



ORIGINAL



August 15, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

BY HAND

236450
236451

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20324

ENTERED
Office of Proceedings
August 15, 2014
Part of
Public Record

**RE: Docket No. AB-733X, Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption**

**Docket No. AB-1121X, Coltsville Terminal Company, Inc.
Abandonment Exemption**

Dear Ms. Brown:

I am submitting on behalf of Housatonic Railroad Company, Inc. (“Housatonic”) and Coltsville Terminal Company, Inc. (“Coltsville”), an original and ten copies of a Verified Notice of Exemption under the out of service abandonment procedures of 49 CFR §1152.50 for Housatonic to discontinue service over and Coltsville to abandon a line of railroad between milepost QBY-0.59 to milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA.

I am also enclosing a copy of this filing on a computer disk as well as a check payable to the Board for \$7,600 covering the filing fees for both petitioners.

Please date stamp and return to our messenger the copies of the filing marked “Stamp and return.”

FILED
August 15, 2014

FEE RECEIVED
August 15, 2014

6160801.2/SP/25532/0101/081414

SURFACE

SURFACE

TRANSPORTATION BOARD
Strasburger & Price, LLP

TRANSPORTATION BOARD

Ms. Cynthia T. Brown
August 15, 2014
Page 2

Sincerely yours,



John D. Heffner

Enclosures

cc: Edward J. Rodriguez, Esq.
Matthew Whitley, Esq.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**DOCKET NO. AB-733X
HOUSATONIC RAILROAD COMPANY, INC.
—DISCONTINUANCE OF SERVICE EXEMPTION—**



**DOCKET NO. AB-1121X
COLTSVILLE TERMINAL COMPANY, INC.
—ABANDONMENT EXEMPTION—**

**NOTICE OF EXEMPTION
UNDER 49 CFR §1152.50**

John D. Heffner
Strasburger & Price, LLP
1025 Connecticut Avenue, N.W.
Suite 717
Washington, D.C. 20036
(202) 742-8607

Edward J. Rodriguez
General Counsel
Housatonic Railroad Company, Inc.
8 Davis Road West
P.O. Box 687
Old Lyme, Connecticut 06371
Attorneys for Petitioners
(860) 434-4301

Dated: August 15, 2014

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**DOCKET NO. AB-733X
HOUSATONIC RAILROAD COMPANY, INC.
—DISCONTINUANCE OF SERVICE EXEMPTION—**

**DOCKET NO. AB-1121X
COLTSVILLE TERMINAL COMPANY, INC.
—ABANDONMENT EXEMPTION—**

**NOTICE OF EXEMPTION
UNDER 49 CFR §1152.50**

Pursuant to the Board’s regulations at 49 CFR §1152.50, the Housatonic Railroad Company, Inc. (“HRRC”) and the Coltsville Terminal Company, Inc. (“CTC”)¹ file this Notice of Exemption so that HRRC may discontinue service over and CTC may abandon an out-of-service line of railroad (“the Line”) between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. The Line traverses United States Postal Service Zip Code 01201. A map showing the subject line is attached as Exhibit A. Because no freight has moved over the Line since November 2008, this abandonment and discontinuance is exempt from regulation under 49 CFR

¹ Collectively “the Petitioners.”

§1152.50. In accordance with the aforesaid regulation, Petitioners make the following assertions:

1. Proposed consummation date.

The proposed consummation date of this discontinuance of service and abandonment will be at least 50 days from the filing date .

2. Certification required in Section §1152.50(b).

The required certifications by HRRC and CTC are set forth in Exhibit B to this Notice of Exemption.

3. 49 CFR §1152.22(a)(1): Exact names of Petitioners.

The exact name of Petitioner HRRC is the Housatonic Railroad Company, Inc. The exact name of Petitioner CTC is the Coltsville Terminal Company, Inc.

4. 49 CFR §1152.22(a)(2): Common carrier status.

Petitioners HRRC and CTC are common carriers by railroad subject to 49 U.S.C. Subtitle IV, chapter 105.

5. 49 CFR §1152.22(a)(3): Relief sought.

HRRC seeks authority to discontinue rail service over the Line and CTC seeks authority to abandon the Line.

6. 49 CFR §1152.22(a)(4): Detailed map.

A detailed map of the subject line in accordance with the requirements of 49 CFR §1152.22(a)(4) is attached hereto as Exhibit A.

7. 49 CFR §1152.22(a)(7): Representative information.

The name, title, and address of Petitioners' representative to whom all correspondence should be sent is:

John D. Heffner
Strasburger & Price, LLP
1025 Connecticut Avenue, N.W.
Suite 717
Washington, D.C. 20036
(202) 742-8607

8. 49 CFR §1152.22(a)(8): U.S. Zip Codes.

The Line traverses United States Postal Service Zip Code 01201.

9. 49 CFR §1152.22(e)(4): Public use/property interests.

CTC anticipates selling the right of way to the Massachusetts Department of Transportation or its designee for use as a trail.

10. Federally granted right-of-way.

The Line does not contain any Federally granted rights-of-way.

11. The level of labor protection.

Petitioners understand that, in exempting the proposed abandonment and discontinuance of service, the Board cannot relieve a carrier of its statutory obligation to protect the interests of employees. See 49 CFR §1152.50(c).

Accordingly, Petitioners 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 any employee who may be adversely affected by the proposed discontinuance.

12. Certificates of compliance with the notice requirements of Sections 1152.50(d)(1) and 1105.11 and the newspaper publication requirements of Section 1105.12.

The required certificates are set forth as Exhibits C-1 and C-2 to this Notice of Exemption.

13. Environmental and Historic Reports.

An environmental and historic report as required by the Board's regulations at 49 CFR §§1105.7 and 1105.8 is attached as Exhibit E.

14. Verification

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

Respectfully submitted,



John D. Hoffner

Strasburger & Price, LLP

1025 Connecticut Avenue, N.W.

Suite 717

Washington, D.C. 20036

(202) 742-8607

Edward J. Rodriguez

General Counsel

Housatonic Railroad Company, Inc.

