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October 28, 2022
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VIA E-FILING

October 28, 2022

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

**Re: Pioneer Valley Railroad Company, Inc. – Abandonment Exemption – In the
Town of Southamptn, Hampshire County, Massachusetts,
Surface Transportation Board Docket No – AB 531 (Sub-No. 3X).**

Dear Ms. Brown:

Enclosed for filing in the above referenced docket number is a Verified Notice of Exemption filed on behalf of Pioneer Valley Railroad Company, Inc. to abandon a line of railroad. The filing fee of \$4,600.00 has been paid *via* pay.gov.

If there are any questions regarding this filing, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael S. Schneider'.

Michael S. Schneider
*Counsel for Pioneer Valley
Railroad Company, Inc.*

Enclosures **FILED**
October 28, 2022
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
October 28, 2022
SURFACE
TRANSPORTATION BOARD

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. AB 531 (Sub-No. 3X)

**PIONEER VALLEY RAILROAD COMPANY, INC. – ABANDONMENT EXEMPTION –
IN HAMPSHIRE COUNTY, MA**

VERIFIED NOTICE OF EXEMPTION

Michael S. Schneider
Doherty, Wallace, Pillsbury,
& Murphy, P.C
One Monarch Place
1414 Main Street, Floor 19
Springfield, MA 01144
mschneider@dwpm.com

*Counsel for Pioneer Valley Railroad
Company, Inc.*

Dated: October 28, 2022

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. AB 531 (Sub-No. 3X)

**PIONEER VALLEY RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN HAMPSHIRE COUNTY, MA**

NOTICE OF EXEMPTION

Pioneer Valley Railroad Company, Inc. ("PVRR"), is filing this Notice of Exemption under the Board's class exemption procedures at 49 C.F.R. § 1152.50, seeking exemption authority for its abandonment of the Florence Secondary line of railroad that constitutes all of PVRR's right of way in Southamptton, Massachusetts and that runs approximately four and one-quarter (4.25) miles from the northern terminus at Coleman Road (approximate milepost 69.70 in PVRR's original track chart) to the southern terminus at Brickyard Road, near its intersection with Valley Road (approximate milepost 73.95 in PVRR's original track chart) in the Town of Southamptton, Hampshire County, Massachusetts (the "Subject Line"). A map of the Subject Line is attached as Exhibit A.

The Subject Line has been out of service for far longer than two years, so no change in operations will occur as a result of the abandonment. Following the abandonment, PVRR plans

to transfer the Subject Line to the Town of Southamptn, Massachusetts, to be railbanked for public use pursuant to the National Trail Systems Act, 16 U.S.C. § 1247(d).

This Notice of Exemption is being filed pursuant to the requirements of 49 CFR §1152.50 regarding exemptions for out of service rail lines. In accordance with such requirements, PVRR hereby provides the following information in support of its request for an abandonment exemption:

- 1) The exact name of the Applicant is Pioneer Valley Railroad Company, Inc.
- 2) PVRR is a common carrier by railroad subject to the STB's jurisdiction under 49 USC Subtitle IV, Chapter 105.
- 3) The relief sought by PVRR is an exemption for abandonment of the line of railroad that constitutes all of PVRR's right of way in Southamptn, Massachusetts and that runs approximately four and one-quarter (4.25) miles from the northern terminus at Coleman Road to the southern terminus at Brickyard Road, near its intersection with Valley Road in the Town of Southamptn, Hampshire County, Massachusetts.
- 4) A map of the Subject Line is attached hereto as Exhibit A.
- 5) The representative of PVRR to whom correspondence should be sent is Michael S. Schneider at Doherty, Wallace, Pillsbury, & Murphy, P.C., 1414 Main Street, Springfield, MA 01144, 413-733-3111 x 316, mschneider@dwpm.com.
- 6) The Subject Line traverses through the United States Postal Service ZIP Code of 01073.
- 7) PVRR acknowledges that the Subject Line may be useful for further public use:

PVRR intends to transfer the Subject Line to the Town of Southamptn,

Massachusetts, to be railbanked for public use pursuant to the National Trail Systems Act, 16 U.S.C. § 1247(d).

