

242427  
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# PAN AM RAILWAYS

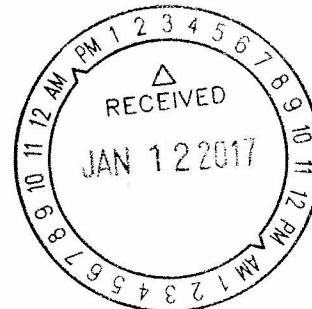
IRON HORSE PARK  
NO. BILLERICA, MA 01862

ENTERED  
Office of Proceedings  
January 12, 2017  
Part of  
Public Record

**LEGAL DEPARTMENT**  
**(978) 663-1215**

January 10, 2017

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



**Re: STB Docket No. AB-32 (Sub No. 107X) and AB-355 (Sub No. 43X) –  
Boston and Maine Corporation & Springfield Terminal Railway  
Company – Abandonment and Discontinuance of Service –  
Northern Railroad Main Line – [MP 74.32 to MP B-80.68] – New  
Hampshire Merrimack County -Verified Notice of Exemption**

Dear Ms. Brown:

Enclosed for filing with the Board in the subject docket is an original and ten (10) copies of Boston and Maine Corporation's and Springfield Terminal Railway Company's Verified Notice of Exemption for abandonment and discontinuance of service over the Northern Railroad Main Line. Also enclosed is a check totaling \$8,000 for the filing fees.

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

Very truly yours,

Robert B. Burns, Esq.  
Boston and Maine Corporation  
Springfield Terminal Railway Company

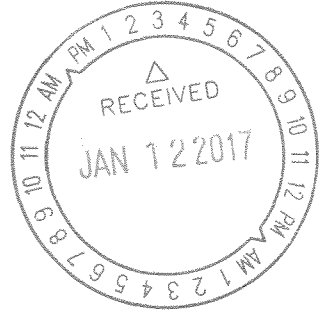
Encl.

FILED  
January 12, 2017  
SURFACE  
TRANSPORTATION BOARD

FEE RECEIVED  
January 12, 2017  
SURFACE  
TRANSPORTATION BOARD

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NOS.:  
AB 32 (Sub No. 107X)  
AB 355 (Sub No. 43X)

BOSTON & MAINE CORPORATION  
SPRINGFIELD TERMINAL RAILWAY COMPANY  
--ABANDONMENT AND DISCONTINUANCE OF SERVICE--  
NORTHERN MAINE LINE OF NORTHERN RAILROAD, MERRIMACK COUNTY,  
NEW HAMPSHIRE

---

VERIFIED NOTICE OF EXEMPTION

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

Counsel for:  
BOSTON AND MAINE CORPORATION  
SPRINGFIELD TERMINAL  
RAILWAY COMPANY

Dated: January 10, 2017

BEFORE THE  
SURFACE TRANSPORTATION BOARD

DOCKET NOS.:  
AB 32 (Sub No. 107X)  
AB 355 (Sub No. 43X)

BOSTON & MAINE CORPORATION  
SPRINGFIELD TERMINAL RAILWAY COMPANY  
-ABANDONMENT AND DISCONTINUANCE OF SERVICE-  
NORTHERN MAINE LINE OF NORTHERN RAILROAD, MERRIMACK COUNTY,  
NEW HAMPSHIRE

VERIFIED NOTICE OF EXEMPTION

Boston & Maine Corporation and Springfield Terminal Railway Company (collectively the "B&M" or "Applicants") files this Verified Notice of Exemption pursuant to the Board's regulations at 49 C.F.R. §1152.50. This Notice of Exemption seeks to abandon and discontinue service by Applicants over a line of railroad known as the Northern Main Line of the Northern Railroad and which traverses through Concord, NH and Boscowen, NH a distance of 6.36 miles +/-, in Merrimack County, New Hampshire, extending from milepost 74.32 to milepost 80.68 (the "Line"). In accordance with the aforementioned regulations, B&M make the following responses:

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

1. Proposed Consummation Date.

The proposed consummation date of this abandonment and discontinuance is on or about March 20, 2017.

2. Certification Required in Section 1152.50(b).

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

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

- (a) General.