8 Davis Road West

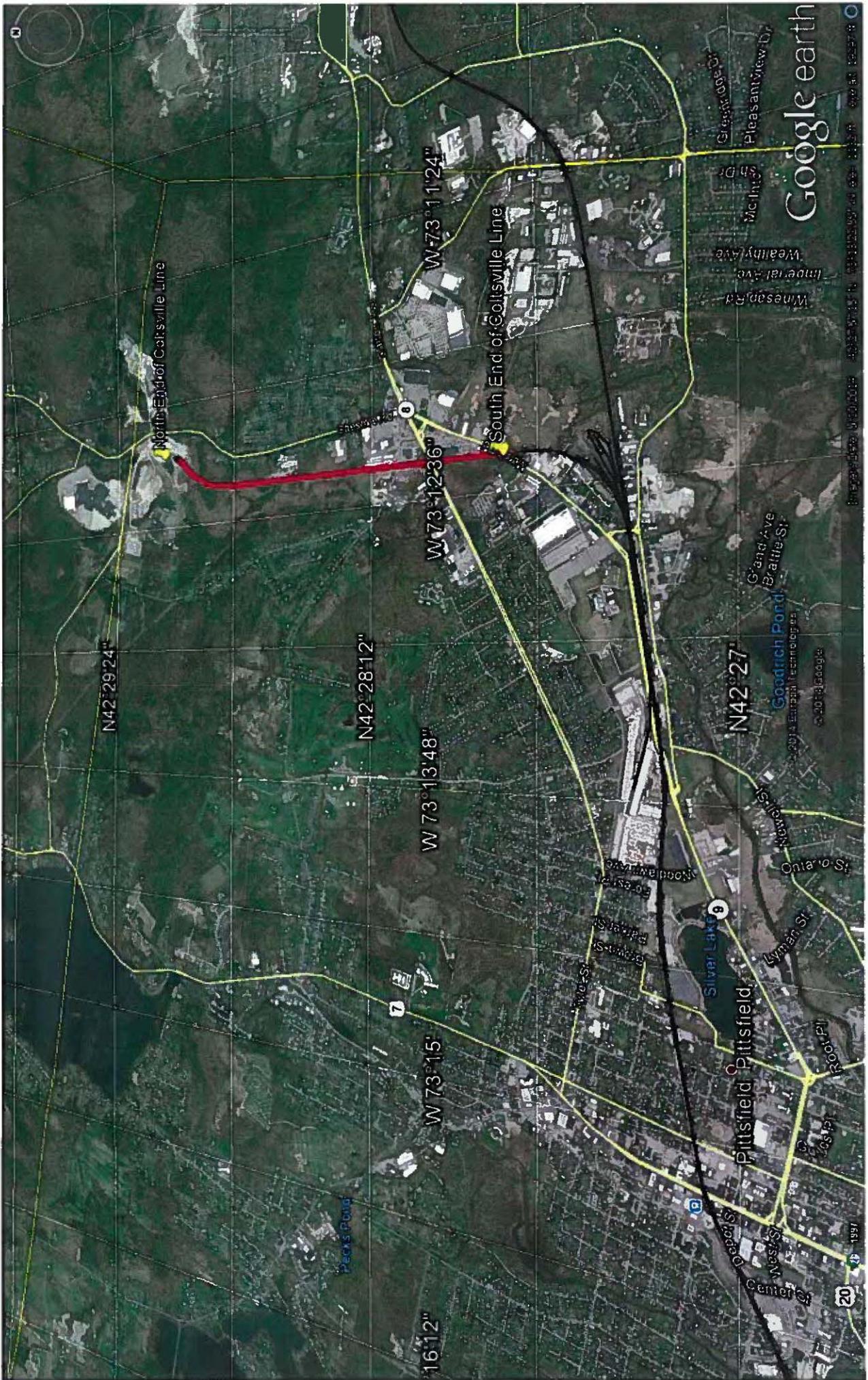
P.O. Box 687

Old Lyme, Connecticut 06371

Attorneys for Petitioners

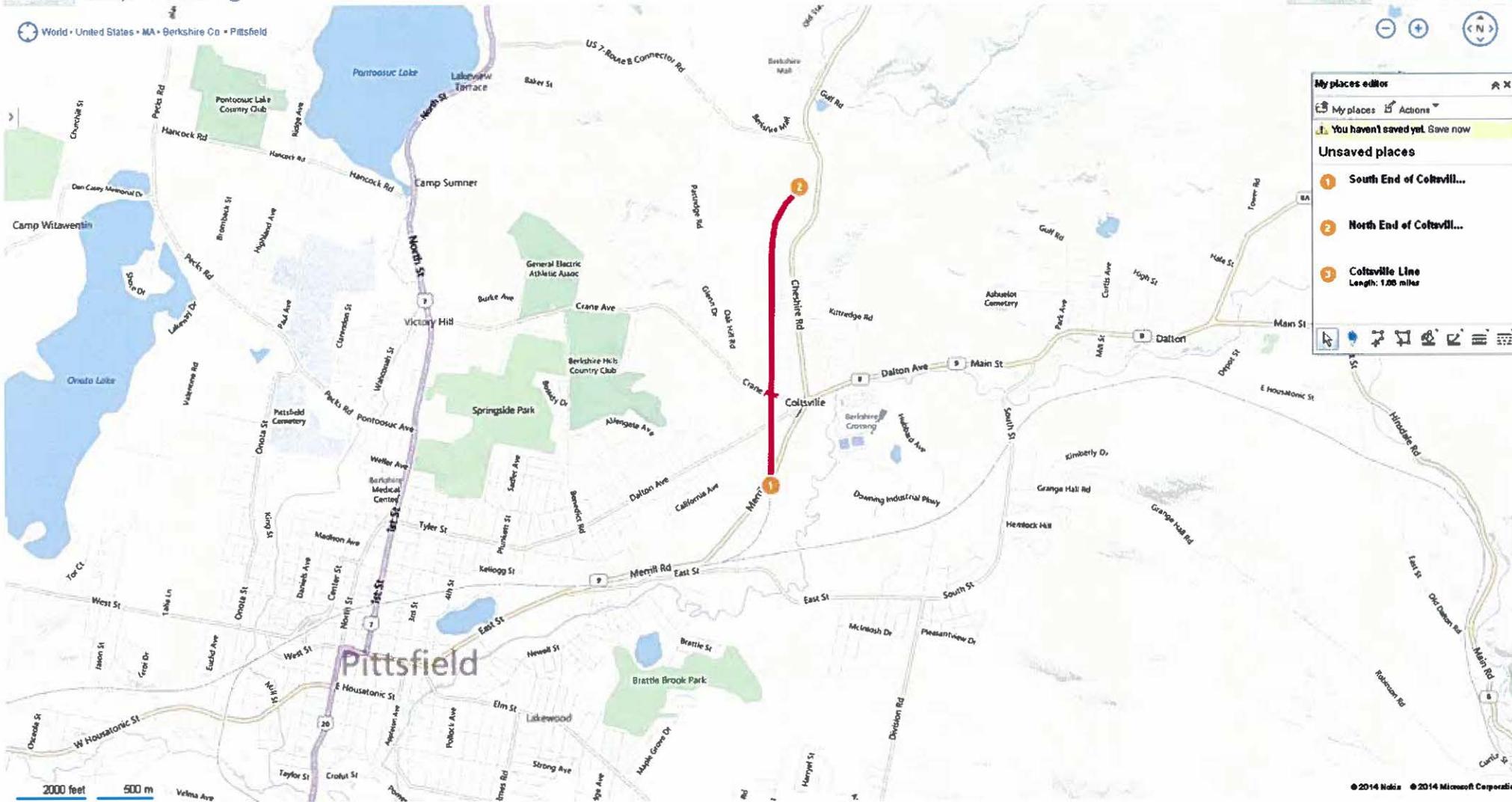
Dated: August 15, 2014

EXHIBIT A



Google earth

Map data © 2014 Google, Imagery © 2014 Google



My places editor

My places Actions

You haven't saved yet. Save now

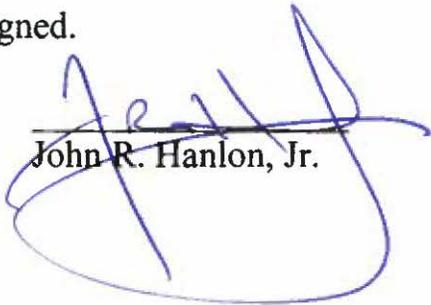
Unsaved places

- 1 South End of Coltsvill...
- 2 North End of Coltsvill...
- 3 Coltsville Line
Length: 1.08 miles

EXHIBIT B

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

In accordance with 49 C.F.R. §1152.50(b), I hereby certify that, with respect to the Line, which is the subject of that Notice of Exemption in Docket Nos. AB-733X and AB-1121X: (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 a state or local agency 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 Housatonic Railroad Company, Inc., and Coltsville Terminal Company, Inc., 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.


