



PAN AM
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY
BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

FEB 9 2007
RECEIVED
SURFACE TRANSPORTATION BOARD

February 8, 2007

The Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Boston & Maine Corporation and Springfield Terminal Railway Company - Abandonment and
Discontinuance of Service - Over the Wakefield Junction Industrial Track - Essex and Middlesex
Counties, Massachusetts - Docket No. AB 32 (Sub No: ~~26~~X), Docket No. AB 355 (Sub No. 26X).

Dear Secretary Williams:

2186347 95X

218635

Enclosed for filing in the above captioned proceeding, please find an original and ten copies of the
Verified Notice of Exemption dated February 8, 2007 filed on behalf of the Boston & Maine Corporation and
the Springfield Terminal Railway Company. Additionally, please find a check in the amount of \$3,100.00
representing the appropriate fee for filing.

Should you have any questions in regard to this filing, please contact the undersigned. I thank you in
advance for your assistance with this matter.

Sincerely,

Clinton P. Wright

Clinton P. Wright
Staff Attorney
Pan Am Railways

FEE RECEIVED

FEB 15 2007

**SURFACE
TRANSPORTATION BOARD**

FILED

FEB 15 2007

**SURFACE
TRANSPORTATION BOARD**

Enclosures

Office of the Secretary
Surface Transportation Board

FEB 16 2007

Robert Ferguson

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. 32 (Sub No. ^{95X}~~98X~~)
DOCKET NO. 355 (Sub No. 26X)

FEB 8 2007
RECEIVED
SURFACE TRANSPORTATION BOARD

BOSTON & MAINE CORPORATION
SPRINGFIELD TERMINAL RAILWAY COMPANY
ABANDONMENT AND DISCONTINUANCE OF SERVICE
WAKEFIELD JUNCTION INDUSTRIAL TRACK
ESSEX COUNTY, MASSACHUSETTS AND MIDDLESEX COUNTY,
MASSACHUSETTS

VERIFIED NOTICE OF EXEMPTION

FILED
FEB 15 2007
SURFACE
TRANSPORTATION BOARD

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SURFACE
TRANSPORTATION BOARD

Clinton P. Wright, Esq.
Law Department
Iron Horse Park
North Billerica, MA 01862
(978) 663-1029

Counsel for:

BOSTON & MAINE
CORPORATION

SPRINGFIELD TERMINAL
RAILWAY COMPANY

Office of Proceedings
FEB 15 2007
Part of
Record

Dated: February 8, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. 32 (Sub No. 93X)
DOCKET NO. 355 (Sub No. 26X)

BOSTON & MAINE CORPORATION
SPRINGFIELD TERMINAL RAILWAY COMPANY
ABANDONMENT AND DISCONTINUANCE OF SERVICE
WAKEFIELD JUNCTION INDUSTRIAL TRACK
ESSEX COUNTY, MASSACHUSETTS AND MIDDLESEX COUNTY,
MASSACHUSETTS

VERIFIED NOTICE OF EXEMPTION

The Boston and Maine Corporation (the "B&M") and the Springfield Terminal Railway Company ("ST") file this Verified Notice of Exemption pursuant to the Board's regulations at 49 C.F.R. § 1152.50. This Notice of Exemption seeks to abandon and discontinue service by the B&M and ST over a line of railroad known as the Wakefield Junction Industrial Track located in Wakefield, Lynnfield, Peabody and Danvers, Massachusetts, extending from railroad milepost 9.38 to milepost 19.07 in Essex and Middlesex Counties.¹ In accordance with the aforementioned regulations, the B&M and ST submit the following:

RESPONSES TO 49 C.F.R. § 1152.50 (d)(2):

1. Proposed Consummation Date:

The proposed consummation date of this abandonment and discontinuance is April 1, 2007.

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):

¹ ST acquired its leasehold interest in the Line from the B&M in 1988 pursuant to a decision by the Interstate Commerce Commission. Finance Docket No. 30965; Delaware and Hudson Railway Company – Lease and Trackage Rights Exemption – Springfield Terminal Railway Company (Decided February 17, 1988).

(a) General:

(1) Exact name of applicants:

The Boston & Maine Corporation.
The Springfield Terminal Railway Company

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

The B&M and ST are common carriers by railroad subject to the Interstate Commerce Act.

(3) Relief Sought:

The B&M and ST seek to abandon and discontinue service over the line.

(4) Detailed map of the line:

Map is attached hereto as Exhibit "A".

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

Clinton P. Wright, Esq.
Boston & Maine Corporation
Springfield Terminal Railway Company
1700 Iron Horse Park
North Billerica, MA 01862

(8) United States Postal Service Zip Codes that the line traverses:
Zip Codes:

Wakefield: 01880
Lynnfield: 01940
Peabody: 01960
Danvers: 01923

(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.

The Wakefield Junction Industrial Track is currently owned by the Massachusetts Bay Transportation Authority ("MBTA"), an agency of the Commonwealth of Massachusetts, and the B&M provides service over the line pursuant to a freight easement. Therefore, the line is already used for public purpose, and the MBTA would need to be consulted regarding future alternative uses. Notwithstanding the ownership interest of the MBTA, the Applicant is not aware of any restriction on the title to the property that would affect the transfer of title or the use of the property for other than rail purposes.

4. The level of labor protection:

The B&M and ST understand that, in exempting the proposed abandonment and discontinuance, the Board does not relieve a carrier of its statutory obligation to protect the interests of employees. See 49 C.F.R. § 1152.50(c). Accordingly, the B&M and ST 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 abandonment and discontinuance.

5. Certificate of Compliance with the notice requirements of 49 C.F.R. § 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 49 C.F.R. § 1105.8 is attached to this Notice of Exemption. Attached, as Exhibit "D", is a certificate affirming the B&M and ST's compliance with 49 C.F.R. § 1105.11.

7. Newspaper Notice:

The Newspaper Notice required by 49 C.F.R. § 1105.12 was published on January 30, 2006. An affidavit of publication from the newspaper is attached as Exhibit "E".