- (1) Exact name of applicant(s).

Boston & Maine Corporation (B&M)

Springfield Terminal Railway Company (ST)

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

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

- (3) Relief sought.

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 representative of applicant to whom correspondence should be sent.

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

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

Zip Code(s): 03301 (Concord, NH)  
03303 (Boscowen, NH)

- (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.

B&M is unsure about the suitability of the Line for public non-rail purposes. As of the

effective date of this abandonment, B&M's intent is to salvage the rail material and the real property may be sold off to the State of New Hampshire or other interested parties.

4. The Level of Labor Protection

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

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

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

6. Environmental Report and Historical Report.

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

7. Newspaper Notice.

The Newspaper Notice required by 49 C.F.R. 1105.12 was published on November 2, 2016, in the Concord Monitor. An affidavit/certification from this newspaper is attached as **Exhibit C**.

8. Verification.

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

Respectfully submitted,



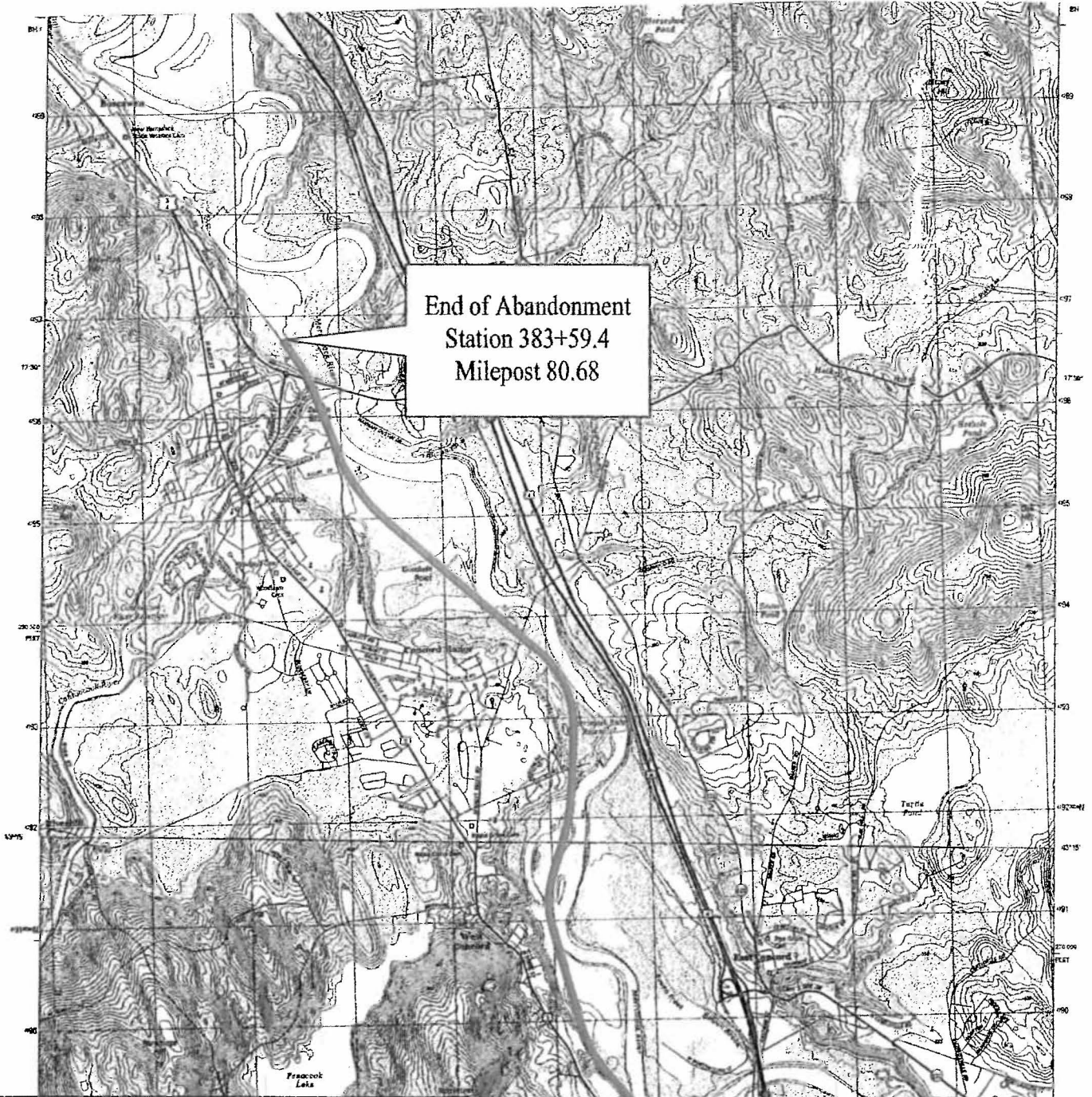
Robert B. Burns, Esq.  
Law Department  
Boston & Maine Corporation  
Springfield Terminal Railway Company  
Iron Horse Park  
North Billerica, MA 01862