John R. Hanlon, Jr.

Dated: August 15, 2014

EXHIBIT C-1

**CERTIFICATION OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R. §1152.50(d)(1)**

In accordance with 49 C.F.R. Section §1152.50(d) (1), I hereby
certify that:

On July 29, 2014 (at least 10 days before a notice of exemption
was filed), I caused to be served by U.S. Mail (first class postage prepaid)
written notice of intent by Housatonic Railroad Company, Inc., and
Coltsville Terminal Company, Inc., to discontinue service over, and
abandon a line of railroad upon the following:

State Public Service Commission or equivalent agency
Department of Public Utilities
One South Station
Boston, MA 02110

Mr. Richard A. Davey, Secretary
Department of Transportation
Commonwealth of Massachusetts
10 Park Place, Suite 3170
Boston, MA 02116

Military Surface Deployment and Distribution Command
Mr. David Dorfman
SDDCTEA
Railroads for National Defense
720 Thimble Shoals Blvd.,
Suite 130
Newport News, VA 23606-2574

National Park Service
Recreation Resources Assistance Division
Rivers and Trails Conservation Program
1849 C Street, NW (Org Code 2240)
Washington, D.C. 20240-0001

U.S. Department of Agriculture
Mr. Thomas L. Tidwell, Chief of the Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street, SW
Washington, D.C. 20024



John D. Heffner
Counsel for Housatonic Railroad Company, Inc., &
Coltsville Terminal Company, Inc.

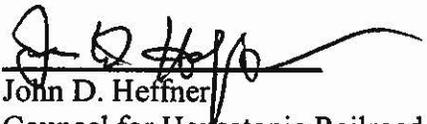
6047724.6/SPI/25532/0101/072914

EXHIBIT C-2

**CERTIFICATION OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R. §1105.11**

In accordance with 49 C.F.R. Section 1105.11, I hereby certify that, on July 25, 2014 (at least 20 days before a notice of exemption is filed), I caused to be served by the U.S. Mail (first class postage prepaid) a combined Environmental and Historic Report of Housatonic Railroad Company, Inc., and Coltsville Terminal Company, Inc., upon the following agencies:

Berkshire Regional Planning Commission
City of Pittsfield, MA
U.S. Natural Resource Conservation Service
Massachusetts Executive Office of Environmental Affairs
U.S. Fish and Wildlife Service
National Park Service
Massachusetts Department of Environmental Protection
U.S. Environmental Protection Agency
U.S. Army Corps of Engineers
State Historic Preservation Office
Massachusetts Department of Transportation
Economic Development Department
National Geodetic Survey



John D. Heffner
Counsel for Housatonic Railroad
Company, Inc., & Coltsville
Terminal Company, Inc.,

**CERTIFICATE OF COMPLIANCE WITH THE
NEWSPAPER PUBLICATION REQUIREMENTS OF
SECTION 49 CFR §1105.12**

The undersigned further certifies that a “Notice of Intent to Discontinue Rail Service and Abandon” was published in the form prescribed by the Board for out of service abandonment exemptions. The notice was published one time in a newspaper of general circulation in the county in which the Line is located as follows:

County
Berkshire

Newspaper
Berkshire Eagle

Date
July 31, 2014

Respectfully submitted,



John D. Heffner
Counsel for Housatonic
Railroad Company, Inc., &
Coltsville Terminal Company, Inc.

Public Notices

MORTGAGE'S SALE OF REAL ESTATE

1428 Massachusetts Ave North Adams, MA 01247

The real estate located at 1428 Massachusetts Ave., North Adams, Massachusetts, bounded and described as follows:

TRACT 1: Beginning at a point in the southerly line of Massachusetts Avenue, in said North Adams, at the northwest corner of land owned formerly of John R. Davis...

TRACT 2: Being Lot 'D' as shown on a Plan entitled 'Plan of Land of the Barber Leather Co., Scale 200 feet to an inch, dated Jan. 1922, prepared by W. H. Tuller, C. E.'...

Escoping therefrom, the following: 1 Property conveyed by C. P. Development Corporation to Carrero Industries, Inc. dated September 3, 1997...

Public Notices

number 14, 2008 and recorded in said Registry in Book 1308, Page 51.

Said premises will be sold subject to any and all unpaid taxes and other municipal assessments and fees, prior liens, mortgages and other enforceable encumbrances of record having priority over the mortgage described herein...

TERMS OF SALE: FIVE THOUSAND DOLLARS (\$5,000.00) will be required to be paid in cash or by certified check or bank cashier's check by the purchaser at the time and place of sale.

In the event the successful bidder shall default in purchasing the within described premises according to the terms of the Notice of Sale and/or the terms of the Memorandum of Sale associated at the time of the foreclosure, the Mortgagee reserves the right to sell the property by Foreclosure Deed to the second highest bidder provided that the second highest bidder shall deposit with the Mortgagee's attorneys, BARRY & DOYLE, the amount of the required deposit as set forth herein...

This sale may be postponed or adjourned from time to time, if necessary, by the attorney for the mortgagee at the scheduled time and place of sale.

Other terms, if any, to be announced at the time and place of sale.

TRUSTCO BANK, Holder of Said Mortgage Date: July 28, 2014 FROM THE OFFICES OF: Anthony P. Doyle, Esq. Barry & Doyle 8 Bank Row Pittsfield, MA 01201

07/31/14, 08/07/14, 08/14/14

Berkshire Community Action Center, Inc. HEARTWAP Program Request for Proposals - Heating System Services

BCAC is requesting proposals for its low-income heating system repair and replacement program. Proposal packages for heating system maintenance, repair, replacement and asbestos abatement are available at 1531 East St., Pittsfield, MA or by calling 441-418-3664.

Public Notices

orders or portions thereof. The advertisement is subject to all respects to the terms and conditions of the request for proposals. Minority and women's business contractors are encouraged to submit proposals. BCAC is an equal opportunity, affirmative action employer.

Stephanie Haas Roach Director of Heating System Programs 07/28/14, 07/30/14, 07/31/14

City of North Adams In City Council October 12, 2010

Ordered:

That the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) be and is hereby appropriated for improvements at the Woodson Lane and Historic Valley Campground, North Adams, Massachusetts.

AND BE IT FURTHER ORDERED: That to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) under Massachusetts General Laws, Chapter 44, Section 7 (3A), as amended.

IN CITY COUNCIL October 26, 2010

SECOND READING

The Order was adopted by yeas and nays, nine yeas, no nays.