8. Verification:

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

Respectfully submitted,

Clinton P. Wright

Clinton P. Wright

Staff Attorney

The Boston & Maine Corporation

The Springfield Terminal Railway Company

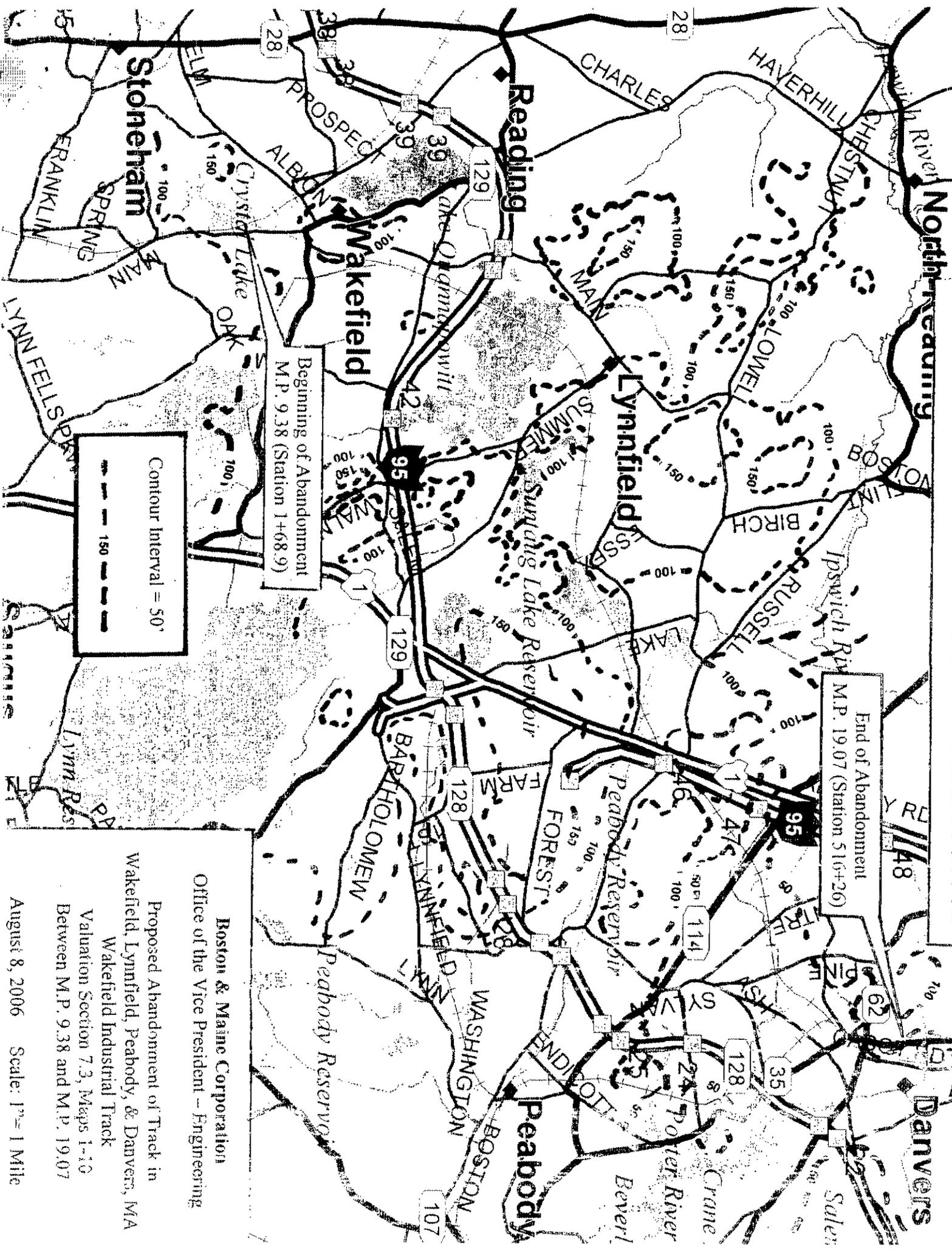
1700 Iron Horse Park

North Billerica, MA 01862

Dated: February 8, 2007.

EXHIBIT "A"

Abandonment Plan - Wakefield Industrial Track



Beginning of Abandonment
M.P. 9.38 (Station 1+68.9)

End of Abandonment
M.P. 19.07 (Station 516+26)

Contour Interval = 50'
--- 150'

Boston & Maine Corporation
Office of the Vice President - Engineering

Proposed Abandonment of Track in
Wakefield, Lynnfield, Peabody, & Danvers, MA
Wakefield Industrial Track
Valuation Section 7.3, Maps 1-10
Between M.P. 9.38 and M.P. 19.07

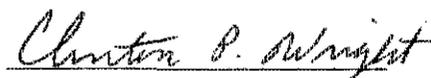
August 8, 2006 Scale: 1" = 1 Mile

EXHIBIT "B"

REQUIRED CERTIFICATION

PER 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 Wakefield Junction Industrial Track (the "Line"), which is the subject of the Notice of Exemption in Docket No. AB 32 (Sub. No. 93X) and Docket No. 355 (Sub. No. 26X): (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 Boston and Maine Corporation and 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.



Clinton P. Wright
Staff Attorney
Boston & Maine Corporation
Springfield Terminal Railway Company
1700 Iron Horse Park
North Billerica, MA 01862

Dated: February 8, 2007

EXHIBIT "C"

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

Pursuant to 49 C.F.R. § 1152.50(d)(2), I hereby certify that:

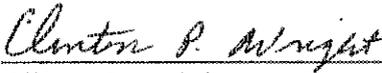
On January 29, 2007 I caused to be served by U.S. first-class mail, postage pre-paid, the notice required by 49 C.F.R. § 1152.50(d)(1), upon:

Brian Cristy
Director, Transportation Division
Commonwealth of Massachusetts
Department of Telecommunications
and Energy
One South Station
Boston, MA 02110

Office of Special Assistant for
Transportation Engineering
Railroads for National Defense Program
Military Traffic Management Command
Transportation Engineering Agency
720 Thimble Shoals Blvd. – Suite 130
Newport News, VA 23606-2574

National Park Service
C/O Recreation Resources for
National Park Service
1849 C. Street NW
Washington, D.C. 20240

Abigail Kimbell
Chief of Forest Service, USDA
201 14th Street, SW
Washington, DC 20090


Clinton P. Wright
Staff Attorney
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862

Dated: February 8, 2007



PAN AM
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY
BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

January 29, 2007

To: Service List

Re: The Boston and Maine Corporation and Springfield Terminal Railway Company -
- Abandonment and Discontinuance of Service over the Wakefield Junction Industrial Track -
- Essex County, Massachusetts and Middlesex County, Massachusetts
Docket No. AB 32 (Sub. No. 93X)
Docket No. AB 355 (Sub. No. 26X).