Attorney for:  
Boston and Maine Corporation  
Springfield Terminal Railway Company

Dated: January 10, 2017

Attachments: Exhibit A -- Map  
Exhibit B -- Certificate of Compliance with 49 C.F.R. §1152.50(b)  
Exhibit C -- Certificate of Compliance with 49 C.F.R. §1152.50(d)(1) and  
§1105.7, §1105.8, §1105.9 and §1105.11.  
Exhibit D -- Environmental/Historical Report [w/ Appendix]  
Exhibit E -- Verification

# **EXHIBIT A**

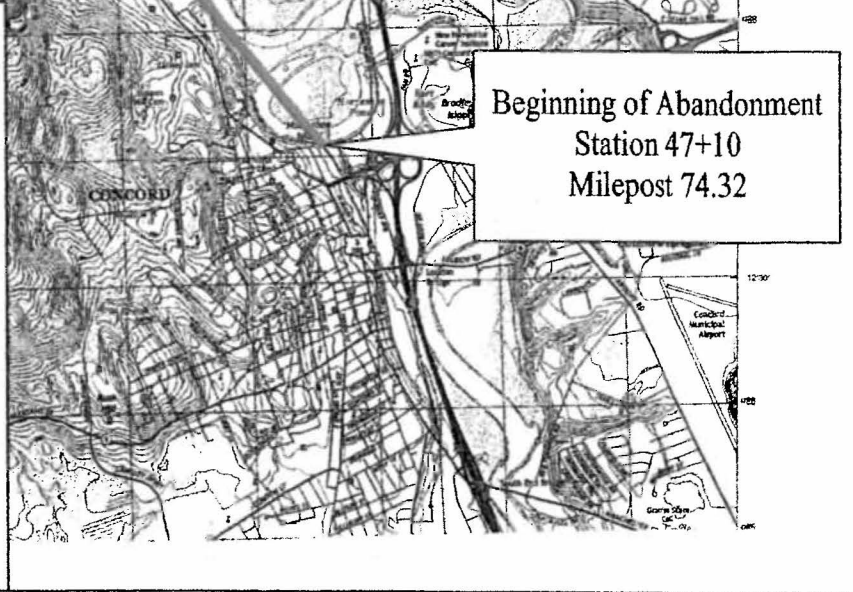


## Boston & Maine Corporation

Office of the Vice President - Engineering  
Proposed Abandonment & Discontinuance of  
Service between M.P. 74.32 and M.P. 80.68  
Northern Main Line  
Concord & Boscowen, NH  
Valuation Section 32.1, Maps 1-8

May 2, 2016 Scale: 1"=5,000'  
Contour Interval = 20'

Beginning of Abandonment  
Station 47+10  
Milepost 74.32

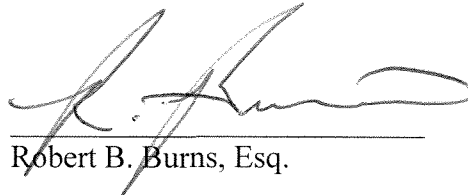




**EXHIBIT B**

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

In accordance with 49 C.F.R. Section 1152.50(b), I hereby certify that, with respect to the line, which is the subject of the Notice of Exemption in Docket No. AB 32 (Sub No. 107X) and AB 355 (Sub No. 43X) and: (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 & Maine Corporation and Springfield Terminal Railway Company by the undersigned after due and careful investigation of the matters herein certified and based on the best knowledge, information and belief of the undersigned.