- 8) The proposed abandonment of such line by PVRR shall not be consummated until at least 50 days after the filing of this Verified Notice of Exemption.
- 9) PVRR certifies that:
 - a. No local traffic has moved over the Subject Line for over two years. There is no overhead traffic on the Subject Line.
 - b. No formal complaint by a user of rail service on the Subject Line, or a state or local government entity acting on behalf of such user, regarding cessation of service over the Subject Line either is pending with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two-year period.
- 10) Although no employees of PVRR will be affected by the proposed abandonment, PVRR recognizes that its abandonment of the Subject Line will be made subject to the standard employee protective conditions as set forth in *Oregon Short Line Railroad, Co. – Abandonment – Goshen*, 360 I.C.C. 91 (1979).
- 11) PVRR has filed an Environmental and Historical Report, attached as Exhibit B, with the Board, and served the agencies listed in 49 CFR §1105.7(b) and the Massachusetts Historical Commission, on October 7, 2022, more than twenty days prior to this filing.
- 12) Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152(d)(1) and 1105.11 are attached as Exhibit C.

For the reasons set forth above, the Board should find that PVRR's proposed abandonment satisfies the exemption requirements of 49 CFR 1152.50 and should issue the appropriate notice.

Respectfully Submitted,



Michael S. Schneider
Doherty, Wallace, Pillsbury, & Murphy
Monarch Place
1414 Main Street, Floor 19
Springfield, MA 01144
mschneider@dwpm.com

Doherty Wallace Pillsbury & Murphy P.C.

COMBINED VERIFICATION AND CERTIFICATION

I hereby verify and certify on behalf of Pioneer Valley Railroad Company, Inc., under the penalties of perjury, that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Combined Verification and Certification.

Executed on October 28, 2022

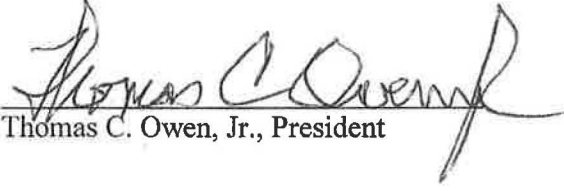

Thomas C. Owen, Jr., President

EXHIBIT A

MAP OF SUBJECT LINE
(SEE BELOW.)¹

¹ Please note that the enclosed map has also been used for PVRR's Combined Environmental and Historic Report and note the approximate location of certain railroad structures on the Subject Line.



LEGEND

- Culvert
- ▲ Bridge
- Parcel Boundary
- - - Town Boundary

Tighe & Bond
Engineers | Environmental Specialists

Based on MassGIS Aerial Orthophotography (2013)
Perkins (2013) downloaded from MassGIS and are approximate

1 in = 1,000 ft 1:12,000
0 500 1,000
Feet

**FIGURE 1
SITE OVERVIEW**

Southamptown Greenway Trail
Existing Conditions Review of Bridges and Culverts
Southamptown Greenway Committee
Southamptown, MA 01073

September 2017

EXHIBIT B

**ENVIRONMENTAL AND HISTORICAL
REPORT (SEE BELOW.)**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT ("CEHR")
(49 C.F.R. 1105.7 and 1105.8)

Docket No. AB 531 (Sub-No. 3X)

**PIONEER VALLEY RAILROAD COMPANY, INC.—ABANDONMENT EXEMPTION—
IN THE TOWN OF SOUTHAMPTON, HAMPSHIRE COUNTY, MA**

Originally Dated: October 7, 2022

Updated: October 28, 2022

Pioneer Valley Railroad Company, Inc. ("PVRR") submits this Combined Environmental and Historic Report in accordance with 49 C.F.R. §§ 1105.7 and 1105.8. PVRR has fulfilled the requirements of §§ 1105.7 and 1105.8 by consulting with the specified and appropriate public agencies by sending letters requesting comments on the effect of this proposed abandonment on the environment and on matters of historic preservation. Copies of the letters and all responses received to date by PVRR are attached to this Report in Exhibit 2B. Any responses received in the future will be promptly furnished to the Board.

ENVIRONMENTAL REPORT

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: PVRR proposes to abandon an out-of-service line of railroad known as the Florence Secondary that constitutes all of PVRR's right of way in Southampton, Massachusetts and that runs approximately four and one-quarter (4.25) miles from the northern terminus at Coleman Road (approximate milepost 69.70 in PVRR's original track chart) to the southern terminus at Brickyard Road, near its intersection with Valley Road (approximate milepost 73.95 in PVRR's

original track chart) in the Town of Southamptton, Hampshire County, Massachusetts (the "Line").