Ladies and Gentlemen:

In accordance with the Surface Transportation Board's regulations at 49 C.F.R. § 1152.50(d)(1), the Boston and Maine Corporation and the Springfield Terminal Railway Company hereby give notice that on or about February 8, 2007 they intend to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption. Said Notice will seek permission for the abandonment and discontinuance of service on the so-called Wakefield Junction Industrial Track (the "Line") which crosses Wakefield, Lynnfield, Peabody and Danvers, Massachusetts, extends from milepost 9.38 to milepost 19.07, and traverses through United States Postal Service Zip Codes 01880, 01940, 01960 and 01923, a distance of 9.69 miles, in Essex and Middlesex Counties, Massachusetts. A map depicting the Line is attached. If permitted by the Board, the exempt procedure permitted by Subpart F of 49 C.F.R. § 1152 will be used.

Based upon information in our possession, the Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting such documentation.

Sincerely,

A handwritten signature in cursive script that reads "Clinton P. Wright".

Clinton P. Wright
Staff Attorney
Pan Am Railways

Wakefield Junction Industrial Track

AB 32 (Sub No. 93X)

AB 355 (Sub No. 26X)

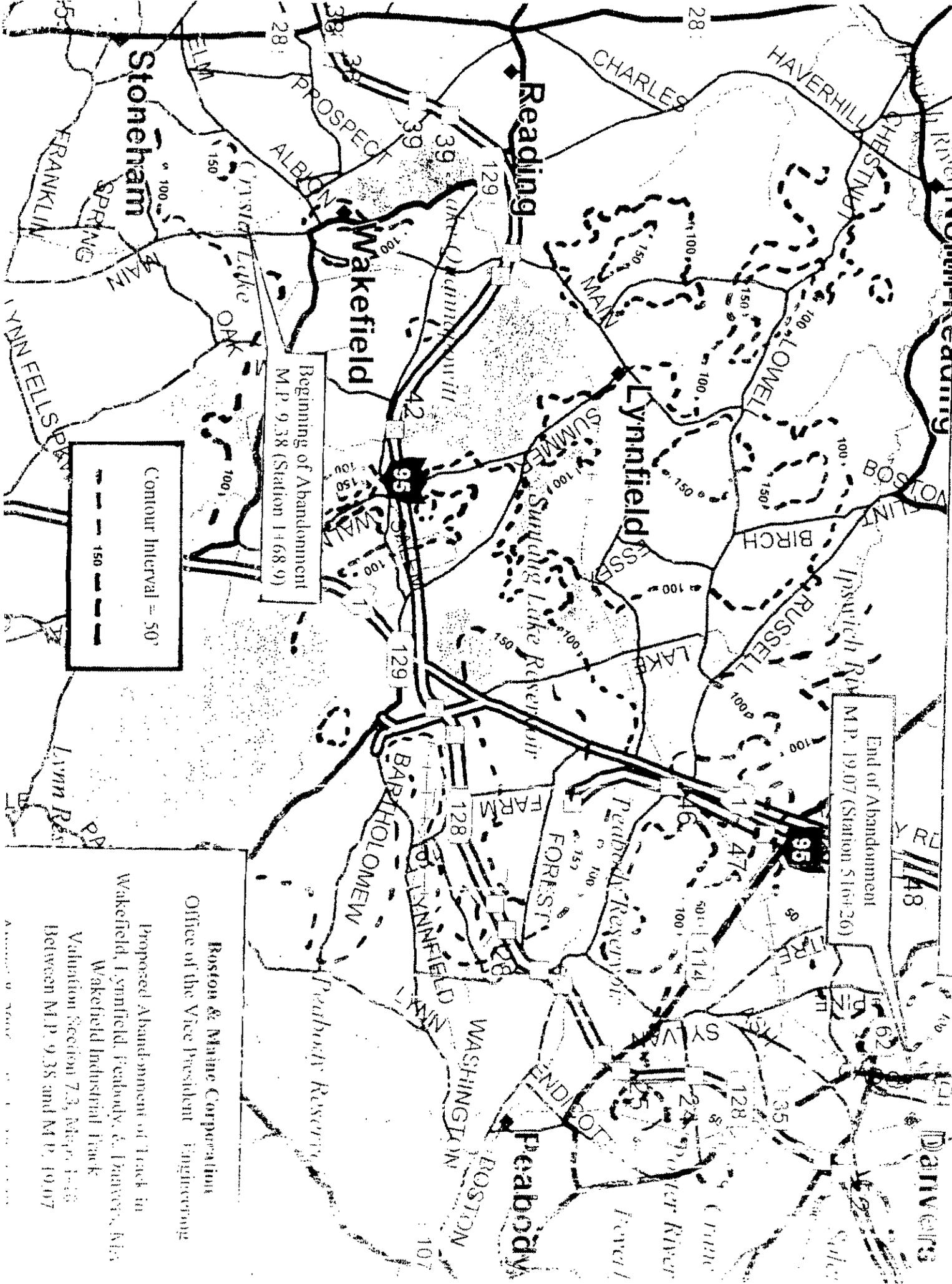
Brian Cristy
Director, Transportation Division
Commonwealth of Massachusetts
Department of Telecommunications
and Energy
One South Station
Boston, MA 02110

Office of Special Assistant for
Transportation Engineering
Railroads for National Defense Program
Military Traffic Management Command
Transportation Engineering Agency
720 Thimble Shoals Blvd. – Suite 130
Newport News, VA 23606-2574

National Park Service
C/O Recreation Resources for
National Park Service
1849 C. Street NW
Washington, D.C. 20240

Abigail Kimbell
Chief of Forest Service, USDA
201 14th Street, SW
Washington, DC 20090

Abandonment Plan - Wakefield Industrial Track



End of Abandonment
M.P. 19.07 (Station 51+26)

Beginning of Abandonment
M.P. 9.38 (Station 1+68.9)

Contour Interval = 50'

Boston & Maine Corporation
Office of the Vice President - Engineering

Proposed Abandonment of Track in
Wakefield, Lynnfield, Peabody, & Danvers, MA
Wakefield Industrial Track
Valuation Section 7.3, Maps 1-18
Between M.P. 9.35 and M.P. 19.07



PAN AM
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY
BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

January 19, 2007

To: Service List

Re: Wakefield Junction Industrial Track Abandonment and Discontinuance of Service
AB 32 (Sub No. 93X)
AB 355 (Sub No. 26X)

Ladies and Gentlemen:

On or about February 8, 2007, the Boston and Maine Corporation (the "B&M") and the Springfield Terminal Railway Company ("ST") will file a notice with the Surface Transportation Board ("STB") seeking an exemption for the abandonment and discontinuance of service over approximately 9.69 miles of railroad track known as the Wakefield Junction Industrial Track located between mileposts 9.38 and 19.07 (the "Line"). The Line is located in Wakefield, Lynnfield, Peabody and Danvers, Massachusetts. Attached is an Environmental/Historical Report describing the proposed action and any expected environmental/historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, telephone (202) 565-1545 and refer to the above captioned docket number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA would be appreciated within three (3) weeks. Additionally, please provide a copy of any comments to the undersigned at the above address.