  
Robert B. Burns, Esq.

Dated: January 10, 2017

**CERTIFICATE OF COMPLIANCE WITH  
NOTICE REQUIREMENTS OF  
49 C.F.R. §1152.50(d)(1)  
AND  
49 C.F.R. §1105.11  
AND  
49 C.F.R. §1105.9  
AND  
49 C.F.R. 1105.8 and 1105.7**


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

(A) On September 9, 2016, at least 10 days prior to the date of filing of the Notice of Exemption to which this certificate is attached, I caused to be served by U.S. first class mail, postage pre-paid, the notice required by 49 C.F.R. Section 1152.50(d)(1), upon the following: (i) the Public Service Commission (or equivalent agency) in the State(s) where the line will be abandoned or the service of trackage rights discontinued; (ii) Department of Defense (Military Traffic Management Command Transportation Engineering Agency, Railroads for National Defense Program); (iii) National Park Service, Recreation Resources Division; and (iv) U.S. Dept. of Agriculture, Chief of Forest Service.

(B) On September 2, 2016, I complied with all the requirements of the provisions of 49 C.F.R. §1105.7 and §1105.8, §1105.9 and §1105.11 as set-forth therein, including but not limited to, by serving (at least 20 days prior to filing the Notice of Exemption) a copy of the Environmental/Historical Report upon the parties listed in §1105.7(b), and/or the appropriate State Historic Preservation Officer(s), as required by §1105.11, via First Class Mail, postage prepaid. Pursuant to 1105.9, I hereby certify that actual notice was given to the State coastal zone manager at least 40 days before the effective date of the proposed action.

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

Dated: January 10, 2017

  
\_\_\_\_\_  
Robert B. Burns

# CONCORD MONITOR

One Monitor Drive, PO Box 1177, Concord, NH 03302-1177  
P: 603-224-5301

STATE OF NEW HAMPSHIRE  
County of Merrimack, SS

I, **CATHY A VALLEY** of the MONITOR PUBLISHING COMPANY, INC., hereby certify that the following advertisement(s) were published in the Concord Monitor, a daily newspaper in Concord, in said county and state, viz-in-the issue(s) of:

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Notice of intent to Abandon and to Discontinue Rail Service

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Published November 2, 2016

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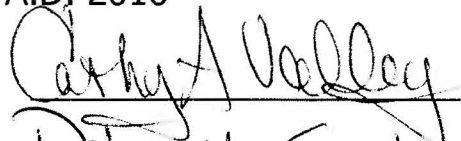
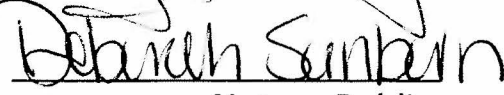
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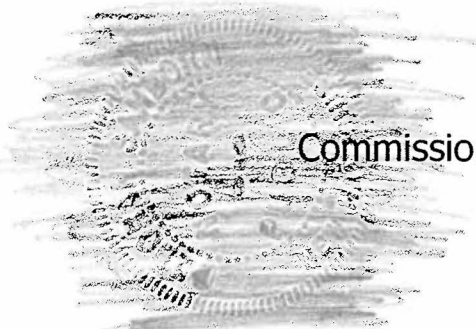
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Subscribed and sworn 2nd day of November A.D. 2016

  
  
Notary Public



Commission Expires \_\_\_\_\_

**DEBORAH SANBORN**  
Notary Public - New Hampshire  
My Commission Expires December 23, 2019

ent:

**UN AM RAILWAYS**

ount # 1107028 Ad # 791065

one: (978) 663-1024

c: (978) 663-1213

es Rep.:

**GA CATHY VALLEY**

one: (603) 369-3210

c: (603) 228-8238

ail: cathy@cmonitor.com

ss.: C166 LEGALS

quested By:

rt Date: 11/01/2016

d Date: 11/01/2016

of Inserts: 2

lications: CONCORD MONITOR  
MONITOR ONLINE

al Price: \$267.40

ge 1 of 1

**PUBLIC NOTICE**

**Notice of Intent to Abandon and to Discontinue  
Rail Service**

Boston and Maine Corporation and Springfield Terminal Railway Company (collectively "B&M") hereby give notice that on or about November 15, 2016 it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152.50(d)(1) —Exempt Abandonments - permitting the abandonment of and discontinuance of service of a 6.36 mile line of railroad between railroad milepost 74.32 to milepost 80.68, which traverses through United States Postal Service ZIP Codes: 03301, (Concord, NH), and 03303 (Boscowen, NH) in Merrimack County, New Hampshire. The proceeding will be docketed as No. AB 32 (Sub No. 107X) and AB 355 (Sub No. 43X). The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0296.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs and Compliance at (866) 254-1792. Copies of any comments or requests for conditions should be served on the applicant's representative:

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

November

**NORTHERN MAINE LINE of NORTHERN RAILROAD**

**ENVIRONMENTAL/HISTORICAL REPORT**

**Docket Nos. AB 32 (Sub No, 107X) and AB 355 (Sub No. 43X)**

**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 Springfield Terminal Railway Company (the “Applicants”) propose to abandon and discontinue service over an approximate 6.63 mile portion of the so-called “Northern Main Line” of the Northern 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. Applicants ONLY wish to salvage existing track and ties to relocate to another line.

(2) **Transportation System**

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

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

(3) **Land Use**<sup>1</sup>

- (i) The Applicants believe that the proposed action is consistent with and in furtherance of local land use plans.
- (ii) The Applicants believe the proposed action will have no effect or adverse impact on any prime agricultural land.
- (iii) This action is not located within the boundary of the New Hampshire coastal zone. Actual notice of the proposed action has been provided to the State coastal zone agency.
- (iv) Applicants are unsure whether the right-of-way is suitable for alternative public use under 49 U.S.C. 10906.

(4) **Energy**

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

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<sup>1</sup> 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.

(5) **Air**

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

**Noise**

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

(7) **Safety**

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

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

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

(8) **Biological Resources**

(i) Applicants know of no endangered or threatened species or critical habitats that will be affected by the proposed action. The Applicants previously requested comments from the U.S. Fish and Wildlife Service in this regard. The Service has not responded to Applicants that a federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service is known in the project area(s).”

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

(9) **Water**

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

(ii) The Applicant does not believe the proposed action will require any

permits under § 404 of the Clean Water Act. Salvage operations are expected to be undertaken. There are no indications of environmental contamination. No designated wetlands or 100-year flood plains will be affected by the proposed action.

(iii) It is not expected that permits under § 402 of the Clean Water Act will be required for the proposed action. However, salvage operations will be undertaken.

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

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

The portion of Line at issue is approximately six (6.36) miles in length. The width of the right-of-way varies from 66+/- feet to 186+/- feet in width. The majority being approximately 82.5+/- feet. The attached topographic map indicates the Line's topography.

(3) **Photographs of Railroad Structures**

The Applicants have attached photos of structures on the Line that are fifty (50) years old or older or that are eligible to be listed in the National Register of Historic Places. The Applicants have requested comments from the New



Hampshire Historic Preservation Officer in regard to the anticipated effect of the proposed action on historical resources. The New Hampshire Division of Historical Resources (“NHDHR”) has responded by letter stating, “... the railroad bed and berm and features such as mile markers and whistle posts referenced ... in addition to the culverts and bridges ... are character defining features of the historic line.” The NHDHR also asserts that the branch was eligible for listing in the National Register for its historical and engineering significance in 1999 and again in 2014. Applicants have conducted both a field survey and a records review at the Historical Commission and have attached photos and records indicating those results. The abandoned line will likely be sold off to municipalities and/or the State of New Hampshire. Applicants are agreeable to include in the documents of any sale, a statement of significance for the National Register-eligible Line including the following language: “Any future undertaking shall enter into consultation with the Division [i.e. SHPO] and concerned towns in order to identify possible adverse effects to the line, if changes to the line are proposed.” Based on the above condition, NHDHR has rendered the undertaking as a “No Adverse Effect” pursuant to 36 CFR Part 800.5.