As the Line has been out of service for more than two years, no commodities are transported on the Line, and no changes in current operations or maintenance practices will result from the proposed abandonment.

PVRR does not intend to salvage the Line. The only structures on the Line are two bridges and eleven culverts of unknown age. Following abandonment, PVRR will convey the Line to the Town of Southamptton to be converted into a "rail trail" as commonly known pursuant to the National Trail Systems Act, 16 U.S.C. § 1247.

PVRR is not aware of any other reasonable alternative to the proposed abandonment.

A map of the proposed abandonment is attached as Exhibit 1.

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: The proposed abandonment will not have any effects on regional or local transportation systems and patterns because the Line has been out of service for more than two years. There is no freight or passenger traffic on the Line to be diverted to other transportation systems or modes as a result of the proposed abandonment.

3. Land Use. (i) Based on consultation with local and/or regional planning agencies and/or a 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. (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9. (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. 10905 and explain why.

Response:

(i) PVRR is unaware of any inconsistencies between the proposed abandonment and existing land use plans. PVRR consulted with the Town of Southampton as well as the Pioneer Valley Planning Commission on this matter by letters dated October 7, 2022, requesting comments and included a copy of the preliminary CEHR¹. (See Exhibit 2A.) No comments have been received to date. (See Exhibit 2B.)

(ii) PVRR does not believe the proposed abandonment will have any effect on any prime agricultural land that will be affected. PVRR consulted with the United States Department of Agriculture Natural Resources Conservation Service ("USDA NCRS") (the agency succeeding to the responsibilities of the Soil Conservation Service) on this matter by letter dated October 7, 2022, requesting comments and included a copy of the preliminary CEHR. (See Exhibit 2A.) No comments have been received to date.

(iii) PVRR does not believe the proposed abandonment would have any effect on a designated coastal zone. In an abundance of caution, however, PVRR mailed a copy of the preliminary CEHR to the Massachusetts Office of Coastal Zone Management ("MOCZM") on October 7, 2022, for its information and to provide MOCZM an opportunity to comment. (See Exhibit 2A.) No comments have been received to date.

(iv) PVRR does not believe the Line is suitable for any alternative public use, other than conveying it to the Town of Southampton for use as a "rail 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

¹ Please note that in the Commonwealth of Massachusetts county government - to the extent it remains in existence - does not have any land use planning role.

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 data and methodology used to arrive at the figure given.

Response: The Line is out of service and has not handled any local or overhead traffic for over two years. Therefore, the proposed abandonment will have no effect on the transportation of energy resources or recyclable commodities, will not result in any change in overall energy efficiency, and will not cause any diversion from rail to motor carriage.

5. **Air.** (i) If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10502) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply. (ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, (B) an increase in rail yard activity of at least 20 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10502), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply. (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response. Because the Line has been out of service for more than two years and has handled no traffic within that period, the proposed abandonment will have no impact on rail

traffic, rail yard activity, or motor carrier traffic. In addition, the abandonment would not affect the air quality or the transportation of ozone depleting materials.

6. Noise. If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more; or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

Response: This assessment inapplicable to the proposed abandonment because the thresholds identified in item 49 C.F.R. § 1105.7(5)(i) have not been surpassed.

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

- (i) Because the Line is out of service, the proposed action would have no effect on public health and safety.
- (ii) No hazardous materials would be transported as a result of the proposed abandonment.
- (iii) PVRR is unaware of any known hazardous waste sites or sites where there have been known materials spills on 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. (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

Response:

(i) PVRR does not believe that the proposed abandonment is likely to adversely affect endangered or threatened species or areas designated as a critical habitat. PVRR consulted the U.S. Fish and Wildlife Service ("USF&W") on this matter by letter dated October 7, 2022, requesting comments and included a copy of the preliminary CEHR. (See Exhibit 2A.) No comments have been received to date.

(ii) PVRR does not believe the proposed abandonment would affect any wildlife sanctuaries or refuges, National or State parks or forests. Conrail consulted with the National Parks Service on this matter by letter dated October 7, 2022, requesting comments and included a copy of the preliminary CEHR. (See Exhibit 2A.) No comments have been received to date.

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

Response:

(i) PVRR is aware of no inconsistency of the proposed abandonment with Federal, State, or local water quality standards. PVRR consulted with the Massachusetts Department of Environmental Protection ("MADEP") and the United States Environmental Protection Agency ("USEPA") on this matter by letters dated October 7, 2022, requesting comments and included a copy of the preliminary CEHR. (See Exhibit 2A.) No comments have been received to date.