Ronald A. Boucher, President Marilyn Gornetz, Clerk

Approved, October 27, 2010 Richard J. Alcorn, Mayor

July 31, 2014

07/31/14

City of North Adams In City Council

October 13, 2008

Ordered:

That the sum of SIX HUNDRED EIGHTY THOUSAND DOLLARS (\$680,000.00) be and is hereby appropriated to cover the costs associated with a feasibility study to begin to explore the formulation of a solution to the deficiencies described in the Statement of Interest submitted to the Massachusetts School Building Authority (MSBA) for the Silvio Conte Middle School located at 191 Main Street, North Adams, Massachusetts, and which includes but is not limited to redistricting of grade configurations, and

BE IT FURTHER ORDERED: That said feasibility study has been ordered by the MSBA in connection with the MSBA's review of the City's Statement of Interest to be considered for a school buildings grant; and

BE IT FURTHER ORDERED: That said sum shall be expended and the feasibility study conducted at a time and in a format and manner prescribed by the MSBA; and

BE IT FURTHER ORDERED: That to meet this appropriation, the Treasurer, with the approval of the Mayor, is hereby authorized to borrow SIX HUNDRED EIGHTY THOUSAND DOLLARS (\$680,000.00) under Massachusetts General Laws, Chapter 70B, Section 9(a); and

BE IT FURTHER ORDERED: That the City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant approved by

Public Notices

and received from the MSBA shall be the sole responsibility of the City, and

BE IT FURTHER ORDERED: That the MSBA may reimburse the City for a portion of the costs of conducting the feasibility study, provided that the City cooperates in all aspects of the feasibility study and the grant application process with the MSBA.

SECOND READING

The Order was adopted by yeas and nays, eight yeas, no nays. Approved, October 28, 2009 John Barrett, Mayor

07/31/14

City of North Adams In City Council

September 28, 2010

Ordered:

That the sum of SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00) be and is hereby appropriated for improvements at the Hamman and West Airport, North Adams, Massachusetts.

AND BE IT FURTHER ORDERED: That to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00) under Massachusetts General Laws, Chapter 44, Section 9 (13), as amended.

IN CITY COUNCIL October 26, 2014

SECOND READING

The Order was adopted by yeas and nays, nine yeas, no nays.

Ronald A. Boucher, President Marilyn Gornetz, Clerk

Approved October 27, 2010 Richard J. Alcorn, Mayor

July 31, 2014

07/31/14

COMMONWEALTH OF MASSACHUSETTS LAND COURT DEPARTMENT OF THE TRIAL COURT COMPLAINT TO FORECLOSE TAX LIEN

[see] No. 12T148889

TO ALL WHOM IT MAY CONCERN, and

Sophie Cooper, also known as Sophie W. Cooper, deceased, formerly of Chester, Hampden County, said Commonwealth of Poland; Rose Kasprzak, also known as Rozalia Kasprzak, now or formerly of Tarnow, in the Republic of Poland; Weronia J. Kozak, also known as Jane Kozak, now or formerly of New Britain, in the State of Connecticut; Stephanie Zadors, now or formerly of Hampton, in the State of Connecticut; Hanratta Davernport, also known as Hanratta Davernport, now or formerly of Chester, Hampden County, said Commonwealth of Massachusetts; and

Whereas, a complaint has been presented to said Court by the Town of

Public Notices

in the County of Berkshire, and said Commonwealth, to foreclose all rights of redemption from the last lien and in and to a certain parcel of land situated in said County, in the County of Berkshire, and in said Commonwealth, bounded and described in said complaint as follows:

Property Location: Beaver Brook Road Shown on Assessor Map 204 Lot 48 Recorded in the Berkshire Middle County Registry of Deeds in Book 1300 Page 539

if you desire to make any objection or defense to said complaint you or your attorney must file a written appearance and answer, under oath, setting forth clearly and specifically your objections or defenses to each part of said complaint, in the office of the Recorder of said Court in Boston at the Courthouse located on Three Pemberton Square, Room 507 in Boston, MA 02108, on or before the fifteenth day of September in the year two thousand and fourteen.

Unless an appearance is to be filed by or for you, your default will be recorded, the said complaint will be taken as confessed and you will be forever barred from contesting said complaint or any judgment entered thereon.

And in addition to the usual service of the notice as required by law, it is ordered that the foregoing citation be published forthwith once in the Berkshire Eagle a newspaper published in Pittsfield.

Witness, JUDITH C. CUTLER, Esquire, Chief Justice of said Court, the twenty-third day of July in the year two thousand and fourteen.

Attest with Seal of said Court, Deborah J. Patterson, Recorder

Plaintiff's Attorney: Ronald J. Berenson, Esq., Berenson & Bloom, 116 Pleasant St., Suite 340, Easthampton, MA 01027 (413) 529-9638

07/31/14

Housatonic Railroad Company, Inc. (HRC) and Colville Terminal Company, Inc. (CTCI) for collectively "Petitioners" give notice that on or after August 15, 2014, they will file a notice of exemption under 49 CFR 1152 Sub-part F-Exempt Abandonments permitting the discontinuance and abandonment of rail service on a 1.91 mile line of railroad between milepost OBY-0.58 and milepost OBY-2.50 of the City of Pittsfield, Berkshire County, MA. The line traverses United States Postal Service Zip Code 01201. The proceeding will be conducted as 87B Docket Numbers AB-733X and AB-1121X.

The Board's Office of Environmental Analysis (OEA) 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 OEA, Surface Transportation Board, Washington, DC 20423 or by calling the OEA at 202-245-0298.

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/lease use can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues must be filed

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with the Board's Section of Administration, Office of Proceedings, 308 E Street, S.W., Washington, DC 20423 [See 49 CFR §1104.1(a) and §1104.3(a)], and one copy must be served on Petitioners' representative [See 49 CFR §1104.12(a)]. Questions regarding offers of financial assistance, public use or lease use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0278. Copies of any comments or requests for conditions should be served on the Petitioners' representative: John D. Hoffer, Strasburger & Price, LLP, 1005 Connecticut Avenue, NW, Suite 717, Washington, DC 20008.

07/31/14

Commonwealth of Massachusetts The Trial Court Probate and Family Court

INFORMAL PROBATE PUBLICATION NOTICE

Docket No. BS14P04908A

Estate of: Arlene W. Barnard Date of Death: 5/18/2014

Berkshire Probate & Family Court 44 Bank Row Pittsfield, MA 01201 (413) 442-8941

To all persons interested in the above captioned estate, by Petition of Petitioner Joel S. Greenberg of Pittsfield MA a WS has been admitted to informal probate. Joel S. Greenberg of Pittsfield MA has been informally appointed as the Person Representative of the estate to serve without surety on the bond.

The estate is being administered under informal procedure by the Person Representative under the Massachusetts Uniform Probate Code without supervisor by the Court. Inventory and accounts are not required to be filed with the Court, but interested parties are entitled to notice regarding the administration from the Person Representative and can petition the Court in any matter relating to the estate including distribution of assets and expenses of administration. Interested parties are entitled to petition the Court to initiate formal proceedings and to obtain a writ of Personal Representative appointing or under informal procedure. A copy of this Petition and Writ, if any, can be obtained from the Petitioner.