Your comments will be considered by the STB in evaluating the environmental/historical preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned at (978) 663-1029 or by mail at the above address.

Sincerely,

A handwritten signature in cursive script that reads "Clinton P. Wright".

Clinton P. Wright
Staff Attorney
Pan Am Railways

WAKEFIELD JUNCTION INDUSTRIAL TRACK

ENVIRONMENTAL/HISTORICAL REPORT

Docket No. AB 32 (Sub No. 93X)

Docket No. AB 355 (Sub. No. 26X)

I ENVIRONMENTAL REPORT:

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

1) Proposed Action and Alternatives:

The Boston and Maine Corporation ("B&M") and the Springfield Terminal Railway Company ("ST") (collectively the "Applicants") propose to abandon and discontinue service over a 9.69 mile portion of the so-called "Wakefield Junction Industrial Track" line of railroad (the "Line"). A map of the proposed abandonment and discontinuance has previously been provided to all parties receiving this report, and is attached as Exhibit "A".

Due to the inability to generate traffic over the Line, there is no reasonable alternative to abandonment and discontinuance.

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 more than two (2) 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.

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 abandonment/discontinuance of service.

ii) Based on consultations with the U.S. Department of Agriculture Natural Resources Conservation Service the Applicants believe that 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) The 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 affected 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 the Applicants to eliminate their potential responsibility for costly and energy consuming maintenance operations for an unused portion of the Line.

iv) The proposed action will not cause a diversion from rail to motor carrier in excess of the threshold levels set forth at 49 C.F.R. § 1105.7 (e)(4)(iv)(A) or (B).

5) **Air:**

The proposed action will not result in any of the increases set forth at 49 C.F.R. § 1105.7 (e)(5).

6) **Noise:**

The proposed action will not result in or exceed any of the thresholds set forth at 49 C.F.R. § 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) The Applicants know of no endangered or threatened species or critical habitats that will be affected by the proposed action. The Applicants requested comments from the U.S. Fish and Wildlife Service in this regard. The Service responded and has advised the Applicants that "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(s)."

ii) The Applicants believe 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 section 404 of the Clean Water Act. No salvage operations will be undertaken by the Applicants. No designated wetlands or 100-year flood plains will be affected by the proposed action.

iii) Permits under section 402 of the Clean Water Act are not required for the proposed action.

10) **Proposed Mitigation:**

Because 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, so 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 topographical map is attached hereto as Exhibit "A".

2) Description of the Right-of-Way:

The portion of Line at issue is approximately 9.69 miles in length. The width of the right-of-way is consistently 66 feet with an area that narrows to 33 feet and another area that widens to 82 feet. The attached topographic map indicates the Line's topography.

3) Photographs of Railroad Structures:

The Applicants know of no significant railroad structures on the Line that are 50 years or older. The Applicants have made written request for comments from the Massachusetts Historical Commission with regard to the anticipated effect of the proposed action on historical resources. The Historical Commission has responded and advised that "this project is unlikely to affect significant historic or archeological resources."

4) Construction Dates:

Not applicable

5) History of Operations:

The Line was constructed in the late 1850's. Portions of the Line were acquired in the late 1840's and early 1850's. The Line historically served as part of a local system of branch lines. No local or overhead traffic has moved over the Line for at least two years. The proposed abandonment and discontinuance of service will not affect carrier operations in the area.

6) **Summary of Useful Documents:**

The Applicants possess standard valuation maps of all portions of the Line, which indicate any and all culverts, bridges, and other structures that may exist.

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

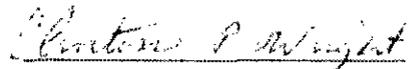
The Applicants know of no significant structures on the Line (such as bridges, trestles, stations, tunnels, track supports, etc.) that are 50 years or older. The Applicants are not aware of any culturally significant locations, archeological sites or unique landforms located along the Line or that will be affected by the proposed action.

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

The Applicants know of no prior subsurface ground disturbance, fill or other environmental conditions that might affect the archeological recovery of resources and the surrounding terrain. There are, however, swampy conditions located along a one mile portion of the Line.

III **CERTIFICATE OF SERVICE:**

This certifies that the Applicants will serve copies of this Environmental/Historical Report upon and, prior to such service, consulted, or attempted to consult, with parties identified on the attached Service List:



Clinton P. Wright

Dated: January 19, 2007

Environmental/Historical Report Service List

Wakefield Junction Industrial Track – AB 32 (Sub No. 93X), AB 355 (Sub No. 26X)

Debra Jean, CDBG
Financial Assistant
Dept. of Housing and
Community Development
100 Cambridge St., Suite 300
Boston, MA 02114

Richard Chalpin
Regional Director
Commonwealth of MA
Dept. of Environmental Protection
Northeast Regional Office
205B Lowell St.
Wilmington, MA 01887

Truman Henson
Commonwealth of MA
Executive Office of Environmental Affairs
Coastal Zone Management Program
251 Causeway St., Suite 800
Boston, MA 02114-2138

Thomas Butler
Town Administrator
Town of Wakefield
1 Lafayette St.
Wakefield, MA 01880

William Gustus
Town Administrator
Town of Lynnfield
Town Hall
55 Summer St.
Lynnfield, MA 01940

Hon. Michael Bonfanti
Mayor, City of Peabody
Peabody City Hall
24 Lowell St.
Peabody, MA 01960

Wayne P. Marquis
Town Manager
1 Sylvan St.
Danvers, MA 01923

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

Michael Amaral
Endangered Species Specialist
New England Office
U.S. Dept. of Interior
Fish & Wildlife Service
70 Commercial St. – Suite 300
Concord, NH 03301-5087