(4) **Construction Dates**

The Applicants know of two (2) railroad bridges on the Line that are 50 years or older or that are listed in the National Register of Historic Places. Bridge located at MP 80.06 was constructed circa 1918, and Bridge located at MP 80.23 was constructed circa 1920. Both bridges will not be removed.

(5) **History of Operations**

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

(6) **Summary of Useful Documents**

The Applicants has attempted to provide those records that are pertinent to the sites or structures relevant to the stretch of the Line being abandoned and are 50 years or older or that are eligible to be listed on the National Register of Historic Places.

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

The Applicants have requested comments from the New Hampshire Historic Preservation Officer in regard to the anticipated effect of the proposed action (salvage of track ONLY) on historical resources. The New Hampshire Division of Historical Resources (“NHDHR”) has responded by letter stating, “... the railroad bed and berm and features such as mile markers and whistle posts referenced ... in addition to the culverts and bridges ... are character defining features of the historic line.” The NHDHR also asserts that the branch was eligible for listing in the National Register on 1999 and again in 2014 for its historical and engineering significance. Applicants are agreeable to include in the documents of any sale, a statement of significance for the National Register-eligible Line including the following language: “Any future undertaking shall enter into consultation with the Division [i.e. SHPO] and concerned towns in order to identify possible adverse effects to the line, if changes to the line are proposed.” Based on the above condition, NHDHR has rendered the undertaking as a “No Adverse Effect” pursuant to 36 CFR Part 800.5.

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


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

**III. CERTIFICATE OF SERVICE**

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

\*\*\*\*\* *SEE ATTACHED BELOW* \*\*\*\*\*

Dated this 10 day of January, 2017.

  
\_\_\_\_\_  
Robert B. Burns, Esq.

**Environmental/Historical Report Service List**  
**Northern Railroad Maine Line – AB 32- Sub No. 107X**  
**and AB 355 - Sub No. 43X**

Office of Energy and Planning  
4 Chenell Drive  
Concord, NH 03301-8501

Administrator – Office of Commissioner  
NH Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095

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

Merrimack County Commissioners  
333 Daniel Webster Hwy  
Boscawen, NH 03303

Mayor's Office  
124 East Side Drive  
Concord, NH 03301

Board of Selectmen  
116 North Main Street  
Boscawen, NH 03303

State Historic Preservation Officer  
New Hampshire Division of Historical  
Resources  
19 Pillsbury Street  
Concord, NH 03302-2043

NHCP Coastal Program  
22 International Drive  
Suite 175  
Portsmouth, NH 03801

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

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

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

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

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

Rick Ellsmore, Conservationist  
Federal Bldg.  
2 Madbury Road  
Durham, NH 03824-2043

Simon Monroe, Geodetic Tech  
Geodetic Services Division  
National Geodetic Survey  
NOAA, N/NGS2  
1315 East-West Highway  
Silver Spring, MD 20910-3293

End of Abandonment  
Station 383+59.4  
Milepost 80.68

## Boston & Maine Corporation

Office of the Vice President - Engineering  
Proposed Abandonment & Discontinuance of  
Service between M.P. 74.32 and M.P. 80.68

Northern Main Line  
Concord & Boscowen, NH  
Valuation Section 32.1, Maps 1-8

May 2, 2016 Scale: 1"=5,000'  
Contour Interval = 20'

Beginning of Abandonment  
Station 47+10  
Milepost 74.32



APPENDIX TO  
ENVIRONMENTAL/HISTORICAL REPORT



## NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

State of New Hampshire, Department of Cultural Resources  
19 Pillsbury Street, Concord, NH 03301-3570  
[www.nh.gov/nhdhr](http://www.nh.gov/nhdhr)

603-271-3483  
FAX 603-271-3433  
[preservation@dcr.nh.gov](mailto:preservation@dcr.nh.gov)

August 5, 2016

Mr. Robert Burns  
Legal Department  
Pan Am Railways  
Iron Horse Park  
North Billerica, MA 01862  
978-663-1215

Re: Abandonment and Discontinuance of a section of the Northern Railroad  
Dkt. No. AB 32 (Sub-No. 107X) and AB 355 (Sub-No. 43X)

Dear Mr. Burns:

The Division of Historical Resources (Division) is in receipt of a revised Environmental/Historic Report continuing consultation regarding the abovementioned project.