John J. Martin, Jr., Esq. MARTIN, OLIVERA & HAMEL, PC 75 South Church Street, Suite 550 Pittsfield, MA 01201

07/31/14

Town of Williamstown NOTICE OF PUBLIC HEARING TOWN OF WILLIAMSTOWN

Notice is hereby given under MGL Chapter 130 of a public hearing on August 11, 2014 at 7:00 P.M. in the Municipal Building, 31 North Street, Williamstown, MA for the following application:

The 6 Hour Pub, 910 Cold Spring Road for a transfer of an all Alcoholic Beverage License's license from Richmond, Inc. to Mosaic Energy, Inc., Manager Michael S. Oring

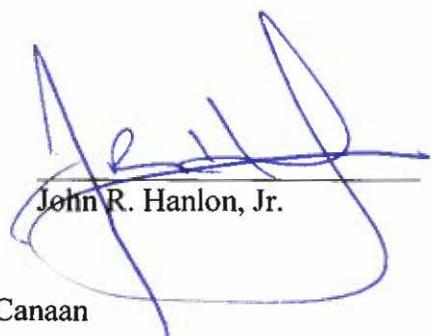
Ronald Turbin Board of Selectmen Williamstown

07/31/14

EXHIBIT D

**VERIFICATION OF
HOUSATONIC RAILROAD COMPANY, INC.,
AND COLTSVILLE TERMINAL COMPANY, INC.**

John R. Hanlon, Jr., , being duly sworn, states that he is the President of and as such officer he represents both Housatonic Railroad Company, Inc., and Coltsville Terminal Company, Inc.; that he is authorized to verify and file with the Surface Transportation Board the foregoing Notice of Exemption in Docket No. AB-733X and No. AB-1121X respectively on behalf of Housatonic Railroad Company, Inc. and Coltsville Terminal Company, Inc; that he has examined all of the statements in the Notice of Exemption; that he has knowledge of the facts and matters relied upon in the Notice of Exemption; and that all representations set forth therein are true and correct to the best of his knowledge, information and belief.



John R. Hanlon, Jr.

State of Connecticut
County of Litchfield

ss: North Canaan

Subscribed and sworn to before me,
a Notary Public in and for the State of Connecticut,
on this 31 day of July, 2014



Marianne Keane
Notary Public
My Commission expires:

**MY COMMISSION EXPIRES
FEBRUARY 28, 2019**

EXHIBIT E

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

Environmental Issues

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

(1) Proposed Action and Alternatives

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: Housatonic Railroad Company, Inc., and Coltsville Terminal Company, Inc.,¹ propose to discontinue service over and abandon, respectively, a line of railroad (“the Line”) extending between milepost QBY-0.59 to milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. The purpose of the abandonment is to facilitate the establishment of a trail by the Massachusetts Department of Transportation or its designee.

In the past twelve years, Housatonic has served one active customer on the Line. However, this customer no longer requires rail service and no freight has

¹ Individually referred to as “Housatonic” and “Coltsville” and collectively as “Petitioners.”

moved over the Line since November 2008. Since then, there has been no economic growth in the area, and there has been no activity on the Line. The only alternative to this action would be to forego abandoning the Line and to pass the costs of retaining the Line to its customers located on other parts of its system. This would not be a prudent utilization of carrier resources.

(2) Transportation System

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: Petitioners anticipate that the proposed action will have no effect on regional or local transportation systems or patterns and will result in no diversion of traffic to other transportation modes or systems. There has been no rail traffic on the Line for more than five years.

(3) Land Use

(i) Based on consultation with local and/or regional planning agencies and/or review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

Response: Petitioners believe that the proposed action will not be inconsistent with local land use plans. On July 25, 2014, Housatonic counsel on behalf of itself and Coltsville contacted local officials, seeking information as to the current land use plans for each jurisdiction. (Attachments 1-A and 1-B). Petitioners will provide OEA with copies of replies by local land use officials as soon as they are received.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

Response : On July 25, 2014, Housatonic on behalf of itself and Coltsville contacted the appropriate National Resource Conservation Services Office, and is currently awaiting its response. (Attachment 2) Petitioners will advise OEA as soon as they receive a response.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

Response: On July 25, 2014, Housatonic on behalf of itself and Coltsville contacted the Executive Office of Environmental Affairs for Massachusetts seeking its comment on the impact of the abandonment, if any, on the State's coastal zone program. (Attachment 3). Because the subject line is inland, Petitioners believe that there will be no coastal zone impacts. Petitioners will advise OEA as soon as they receive a response.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. §10906 and explain why.

Response: Petitioners believe the Line's right-of-way is suitable for alternative public use. The Massachusetts Department of Transportation desires to purchase the Line's right of way for use as a trail.

(4) Energy

(i) Describe the effect of the proposed action on transportation of energy resources. (ii) Describe the effect of the proposed action on recyclable commodities. (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why. (iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the date and methodology used to arrive at the figure given.

Response: The proposed abandonment will have no effect on the transportation of energy resources because no traffic has moved over the Line since November 2008. There will be no effect on the transportation of recyclables because no recyclables move over the Line. The proposed action will increase overall energy efficiency by saving the energy that would otherwise be needed to

maintain the unused Line. The proposed action will cause no diversion from rail to motor carriage.

(5) Air

Will the proposed action result in (A) a minimum increase in rail traffic of 100 percent (measured in gross tons annually) or eight trains per day on an affected rail line, (B) an increase in rail yard activity of 100 percent as measured in carload activity or (C) an increase in motor carrier traffic of either 50 vehicles per day or an increase in truck traffic exceeding 10 percent of the average daily traffic on a given highway segment? If any of the enumerated thresholds is exceeded, quantify the anticipated increase in air emissions. If a Class I or nonattainment area is affected, are increased emissions within parameters of the affected State Implementation Plan?

Response : The above thresholds will not be exceeded. See (2) above.

(6) Noise

If any of the thresholds identified in item (5) is surpassed, state whether the proposed action will cause an increase in noise levels exceeding either (i) a three decibel Ldn incremental increase or (ii) 65 decibels?

Response : The above thresholds will not be exceeded.

(7) Safety

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

Response : Petitioners believe that the proposed action will result in improvement to public safety by removing two public road crossings on the Line.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the Petitioners' safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Response : The proposed action is a discontinuance and abandonment, therefore, no hazardous materials are expected to be transported over the Line.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response : There are no known hazardous waste sites on the Line, and Petitioners are not aware of any hazardous materials spills that may have occurred along the right-of-way.

(8) Biological Resources

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

Response : On July 25, 2014, Housatonic counsel, acting on behalf of itself and Coltsville contacted the U.S. Fish and Wildlife Service about the proposed action. (Attachment 4) Petitioners do not believe that the abandonment will affect any endangered or threatened species or critical habitats.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected and describe any effects.

Response : Petitioners do not anticipate that the abandonment will affect any wildlife sanctuaries or refuges, or National or State parks or forests.

Nevertheless, Housatonic on behalf of itself and Coltsville contacted the National Park Service to obtain its views and will furnish OEA with any comments received. (Attachment 5).

(9) Water

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistency.

