710959.....|C...|N|26 BE
- |....|MY5802|2 3|29/LEVELING|N424216.38115|W0711008.31972|C...|S|26 BF
- |....|MY5835|2 .|29/VERT ANG|N424149.19534|W0710947.60270|D...|S|414 E
- |....|MY5836|2 .|29/VERT ANG|N424156.21556|W0710950.88318|D...|G|414 F
- |....|MY5837|2 .|29/VERT ANG|N424208.53083|W0710958.40229|D...|S|414 G
- |....|MY0352|. 1|88/ADJUSTED|N424201.....|W0710954.....|B...|G|Q 34