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

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

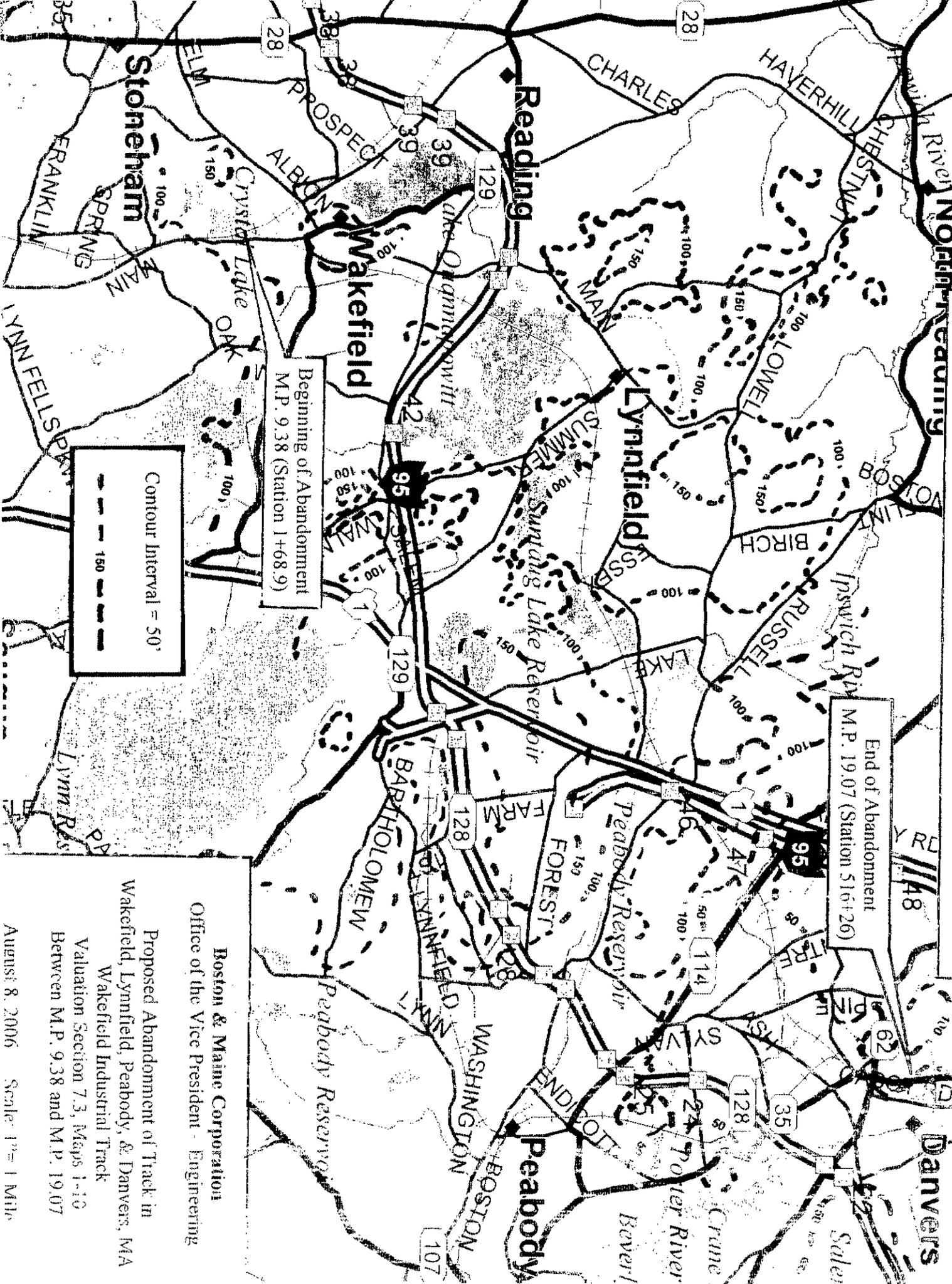
Dan Lenthall
District Conservationist
USDA - NRCS
319 Littleton Rd. – Suite 205
Westford, MA 01886-4133

Edward J. McKay, Chief
Spatial Reference System Division
National Geodetic Survey
NOAA, N/NGS2
1315 East-West Highway
Silver Spring, MD 20910-3293

Ann M. Lattinville
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Blvd.
Boston, MA 02125

EXHIBIT "A"

Abandonment Plan - Wakefield Industrial Track



End of Abandonment
M.P. 19.07 (Station 516+26)

Beginning of Abandonment
M.P. 9.38 (Station 1+68.9)

Contour Interval = 50'
--- 150'

Boston & Maine Corporation
Office of the Vice President - Engineering

Proposed Abandonment of Track in
Wakefield, Lynnfield, Peabody, & Danvers, MA
Wakefield Industrial Track

Valuation Section 7.3, Maps 1-10
Between M.P. 9.38 and M.P. 19.07

August 8, 2006 Scale: 1" = 1 Mile

APPENDIX TO
ENVIRONMENTAL/HISTORICAL REPORT



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
OFFICE OF COASTAL ZONE MANAGEMENT
251 Causeway Street, Suite 800, Boston, MA 02114-2136
(617) 626-1200 FAX: (617) 626-1240

October 25, 2006

Clinton P. Wright
Pan Am Railways
1700 Iron Horse Park
North Billerica, MA 01862

RE: Abandonment and Discontinuance of Service over Wakefield Junction Industrial,
Wakefield.

Dear Mr. Wright:

The Massachusetts Office of Coastal Zone Management (CZM) has received your package of information, including plans, for the proposed project referenced above.

The activities associated with this project fall outside the geographical boundaries of the Massachusetts Coastal Zone as delineated in Chapter 5: Massachusetts Coastal Regions and An Atlas of Resources, 1 June 1977 and further described in the Massachusetts Coastal Zone Management Plan and therefore are not subject to federal consistency review by this office.

Thank you for submitting the information to CZM. If you have any questions regarding our review process, feel free to call me at (617) 626-1219.

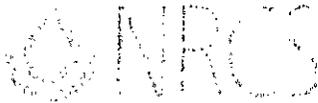
Sincerely,

Truman Henson
Project Review Coordinator

TH/pb

cc: Karen Kirk Adams, Chief
Regulatory Branch, NED, US Army Corps of Engineers





United States Department of Agriculture
Natural Resources Conservation Service

319 Littleton Road, Suite 205, Westford, MA 01886-4133
978-692-1904, fax 978-392-1305
www.ma.nrcs.usda.gov

A partner in conservation since 1935

October 25, 2006

Clinton P. Wright
Staff Attorney
Pan Am Railways
Springfield Terminal Railway Company
1700 Iron Horse Park
North Billerica, MA 01862

Re: Abandonment and Discontinuance of Service
Over Wakefield Junction Industrial
Docket No. AB 32 (Sub No. 93)
Docket No. AB355 (Sub No. 26)

Mr. Wright:

There are no anticipated adverse effects upon the production or marketing of agricultural products associated with the abandonment and discontinuance of the proposed section of the Wakefield Junction Industrial Track railroad line.