Response: No in-stream salvage operations will be required. No action known to be inconsistent with federal, state, and/or local water quality standards is contemplated. If any permits or applications are found to be necessary, they will be obtained and any conditions or procedures required by regulatory agencies will be complied with. Housatonic on behalf of itself and Coltsville contacted state and federal agencies in Massachusetts responsible for environmental matters. (Attachments 6-A and 6-B). Petitioners will advise OEA as soon as they receive a response.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the affects.

Response: On July 25, 2014, Housatonic acting on behalf of itself and Coltsville contacted the U.S. Army Corps of Engineers. (Attachment 7) While Petitioners do not anticipate that any permits under Section 404 will be required or that any designated wetlands or 100-year flood plains will be affected, Petitioners will provide OEA with the Corps of Engineers' response.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. §1342) are required for the proposed action.

Response: On July 25, 2014, Housatonic acting on behalf of itself and Coltsville contacted both the U.S. Environmental Protection Agency and the Executive Office of Environmental Affairs for Massachusetts regarding this question and will provide their comments once received. (Attachments 6-A and 6-B) Petitioners do not anticipate that any permits will be required.

(10) Proposed Mitigation

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: Petitioners do not expect any adverse impacts, therefore they are not proposing any mitigation measures.

Historic Issues

The following information is provided in accordance with 49 CFR §1105.8(d).

(1) Map

Response: A copy of a map of the Line is attached to this report as Attachment 8.

(2) Description of the Line

Response: The width of the right of way varies between 50 and approximately 99 feet (and predominantly 82.5 feet) from the center line of the

track and runs in a generally northerly direction from the south side of the Merrill Road grade crossing at the north end of the North Adams Jct. Yard.

(3) Photographs of structures at least 50 years old

Response: Photographs of the Line are attached as Attachments 9. There is only one bridge on the Line, the highway bridge at Dalton Avenue, and no buildings or structures of any sort.

(4) Dates of construction/alteration of structures

Response: The original Housatonic Railroad was formed in 1836. The Line itself was originally to have been constructed by the Pittsfield and North Adams Railroad, a carrier incorporated on March 3, 1842, by special act of the State of Massachusetts. That company was organized December 18, 1845 and opened for operation on December 1, 1846. However, before track construction could begin, the Pittsfield and North Adams Railroad was acquired by the Western Railroad of Massachusetts ("Western Railroad"). During the Western Railroad's ownership of the Line the original Housatonic Railroad operated over it. Ultimately, the Western Railroad became part of the Boston and Albany Railroad ("B&A") on November 2, 1870, as its North Adams Branch. The New York Central Railroad acquired the B&A in 1900. The Line became part of the Penn Central Railroad when the New York Central merged with the Pennsylvania Railroad in 1968. Two years later the Penn Central Railroad entered bankruptcy. The Line was

successively acquired by Consolidated Rail Corporation (“Conrail”), and CSX Transportation (“CSXT”), and Coltsville.

(5) History of carrier operations

Response : As noted above and starting in 1900, the Line has been operated by the New York Central and Penn Central Railroads, Conrail, and CSXT. Coltsville acquired the Line in 2002 from CSXT through an offer of financial assistance in a CSXT abandonment proceeding. Coltsville’s corporate sibling, Housatonic, has provided the common carrier railroad service over the Line.

(6) Documents in carriers’ possession

Response : Petitioners are unaware of any significant structures on the subject line that merit historical comment. No bridges or buildings that are of significant architectural design are on the subject line.

(7) Eligibility for National Register; archeological resources

Response : Petitioners are unaware of any structures on the right-of-way that are eligible for listing in the National Register. On July 25, 2014, Petitioners contacted the State Historic Preservation Officer and are awaiting his or her reply. (Attachment 13). Petitioners will forward to OEA any comments received. Any potential archeological sites within the right of way would have previously been disturbed during the construction of the Line.

(8) Description of ground disturbance or fill

Response : The Line was built in the traditional construction manner for the time. There are no additional deep cuts or fill.

Certification

In accordance with the requirement at 49 CFR §1105.7(c), Housatonic Railroad Company acting on behalf of itself and Coltsville Terminal Company, Inc. certifies that it has sent a copy of the Environmental and Historic Report to all agencies listed at §1105.7(b) and to the State Historic Preservation Officer and that it has consulted with these agencies in preparing this report.

Respectfully submitted,



John D. Heffner
Strasburger & Price, LLP
1025 Connecticut Ave., N.W.
Suite 717
Washington, D.C. 20036
Telephone: (202) 742-8607

Counsel for Housatonic Railroad Company, Inc.
On behalf of itself and
The Coltsville Terminal Company, Inc.

Dated: August 15, 2014

ATTACHMENT 1-A



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

Honorable Daniel L. Bianchi, Mayor
City of Pittsfield,
City Hall, Room 105
70 Allen Street,
Pittsfield, MA 01201

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Mayor Bianchi:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a

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Honorable Daniel L. Bianchi, Mayor

July 25, 2014

Page 2

consequence of the abandonment or salvage of the rail structure on this line.

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to local land use plans – particular issues for which we seek your comments. See, item 2 of the EHR at pages 2-3. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 1-B



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

Mr. Nathaniel W. Karns, AICP
Executive Director
Berkshire Regional Planning Commission
1 Fenn Street, Suite 201
Pittsfield, MA 01201-6629

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X, Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Mr. Karns:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the proposed rail line abandonments, including a more particular description of the rail

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Mr. Nathaniel W. Karns, AICP

July 25, 2014

Page 2

line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to local land use plans – particular issues for which we seek your comments. See, item 2 of the EHR at pages 2-3. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner

Attorney for

Housatonic Railroad Company, Inc.

Coltsville Terminal Company, Inc.

Enclosure

Mr. Nathaniel W. Karns, AICP

July 25, 2014

Page 3

cc: Edward Rodriguez, Esq.

ATTACHMENT 2



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

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

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Sir or Madam:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review

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District Conservationist

July 25, 2014

Page 2

of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to prime agricultural land— particular issues for which we seek your comments. See, item 3 of the EHR at pages 2-3. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 3



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

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

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Ms. Snow-Cotter:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the

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Susan Snow-Cotter

July 25, 2014

Page 2

proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

We have contacted you at this time to seek your assistance in completing the EHR. Because the Line is inland, we do not believe there are any issues requiring your attention but we encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 4



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

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

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Mr. Bartlett:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the

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Michael Bartlett

July 25, 2014

Page 2

proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to endangered or threatened species or critical habitats— particular issues for which we seek your comments. See, item 8 of the EHR at page 7. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 5



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

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

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Sir or Madam :

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

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Strasburger

ATTORNEYS AT LAW

Regional Director

July 25, 2014

Page 2

proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to wildlife sanctuaries or refuges or national or state parks or forests— particular issues for which we seek your comments. See, item 8 of the EHR at page 7. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 6-A



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

Massachusetts Department of Environmental Protection
One Winter Street, 2nd Floor
Boston, MA 02108

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Sir or Madam:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

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Massachusetts Department of Environmental Protection

July 25, 2014

Page 2

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to impacts on noise, air and water quality, wetlands, and flood plains – particular issues for which we seek your comments. See, items 5,6, and 9 of the EHR at pages 5, 7, and 8. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 6-B



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

Stephen Perkins
Office Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
New England, Region 1
One Congress Street, STE 1100
Boston, MA 02114-2023

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Mr. Perkins:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its

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Strasburger
ATTORNEYS AT LAW

Stephen Perkins

July 25, 2014

Page 2

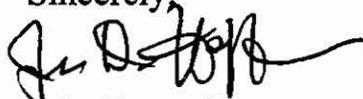
abandonment filing. The draft EHR explains in greater detail the scope of the proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to impacts on noise, air and water quality, wetlands, and flood plains – particular issues for which we seek your comments. See, items 5, 6, and 9 of the EHR at pages 5, 7, and 8. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner

Attorney for

Housatonic Railroad Company, Inc.

Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 7



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

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

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Mr. Rosenberg:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the

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Larry Rosenberg

July 25, 2014

Page 2

proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

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We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,

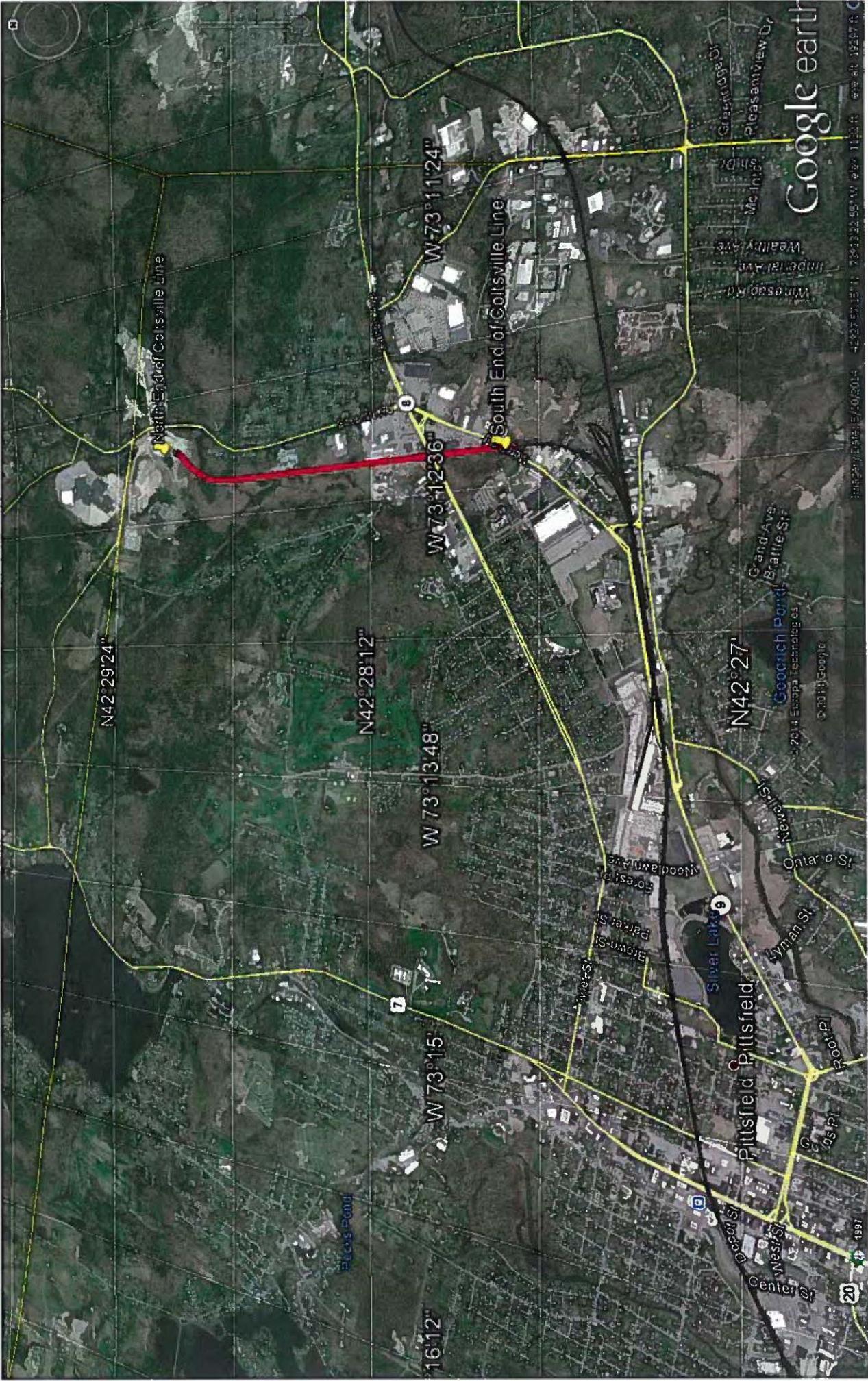


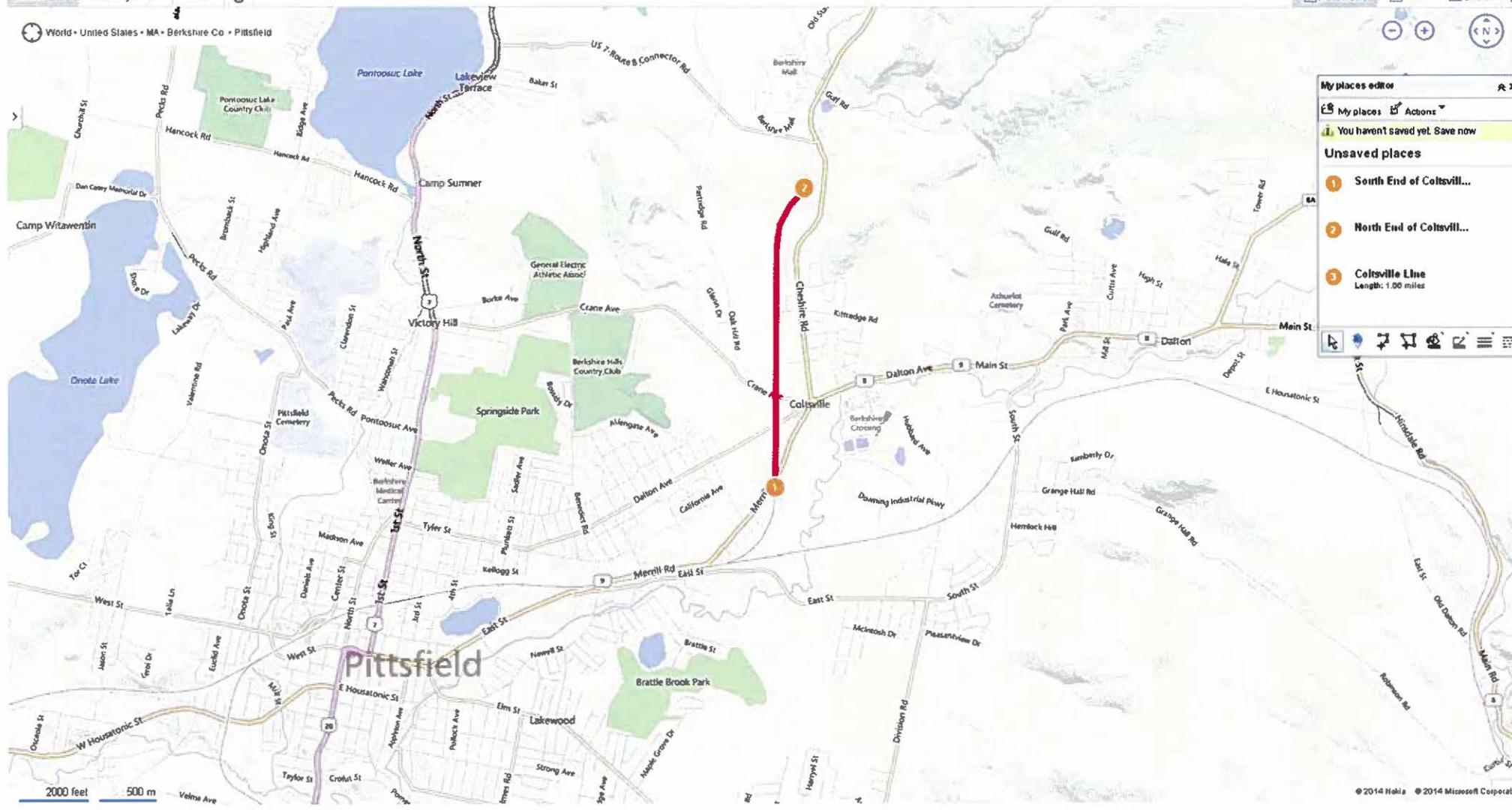
John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 8