Confirmed eligible for the National Register of Historic Places in 2014, the Northern Railroad features numerous character-defining elements in this section proposed for abandonment, such as bed and berm, mile markers, whistle posts, bridges, and culverts. No elements will be removed from the resource except track and ties during the abandonment undertaking. Boston & Maine's (B&M) intent is to convey title of the abandoned railroad property to municipalities or the State of New Hampshire. Included in the record of abandonment and sale documents will be a Statement of Significance for the National Register-eligible Northern Railroad and the language, "Any future undertakings shall enter into consultation with the Division and concerned Towns in order to identify possible adverse effects to the line, if changes to the line are proposed."

With the inclusion of the above, the Division views this undertaking as a "*No Adverse Effect*," pursuant to 36 CFR Part 800.5, on any properties or districts that are listed in or may be eligible for the National Register, or on properties of known or potential architectural, historical, archaeological or cultural significance.

Sincerely,

Elizabeth H. Muzzey, Director  
State Historic Preservation Officer  
New Hampshire Division of Historical Resources



**Burns, Robert**

---

**From:** Simon Monroe <simon.monroe@noaa.gov>  
**Sent:** Wednesday, May 11, 2016 4:53 PM  
**To:** Burns, Robert  
**Cc:** sea@stb.dot.gov; Dan.Martin@noaa.gov; Lucy.Hall@noaa.gov;  
simon.monroe@noaa.gov  
**Subject:** NGS Response, STB Docket AB-32 (SUB NO. 107X) & AB 355 (SUB No. 043X)

Thank you for sharing your railroad abandonment environmental report for  
CONCORD, Merrimack County, NEW HAMPSHIRE.

Approximately 04 geodetic survey marks may be located in the area described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall  
consult with the National Geodetic Survey (NGS) at least 90 days prior to  
beginning salvage activities that will disturb, or destroy any geodetic station  
marks are described on the attached file. Additional advice is provided at

<http://geodesy.noaa.gov/marks/railroads/>

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|----|-----|----|-----| - -|-----|-----|-----|-----|-----|
|...|OC0812|1933|CGS...|. 2|88/ADJUSTED|N431719.86...|W0713528.80...|B...|G|E 9
|...|OC0813|1927|RBNF...|. 2|88/ADJUSTED|N431709.....|W0713519.....|D...|N|FWL
|...|OC0814|1933|CGS...|. 2|88/ADJUSTED|N431548.81...|W0713337.47...|D...|G|F 9
|...|OC0815|1933|CGS...|. 2|88/ADJUSTED|N431408.....|W0713334.....|D...|G|G 9
```




**EXHIBIT E**

VERIFICATION

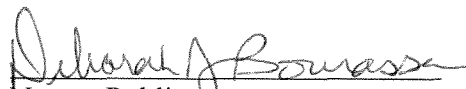
**Commonwealth of Massachusetts )**  
**)**  
**Middlesex County )**

I, Robert B. Burns, being duly sworn, states that he is an Attorney for the Boston & Maine Corporation and Springfield Terminal Railway Company; that he is authorized to verify and file with the Surface Transportation Board the foregoing Notice of Exemption in Docket No. 32 (Sub No. 107X) and AB 355 (Sub No. 43X) on behalf of the Boston & Maine Corporation and Springfield Terminal Railway Company; that he has carefully 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.


  
Robert B. Burns

***COMMONWEALTH OF MASSACHUSETTS***

Subscribed and sworn to before me, a Notary Public in and for the Commonwealth of Massachusetts, Middlesex County, on this 29<sup>th</sup> day of December, 2016.

  
Notary Public

My Commission Expires: 2/3/2017

 **DEBORAH J. BOURASSA**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
February 3, 2017