Sincerely,

Dan Lenthall

USDA Natural Resources Conservation Service
Westford, Massachusetts



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Field Office
70 Commercial Street, Suite 300
Concord, New Hampshire 03301-5087



September 15, 2006

<u>Reference:</u>	<u>Project</u>	<u>Location</u>
	Railroad abandonment	Wakefield, Lynnfield, Peabody, Danvers, MA

Clinton Wright
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862

Dear Mr. Wright:

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(ies) referenced above.

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(s). Preparation of a Biological Assessment or further consultation with us under Section 7 of the Endangered Species Act is not required.

This concludes our review of listed species and critical habitat in the project location(s) and environs referenced above. No further Endangered Species Act coordination of this type is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

Thank you for your coordination. Please contact us at 603-223-2541 if we can be of further assistance.

Sincerely yours,

Michael J. Amaral
Endangered Species Specialist
New England Field Office

LAW DEPARTMENT
TOWN OF WAKEFIELD
MASSACHUSETTS

THOMAS A. MULLEN
Town Counsel



545 SALEM STREET
WAKEFIELD, MASSACHUSETTS 01880-1227
Telephone: (781) 246-6343
Fax: (781) 245-9990

September 5, 2006

Clinton P. Wright, Esq.
Pan Am Railways
1700 Iron Horse Park
North Billerica, Massachusetts 01862

Re: Proposed Abandonment and Discontinuance of Service

Dear Mr. Wright:

Thank you for your letter of August 14, 2006 concerning the proposed abandonment and discontinuance of service with respect to a segment of track known as the Wakefield Junction Industrial Track and located in Wakefield, Lynnfield, Peabody and Danvers. The Town of Wakefield strongly supports this effort, as it is the predicate to a long-anticipated "rail-to-trail" program.

Please feel free to call me any time.

Sincerely,

Thomas A. Mullen

TAM/lom

cc: Mr. Thomas P. Butler
Albert J. Turco, Esq.

c:\Wakefield\WrightLetter9.5.06



PAN AM
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY
BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

RECEIVED

AUG 16 2006

MASS. HIST. COMM.

August 14, 2006

To: Service List

Re: Abandonment and Discontinuance of Service
Over Wakefield Junction Industrial
Docket No. AB 32 (Sub No. 93)
Docket No. AB 355 (Sub No. 26)

Dear Ladies and Gentlemen:

The Boston and Maine Corporation and Springfield Terminal Railway Company hereby give notice of their intention to file a Notice of Exemption with the Surface Transportation Board regarding the abandonment and discontinuance of a segment of the Wakefield Junction Industrial Track railroad line. The segment is approximately 9.69 miles in length and is located in Wakefield, Lynnfield, Peabody, and Danvers, Massachusetts. A map depicting the portion of the line to be abandoned is attached.

In connection with the Notice of Exemption, federal regulations at 49 CFR § 1105.7 and § 1105.8 require that we prepare an Environmental/Historical Report after consulting with and gathering information from your office regarding the anticipated impact of the proposed action on environmental and historical resources. Your input is welcome. Because time is of the essence, however, kindly forward any comments and any relevant information to the undersigned at your earliest convenience, and in any event, no later than two weeks from receipt of this letter.

If you know of no adverse effect that the proposed abandonment and discontinuance of service will have, and/or do not object to the proposed action, please notify the undersigned in writing at the above address. Upon completion, your office will receive a copy of the Environmental/Historical Report for review and comment.

In closing, I would like to thank you in advance for your cooperation. If you have any questions, please do not hesitate to contact me directly.

Sincerely,

Clinton P. Wright
Staff Attorney
Pan Am Railways

(978) 663-1215

After review of the proposed action and the associated
environmental and historical information, the
Department of Transportation has determined that
the proposed action is exempt from the
requirements of the National Historic Preservation Act.

MHC RC. 31771

30 August 2006



Town of
LYNNFIELD

ROBERT P. MACKENDRICK, Chairman
DARLENE E. DRUTMAN, Selectman
ARTHUR J. BOURQUE III, Selectman

WILLIAM J. GUSTUS
Town Administrator

BOARD OF SELECTMEN

August 30, 2006

Clinton P. Wright, Esq.
Pan Am Railways
Springfield Terminal Railway Co.
Boston & Maine Corporation
Main Central Railroad Company
1700 Iron Horse Park
North Billerica MA 01862

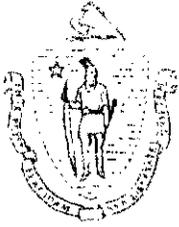
Dear Attorney Wright:

Please be advised, the Town of Lynnfield knows of no adverse effect which the proposed abandonment and discontinuance will have and does not object thereto.

Very truly yours,

William J. Gustus
Town Administrator

File: Bill Gustus.Rail Trans



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

MIT Romney, Governor ♦ Kerry Healey, Lt. Governor ♦ Jane Willis Gumble, Director

August 17, 2006

Mr. Clinton P. Wright, Staff Attorney
Pan Am Railways
Springfield Terminal Railway Company
Boston & Maine Corporation
Main Central Railroad Company
1700 Iron Horse Park
North Billerica, MA 01862

RE: Elimination of State Clearinghouse

Dear Mr. Wright:

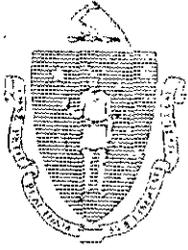
For your information, enclosed please find a copy of a memo dated 1/31/95 and a copy of State Executive Order 375, signed by Governor William Weld regarding the above.

Sincerely,

A handwritten signature in cursive script that reads "Debra M. Jean".