(ii) PVRR believes no permits under section 404 of the Clean Water Act would be required for the proposed abandonment and that no designated wetlands or 100-year flood plains would be affected by the proposed abandonment. PVRR consulted with the U.S. Army Corps of Engineers on this matter by letter dated October 7, 2022, requesting comments and included a copy of the preliminary CEHR. (See Exhibit 2A.) No comments have been received to date. As indicated above, however, PVRR does not plan to engage in any salvage activities.

(iii) PVRR believes that no permits under section 402 of the Clean Water Act would be required for the proposed abandonment. PVRR consulted with MADEP and the USEPA on this matter by letters dated October 7, 2022, requesting comments and included a copy of the preliminary CEHR. (See Exhibit 2A.) No comments have been received to date.

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

Response: PVRR does not expect any adverse environmental impact from the proposed abandonment and, therefore, believes there is no need for any mitigating actions.

HISTORIC REPORT

Proposed Action and Alternatives

Pioneer Valley Railroad company, Inc. ("PVRR") proposes to abandon an out-of-service line of railroad known as the Florence Secondary that constitutes all of PVRR's right of way in Southamptton, Massachusetts and that runs approximately four and one-quarter (4.25) miles from the northern terminus at Coleman Road (approximate milepost 69.70 in PVRR's original track chart) to the southern terminus at Brickyard Road, near its intersection with Valley Road (approximate milepost 73.95 in PVRR's original track chart) in the Town of Southamptton, Hampshire County, Massachusetts (the "Line"). The Line runs only through the U.S. Postal Zip Code 01073.

As the Line has been out of service for more than two years, no commodities are transported on the Line, and no changes in current operations or maintenance practices will result from the proposed abandonment.

PVRR does not intend to salvage the Line. The only structures on the Line are two bridges and eleven culverts of unknown age. Following abandonment, PVRR will convey the Line to the Town of Southamptton to be converted into a "rail trail" as commonly known pursuant to the National Trail Systems Act, 16 U.S.C. § 1247.

PVRR is not aware of any other reasonable alternative to the proposed abandonment. A map of the proposed abandonment is attached as Exhibit 1.

Additional Information

1. A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the

locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.

Response: Relevant topographic maps are attached as Exhibit 3 and were furnished to the Massachusetts Historical Commission along with the preliminary CEHR.

2. A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area.

Response: The Line's right-of-way is approximately fifty (50') feet wide and 4.25 miles long. The Line runs from the northern terminus at Coleman Road to the southern terminus at Brickyard Road, near its intersection with Valley Road in the Town of Southamptton, Hampshire County, Massachusetts. The surrounding area is rural and has a relatively flat, forested topography; it crosses the Manhan River Valley twice.

3. Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area.

Response: There are two bridges and eleven culverts located on the Line. PVRR has no knowledge of their age, but digital photographs of each are attached hereto as Exhibit 4.

4. The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.

Response: PVRR has no information regarding the age of the two bridges and eleven culverts located on the Line.

5. A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.

Response: The Line was originally run by Hampshire and Hampden Railroad. In the 1920s the Line ceased carrying passengers, but it continued to carry freight. The

Line was conveyed by Consolidated Rail Corporation to PVRR on June 30, 1982.

PVRR used the Line to carry freight until the 1990s, when it ceased operations on the Line.

The Line is out of service and has handled no traffic within the past two years.

Consequently, no change in operations is contemplated as a result of the proposed abandonment.

6. A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.

Response: PVRR possesses valuation maps of the Line; however, it has no other documents regarding the Line or its structures.

7. An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);

Response: Based on readily available information in PVRR's possession, PVRR believes that the Line is not unusual or noteworthy for inclusion on the National Register of Historic Places, although the Line does run through the Southampton Center Historic District, which is listed on the National Register of Historic Places. PVRR does not believe that there are any archeological resources or other previously unknown historic properties in the project area.

PVRR has consulted with the Massachusetts Historical Commission on this matter by letter dated October 7, 2022, requesting assistance to determine whether there are any

archeological resources or any other previously unknown historic properties in the project area, and included a copy of the preliminary CEHR. (See Exhibit 2A.) No comments have been received to date.