My places editor

My places Actions

You haven't saved yet. Save now

Unsaved places

- 1 South End of Coltsvill...
- 2 North End of Coltsvill...
- 3 Coltsville Line
Length: 1.00 miles

ATTACHMENT 9







ATTACHMENT 10



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

Economic Development Department
One Ashburton Place, Room 2101
Boston, MA 02108

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Sir or Madam:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

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Strasburger

ATTORNEYS AT LAW

Economic Development Department

July 25, 2014

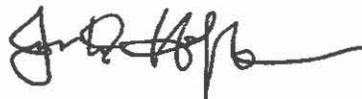
Page 2

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to local land use plans, transportation needs, energy resources, air and water quality, and noise – particular issues for which we seek your comments. See, items 2-6, 8, and 9 of the EHR at pages 2-9. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

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We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

6053917.4/SP/25532/0101/070914

ATTACHMENT 11



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

Executive Office of Transportation
10 Park Plaza, 3rd Floor
Boston, MA 02116

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Sir or Madam:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

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Strasburger & Price, LLP

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Strasburger

ATTORNEYS AT LAW

Executive Office of Transportation

July 25, 2014

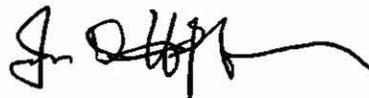
Page 2

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to transportation systems, local land use plans, energy resources, noise, and safety – particular issues for which we seek your comments. See, items 2,3,4,6, and 7 of the EHR at pages 2-6. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

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We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 12



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

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

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Mr. Monroe:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

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Strasburger
ATTORNEYS AT LAW

Simon Monroe, Geodetic Tech

July 25, 2014

Page 2

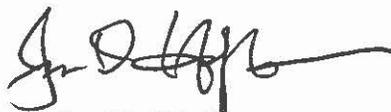
proposed rail line abandonments, including a more particular description of the rail line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

We have contacted you at this time to seek your assistance in completing the EHR. You will note that the EHR addresses issues pertaining to impacts on National Geodetic Survey activities and projects local land use plans – particular issues for which we seek your comments. We encourage you to review the enclosed draft EHR, and contact me, John D. Heffner, within 30 days of the date of this letter, with any feedback or guidance that you may be able to offer. Your feedback will be incorporated into the final EHR, which, as we have mentioned, will be delivered to the STB.

Petitioners have not yet filed their abandonment notice at the STB. However, at such time as Petitioners submit their request to abandon service over the line in question, we will serve you with copies of the request and the final EHR. At that time, if not sooner, we will supply you with information sufficient for you to issue comments directly to the STB's Office of Environmental Analysis as well as to us.

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,



John D. Heffner
Attorney for
Housatonic Railroad Company, Inc.
Coltsville Terminal Company, Inc.

Enclosure

cc: Edward Rodriguez, Esq.

ATTACHMENT 13



July 25, 2014

JOHN D. HEFFNER
(202) 742-8607
Direct Fax (202) 742-8697
John.Heffner@strasburger.com

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

RE: Docket No. AB-733X
Housatonic Railroad Company, Inc.
Discontinuance of Service Exemption

Docket No. AB-1121X
Coltsville Terminal Company, Inc.
Abandonment Exemption

Dear Sir or Madam:

This letter is to advise you that Housatonic Railroad Company, Inc., proposes to discontinue service over and that Coltsville Terminal Company, Inc., (collectively "Petitioners") propose to abandon a line of railroad between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, MA, a distance of 1.91 miles. On or about August 15, 2014, Petitioners will seek Surface Transportation Board ("STB") authorization to accomplish the proposed abandonment under the STB's out of service abandonment regulations, 49 CFR §1152.50. This line traverses U.S. Postal Service zip code 01201.

Enclosed is a draft Environmental and Historic Report ("EHR"), a document which Petitioners must complete and file with the STB as a component of its abandonment filing. The draft EHR explains in greater detail the scope of the proposed rail line abandonment, including a more particular description of the rail

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line in question. We have also enclosed a map which should assist in your review of the environmental and/or historic impacts (if any) which may arise as a consequence of the abandonment or salvage of the rail structure on this line.

In connection with this abandonment, Petitioner is required by the STB's regulations (at 49 C.F.R. §1105) to prepare as part of its notice an Environmental and Historic Report addressing the following issues:

- (i) Are sites or structures listed in the National Register of Historic Places affected? If so, describe the effects.

To the best of Petitioner's knowledge, no site or structures listed in the National Register of Historic Places will be affected.

- (ii) Will sites or structures 50 years old or older be affected? If so, and such sites or structures are not listed in the National Register of Historic Places, Petitioners would submit, at the earliest possible juncture, a description of the line, including a map, as well as photographs and descriptions of such structures to the appropriate State Historic Preservation Office for review and include a copy of the cover letter in the Environmental and Historic Report.

Petitioners are currently compiling a list of all structures on the Line that are 50 years old or older. Petitioners will supplement this report and forward a map of the line (depicting the location or the structures) and color pictures of said structures as soon as they are available.

- (iii) Will culturally significant locations, archaeological sites, or unique land forms be affected? If so, Petitioners should consult with the involved State Historic Preservation Office.

To the best of Petitioners' knowledge, no culturally significant locations, archaeological sites, or unique land forms will be affected.

A copy of the draft report is enclosed for your review.

State Historic Preservation Office

July 25, 2014

Page two

We appreciate your cooperation. If you have any questions regarding the enclosed materials, please contact me at the address and phone number at the top of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Heffner", with a long, sweeping horizontal flourish extending to the right.

John D. Heffner

Enclosure

cc: Edward Rodriguez, Esq.

6059903.7/SP/25532/0101/072114