Debra M. Jean
CDBG Data Management Specialist

DJ
Enclosures



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

(617) 727-3500

WILLIAM F. WELD
GOVERNOR

MARCO PAUL CELLUCCI
LIEUTENANT-GOVERNOR

January 20, 1995

Alice Rivlin
Director
Office of Management and Budget
Executive Office of the President
Washington, DC 20503

Dear Director Rivlin:

I am writing to report that the Massachusetts State Clearinghouse's designation as the Single Point of Contact has been terminated, effective November 30, 1994. Pursuant to Executive Order 12372, Intergovernmental Review of Federal Programs, the Commonwealth's clearinghouse review procedure was established to provide a process for the review of proposals for federal funding by state agencies. After careful consideration of the program's costs and benefits, the Weld-Cellucci Administration has decided to discontinue the operation of the Commonwealth's Single Point of Contact.

If you have any questions, please feel free to have a staff member contact Sandra Coakley, Budget Officer, Massachusetts Executive Office of Communities and Development, at (617) 727-7001.

Sincerely,

A handwritten signature in cursive script that reads "William F. Weld".

William F. Weld

EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT



William F. Weld, Governor
Argeo Paul Cellucci, Lt. Governor
Mary L. Padula, Cabinet Secretary

MEMORANDUM

TO: Intergovernmental Review Monitor Recipients and
Others Interested in State Clearinghouse Operations

FROM: Mary L. Padula, Cabinet Secretary
Executive Office of Communities and Development

DATE: January 31, 1995

SUBJECT: Elimination of State Clearinghouse

The Massachusetts State Clearinghouse within the Executive Office of Communities and Development has been eliminated. In signing State Executive Order 375, Governor William Weld revoked State Executive Order 232 which had established the State Clearinghouse as the Single Point of Contact for the Intergovernmental Review of Federal Grant Programs under federal Executive Order 12372.

In conjunction with this action, Governor Weld has also notified the United States Office of Management and Budget that the Commonwealth of Massachusetts will no longer have a formal process for the review by state agencies and regional planning agencies of proposals for federal funding.

The State Clearinghouse was established to provide a process for the coordinated review of proposals for federal funding to ensure their consistency with state policies and objectives. However, after careful examination of its costs and benefits, a decision was made to discontinue the operations of the State Clearinghouse/Single Point of Contact. In doing so, Massachusetts joins nearly 20 other states that no longer conduct reviews of federal proposals which are covered under Executive Order 12372.

The Executive Office of Communities and Development is notifying all state and regional government review agencies of this decision by the Weld-Cellucci Administration. EOCD is also alerting federal government agencies and organizations which frequently apply for federal funding in an attempt to ensure as smooth a termination of this process as possible.

NOTICE TO FEDERAL GRANT APPLICANTS:

EFFECTIVE IMMEDIATELY, PROPOSALS FOR FEDERAL FUNDING SHOULD NOT BE SENT TO THE STATE CLEARINGHOUSE/SINGLE POINT OF CONTACT. THERE WILL NO LONGER BE A REVIEW BY MASSACHUSETTS STATE GOVERNMENT AND REGIONAL PLANNING AGENCIES OF PROPOSALS FOR FEDERAL FUNDING UNDER E.O. 12372. THE GRANT APPLICANT SHOULD INDICATE ON THE FEDERAL GRANT APPLICATION COVER SHEET (FORM 424) THAT THE PROGRAM HAS NOT BEEN SELECTED FOR REVIEW.



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

(617) 727-3600

SECRETARY OF STATE
REGULATIONS DIVISION
94 NOV -3 PM 2:27

WILLIAM F. WELD
GOVERNOR

ARGEO PAUL CELLUCCI
LIEUTENANT-GOVERNOR

BY HIS EXCELLENCY
WILLIAM F. WELD
GOVERNOR

EXECUTIVE ORDER NO. 375
(Revoeking Executive Order 232)

WHEREAS, a process for coordinated state and local government review of proposed federal financial assistance and direct federal development was created by Executive Order 232 pursuant to federal Executive Order 12372; and

WHEREAS, Executive Order 232 established a State Clearinghouse for the review of all proposals for federal programs covered by Executive Order 12372; and

WHEREAS, the process established in Executive Order 232 has not resulted in enhanced intergovernmental review of proposals for federal programs and is elective under the terms of Executive Order 12372;

NOW, THEREFORE, I, William F. Weld, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as the Supreme Executive Magistrate, do hereby revoke Executive Order No. 232 effective November 30, 1994.

Given at the Executive Chamber in Boston this 2^d day of November one thousand nine hundred and ninety-four.

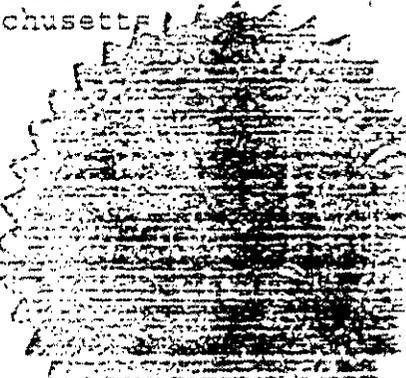
William F. Weld

William F. Weld, Governor
Commonwealth of Massachusetts

Michael Joseph Connolly

Michael Joseph Connolly
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS



Environmental/Historical Report Service List
Wakefield Junction Industrial Track - AB 32 (Sub No. 93N), AB 355 (Sub No. 26)

Debra Jean, CDBG
Financial Assistant
Dept. of Housing and
Community Development
100 Cambridge St., Suite 300
Boston, MA 02114

Richard Chalpin
Regional Director
Commonwealth of MA
Dept. of Environmental Protection
Northeast Regional Office
205B Lowell St.
Wilmington, MA 01887

Truman Henson
Commonwealth of MA
Executive Office of Environmental Affairs
Coastal Zone Management Program
251 Causeway St., Suite 800
Boston, MA 02114-2138

Thomas Butler
Town Administrator
Town of Wakefield
1 Lafayette St.
Wakefield, MA 01880

William Gustus
Town Administrator
Town of Lynnfield
Town Hall
55 Summer St.
Lynnfield, MA 01940

Hon. Michael Bonfanti
Mayor, City of Peabody
Peabody City Hall
24 Lowell St.
Peabody, MA 01960

Wayne P. Marquis
Town Manager
1 Sylvan St.
Danvers, MA 01923

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

Michael Amaral
Endangered Species Specialist
New England Office
U.S. Dept. of Interior
Fish & Wildlife Service
70 Commercial St. - Suite 300
Concord, NH 03301-5087

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

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

Dan Lenthall
District Conservationist
USDA - NRCS
319 Littleton Rd. - Suite 205
Westford, MA 01886-4133

Edward J. McKay, Chief
Spatial Reference System Division
National Geodetic Survey
NOAA, N/NGS2
1315 East-West Highway
Silver Spring, MD 20910-3293