8. A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

Response: Based on readily available information in its possession, PVRR is unaware of any prior subsurface ground disturbance or fill or environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources.

9. Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified non-railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (*i.e.*, prehistoric or native American).

Response: PVRR does not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment. If any additional information is requested, however, PVRR will promptly supply the necessary information.

ENVIRONMENTAL REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB 531 (Sub-No. 3X) was mailed via first class mail on October 7, 2022 to the following parties:

(1) The State Clearinghouse of each State involved (or other State equivalent agency if the State has no clearinghouse;	Massachusetts Health Promotion Clearinghouse 2 Boylston, 4 th Floor Boston, MA 02116
(2) The State Environmental Protection Agency of each State involved;	Massachusetts Department of Environmental Protection, Western Regional Office 436 Dwight Street Springfield, MA 01103
(3) The State Coastal Zone Management Agency for any state where the proposed activity would affect land or water uses within that State's coastal zone;	Massachusetts Office of Coastal Zone Management 251 Causeway Street; Suite 1900 Boston, MA 02114-2138
(4) The head of each county (or comparable political entity including any Indian reservations) through which the lines goes;	Select Board 210 College Highway, Suite 7 Southampton, MA 01073
(5) the appropriate regional offices of the Environmental Protection Agency;	U.S. EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912
(6) The US Fish and Wildlife Service;	U.S. Fish and Wildlife Service 1849 C Street, NW Washington, DC 20240
(7) The US Army Corp of Engineers	U.S. Army Corp of Engineers New England District 696 Virginia Road Concord, MA 01742
(8) The National Park Service;	National Park Service Gay Vietzke, Regional Director 1234 Market Street Philadelphia, PA 19107

(9) The National Resources Conservation Service;	National Resources Conservation Service United States Department of Agriculture 195 Russell Street, Suite B6 Hadley, MA 01035
(10) The National Geodetic Survey (formerly known as the Coast and Geodetic Survey) as designated agent for the National Geodetic Survey and the US Geological Survey; and	Communications and Outreach Branch, NOAA, N/NGS12 National Geodetic Survey, SSMC3 #8716 1315 East-West Highway Silver Spring, MD 20910-3282
(11) Any other agencies that have been consulted in preparing the report.	Pioneer Valley Planning Commission 60 Congress Street, First Floor Springfield, MA 01104

Michael S. Schneider
Counsel for Pioneer Valley Railroad
Company, Inc.

HISTORIC REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB 531 (Sub-No. 3X) was mailed via first class mail on October 7, 2022 to the following party:

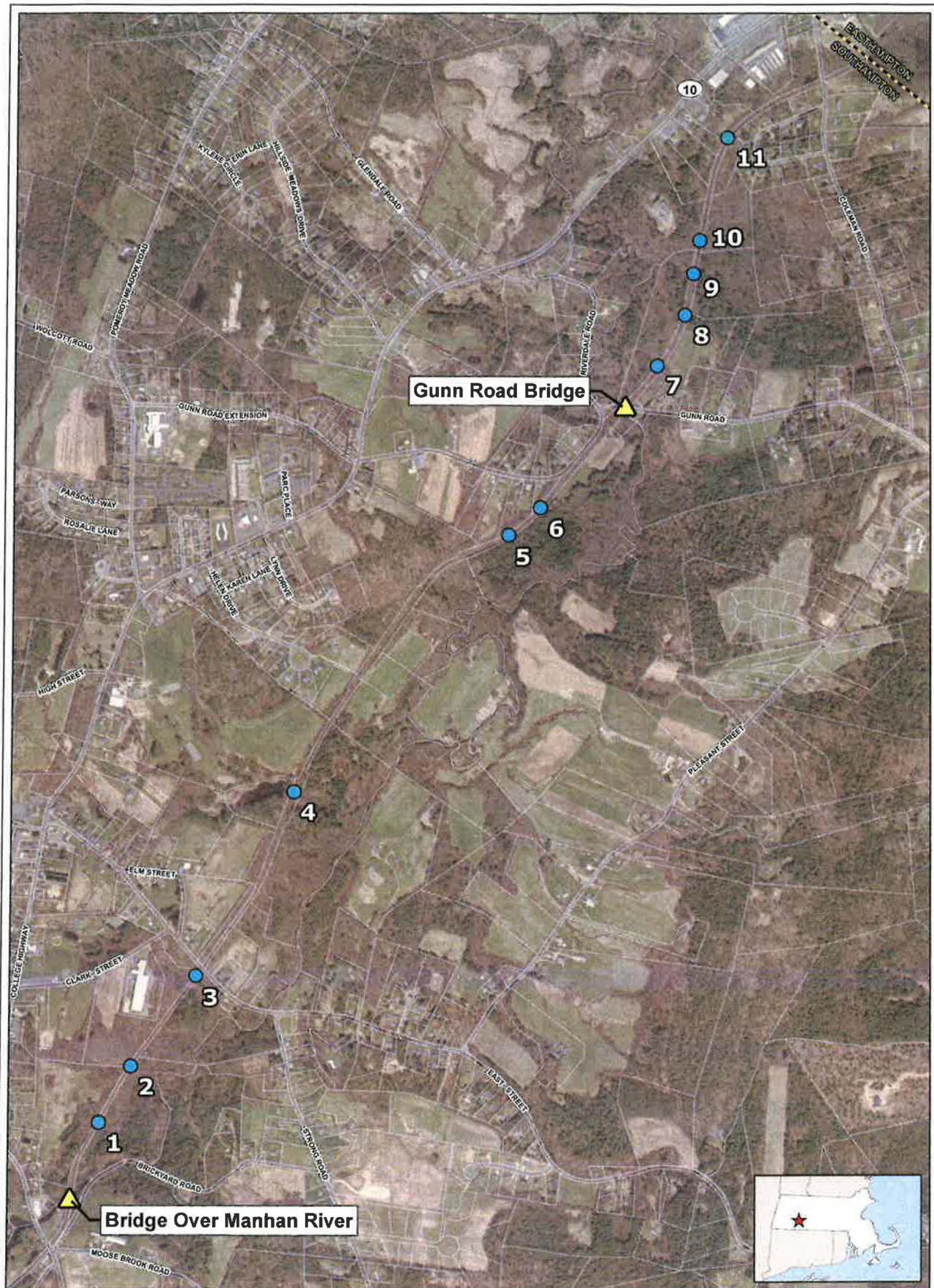
Massachusetts Historical Commission
Ms. Brona Simon, State Historic Preservation Officer
220 Morrissey Boulevard
Boston, MA 02125



Michael S. Schneider
Counsel for Pioneer Valley Railroad
Company, Inc.

EXHIBIT 1
(Below.)

Please note that the attached Site Overview also indicates the approximate locations of those railroad structures photographed and attached herein as Exhibit 4.



LEGEND

- Culvert
- ▲ Bridge
- Parcel Boundary
- Town Boundary

Tighe & Bond
Engineers | Environmental Specialists

Based on MassGIS Color Orthophotography (2013).
Permits (2015) downloaded from MassGIS and are approximate.

1 in = 1,000 ft 1:12,000
0 500 1,000
Feet

FIGURE 1 SITE OVERVIEW

Southampton Greenway Trail
Existing Conditions Review of Bridges and Culverts
Southampton Greenway Committee
Southampton, MA 01073

September 2017

EXHIBIT 2A
(Below.)



Doherty Wallace Pillsbury & Murphy P.C.

October 7, 2022

By First-Class Mail

All agencies and Officials on the Attached Service List

**Re: Pioneer Valley Railroad Company, Inc.—Abandonment Exemption—In
Southampton, Hampshire County, MA, STB Docket No. AB 531 (Sub-No. 3X)**

To Whom It May Concern:

Pioneer Valley Railroad Company, Inc. (“PVRR”) plans to request authority from the Surface Transportation Board (“STB”) to abandon an out-of-service line of railroad known as the Florence Secondary that constitutes all of PVRR’s right of way in Southampton, Massachusetts and that runs approximately four and one-quarter (4.25) miles from the northern terminus at Coleman Road (approximate milepost 69.70 in PVRR’s original track chart) to the southern terminus at Brickyard Road (approximate milepost 73.95 in PVRR’s original track chart), near its intersection with Valley Road in the Town of Southampton, Hampshire County, Massachusetts (the “Line”). The Line runs only through U.S. Postal Zip Code 01073. A map showing the Line is enclosed in the preliminary Combined Environmental and Historic Report (“CEHR”).

In advance of preparing a final environmental report as required by STB regulations, PVRR is consulting with appropriate government agencies and officials to identify concerns they may have regarding environmental effects of the proposed abandonment. To assist in the process, PVRR has prepared a preliminary CEHR report which is enclosed. We would appreciate your comments on the portions of the preliminary report within the area of your authority.

In addition, we are specifically requesting the assistance of officials and agencies in identifying certain types of potential effects of the proposed action as indicated below:

LOCAL AND/OR REGIONAL PLANNING AGENCIES: State whether the proposed action is consistent with existing land use plans. Please describe any inconsistencies.

**U.S. DEPARTMENT OF AGRICULTURAL NATURAL RESOURCES
CONSERVATION SERVICE:** State the effects of the proposed on any prime agricultural land.

Michael S. Schneider Direct (413) 233 9516 mschneider@dwpm.com

One Monarch Place, Suite 1900 • Springfield, MA 01144-1900 • T 413-733-3111 • F 413-734-3910 • dwpm.com

Doherty Wallace Pillsbury & Murphy P.C.

October 7, 2022

Page 2

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.

NATIONAL PARKS SERVICE: State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe the effects.

STATE WATER QUALITY OFFICIALS: State whether the proposed action is consistent with applicable Federal, State, or Local water quality standards. Please describe any inconsistencies.

U.S. ARMY CORPS OF ENGINEERS: State (1) whether permits under Section 404 of the Clean Water Act are required for the proposed action, and (2) whether any designated wetlands or 100-year flood plans will be affected. Please describe any effects.

U.S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION AGENCY (OR EQUIVALENT AGENCY): (1) identify the location of hazardous waste and known hazardous material spills on the right of way and list the types of hazardous materials involved, and (2) state whether permits under Section 402 of the Clean Water Act are required for the proposed action.

We would appreciate your response by email to mschneider@dwpm.com or by first-class mail to the above address, within 20 days of the date of this letter, so PVRR can include and analyze your comments in the environmental report it will submit to the STB.

If you have any questions about PVRR's proposal or if you need assistance in this matter, please call me at 413-233-9516.

Thank you for your consideration.

Sincerely,



Michael S. Schneider
Counsel for Pioneer Valley Railroad
Company, Inc.

Enclosures
CC:

Katharine Klein, Esq., via email w/ enclosures

Doherty Wallace Pillsbury & Murphy P.C.

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Page 3

Tom Owen, President, via email w/ enclosures

James Plasse, CFO, via email w/ enclosures

David Pederson, General Manager, via email w/ enclosures

Service List:

Massachusetts Health Promotion Clearinghouse
2 Boylston, 4th Floor
Boston, MA 02116

Massachusetts Department of Environmental Protection
Western Regional Office
436 Dwight Street
Springfield, MA 01103

Massachusetts Office of Coastal Zone Management
251 Causeway Street; Suite 1900
Boston, MA 02114-2138

Select Board
210 College Highway, Suite 7
Southampton, MA 01073

U.S. EPA New England
5 Post Office Square, Suite 100
Boston, MA 02109-3912

U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

U.S. Army Corp of Engineers
New England District
696 Virginia Road
Concord, MA 01742

National Park Service
Gay Vietzke, Regional Director
1234 Market Street
Philadelphia, PA 19107

Doherty Wallace Pillsbury & Murphy P.C.

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National Resources Conservation Service
United States Department of Agriculture
195 Russell Street, Suite B6
Hadley, MA 01035

Communications and Outreach Branch, NOAA, N/NGS12
National Geodetic Survey, SSMC3 #8716
1315 East-West Highway
Silver Spring, MD 20910-3282

Pioneer Valley Planning Commission
60 Congress Street, First Floor
Springfield, MA 01104

Massachusetts Historical Commission
Ms. Brona Simon, State Historic Preservation Officer
220 Morrissey Boulevard
Boston, MA 02125

EXHIBIT 2B

None as of October 28, 2022.

On October 20, 2022 Counsel for PVRR spoke with Kathleen Fournier, Environmental Scientist with the Massachusetts Department of Environmental Protection to clarify that physical work on the Line would be taking place only after abandonment and sale of the Line to the Town of Southamptton, Massachusetts. Ms. Fournier's business telephone number are (617) 877-0375 and (413) 755-2267.