Ann M. Lattinville
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Blvd.
Boston, MA 02125

sh/1/16
Please
remove
from
list

EXHIBIT "D"

**CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R. 1105.11 AND 1105.7(b)**

In accordance with 49 C.F.R. § 1105.7(b), I hereby certify that on January 19, 2006 a copy of the Environmental/Historical Report was served upon the parties listed below, by first class mail, postage prepaid:

Debra Jean, CDBG
Financial Assistant
Dept. of Housing and
Community Development
100 Cambridge St., Suite 300
Boston, MA 02114

Richard Chalpin
Regional Director
Commonwealth of MA
Dept. of Environmental Protection
Northeast Regional Office
205B Lowell St.
Wilmington, MA 01887

Truman Henson
Commonwealth of MA
Executive Office of Environmental Affairs
Coastal Zone Management Program
251 Causeway St., Suite 800
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Thomas Butler
Town Administrator
Town of Wakefield
1 Lafayette St.
Wakefield, MA 01880

William Gustus
Town Administrator
Town of Lynnfield
Town Hall
55 Summer St.
Lynnfield, MA 01940

Hon. Michael Bonfanti
Mayor, City of Peabody
Peabody City Hall
24 Lowell St.
Peabody, MA 01960

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

Michael Amaral
Endangered Species Specialist
New England Office
U.S. Dept. of Interior
Fish & Wildlife Service
70 Commercial St. – Suite 300
Concord, NH 03301-5087

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

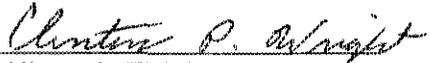
Regional Director
Northeast Region
National Park Service
U.S. Customs House
200 Chestnut St., 5th Floor
Philadelphia, PA 19106

Dan Lenthall
District Conservationist
USDA - NRCS
319 Littleton Rd. – Suite 205
Westford, MA 01886-4133

Edward J. McKay, Chief
Spatial Reference System Division
National Geodetic Survey
NOAA, N/NGS2
1315 East-West Highway
Silver Spring, MD 20910-3293

Wayne P. Marquis
Town Manager
1 Sylvan St.
Danvers, MA 01923

Ann M. Lattinville
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Blvd.
Boston, MA 02125


Clinton P. Wright
Staff Attorney
Boston & Maine Corporation
Springfield Terminal Railway Company
1700 Iron Horse Park
North Billerica, MA 01862

Dated: February 8, 2007

EXHIBIT "E"

Ad Number 1PCT0040
Client:
ID: discontinue rail service
Classification: LEGAL NOTICES
Size: 2x50
Begin Date: 01/30/2007
End Date: 01/30/2007

/BOSTON AND MAINE CORPORATI
IRON HORSE PARK
NORTH BILLERICA, MA 01862

To place an ad, please call : 617-929-1500 or email to: classified@globe.com

The Boston Globe

CERTIFIED

Below is your advertisement from THE BOSTON GLOBE, beginning 01/30/2007 and ending 01/30/2007, appearing 1 time(s) in the Classification, LEGAL NOTICES.

Thank you!
Boston Globe Advertising

NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

The Boston and Maine Corporation and the Springfield Terminal Railway Company give notice that on or about February 2, 2007, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption under 49 C.F.R. 1152 Subpart F - Exempt Abandonments permitting the abandonment and discontinuance of service over approximately 9.59 miles of railroad track known as the Waterfield Junction Industrial Trunk located between milepost 9.38 and milepost 19.07 of the Line. The Line is located in Essex and Middlesex Counties, Massachusetts and traverses through United States Postal Service zip codes 01860, 01940, 01960, and 01923. The proceeding will be docketed as MB 52 45ub 401 93121 and MB 535 15ub 243.

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) 543-1545.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use corridors, or rail banking/trails use also can be filed with the Board. An original and ten (10) copies of any pleading that raises matters other than environmental issues (such as trail use, public use and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1225 K Street, N.W., Washington, DC 20033 (See 49 C.F.R. 1104.1(a) and 1104.3(a)), and one copy must be served on applicants' representative (See 49 C.F.R. 1104.13(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (202) 545-1544. Copies of any comments or requests for conditions should be served on:

Clinton F. Wright
Staff Attorney
Boston & Maine Corporation
Springfield Terminal Railway Company
1700 Iron Horse Park
North Billerica, MA 01862

TO GLOBE NEWSPAPER CO., INC.

For Advertising in the *BOSTON GLOBE*

Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862

LEGAL NOTICE

NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

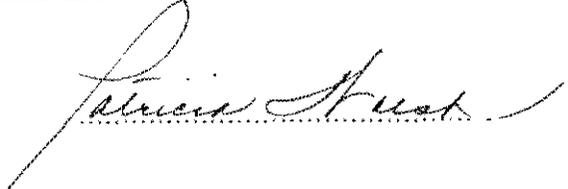
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The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 22 days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be not 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) 565-1544.

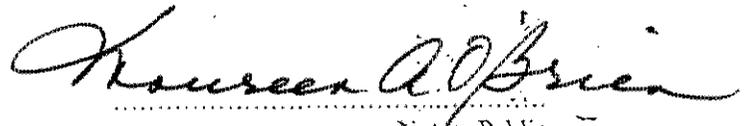
Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking plans also can be filed with the Board. An original and ten (10) copies of any pleading that raises matters other than environmental issues (such as rail use, public use, and offers of financial assistance) must be filed directly with this Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423 (See 49 C.F.R. 1104.101 and 1104.301), and one copy must be served on applicants' representative (See 49 C.F.R. 1104.12(a)). Questions regarding offers of financial assistance, public use or track use may be directed to the Board's Office of Congressional and Public Services at (202) 565-1554. Copies of any comments or requests for conditions should be served on:

Clinton P. Wright
SEA Attorney
Boston & Maine Corporation
Springfield Terminal Railway Company
1700 Iron Horse Park
North Billerica, MA 01862

I, *Patricia Walsh*, hereby certify that I am *Classified Sales Representative* of the *Globe Newspaper Co.*, publishers of the *Boston Globe*; that the above advertisement has been inserted in said newspaper 1x Time, Tuesday, January 30, 2007 and that it is charged at the usual rates.


Boston, Mass, January 30, 2007

Personally appeared before me and made oath that the above statement subscribed to by him is true.....
Suffolk ss.


Notary Public.
My Commission Expires
March 7, 2008