On October 28, 2022 Counsel for PVRR spoke with Deborah Brooks, Communication Specialist with the National Geodetic Survey. Ms. Brooks requested an electronic version of the CEHR. Counsel for PVRR complied with Ms. Brooks request by forwarding a .pdf of PVRR's Verified Notice of Exemption and this CEHR to rrac@noaa.gov on October 28, 2022. Ms. Brooks' business telephone number is (301) 832-1063.

EXHIBIT 3
(Below.)

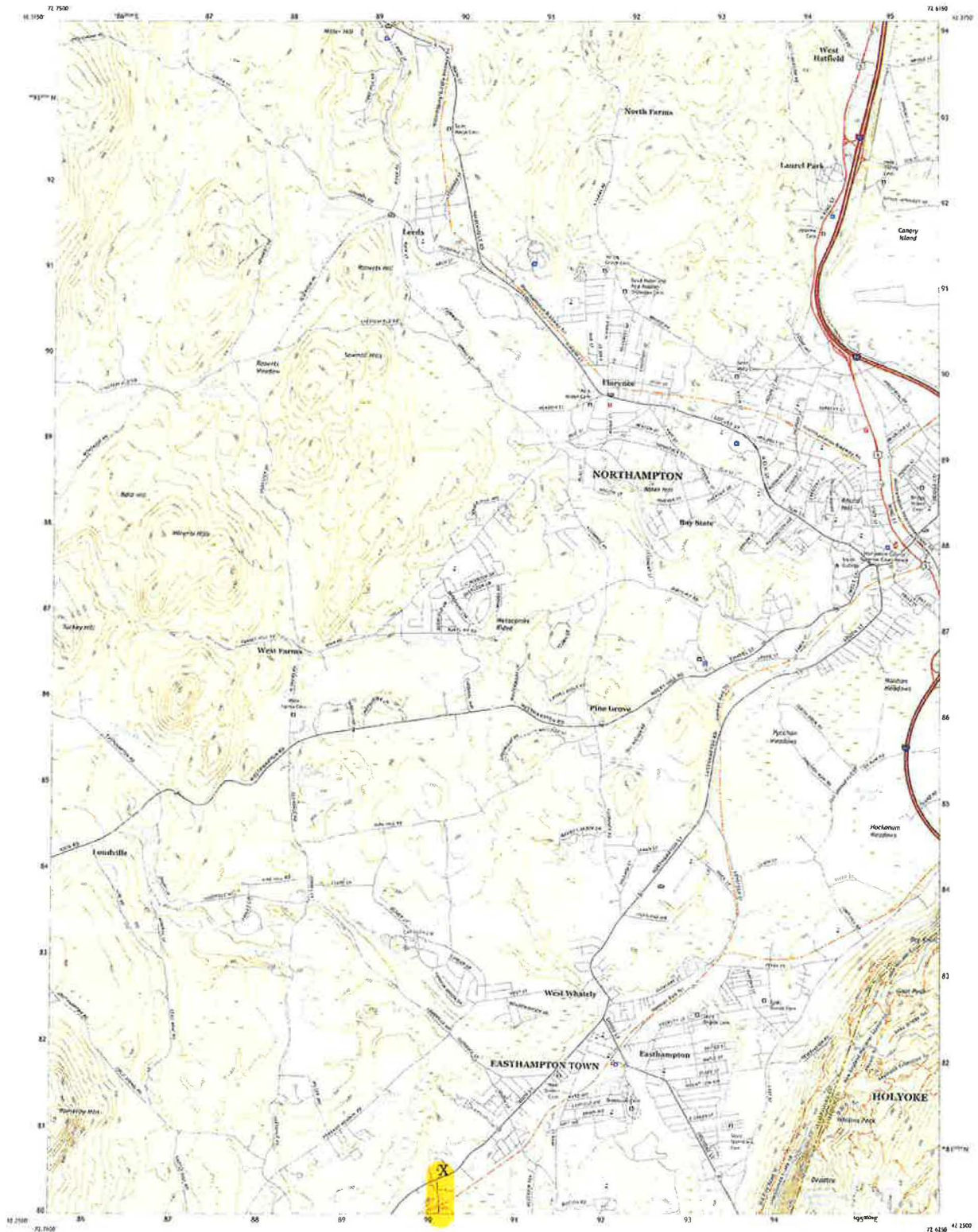
Please note the Line's northern terminus is depicted in the attached 7.5 Minute USGS Easthampton Quadrangle; the Line's southern terminus is depicted in the attached 7.5 Minute USGS Mt. Tom Quadrangle.



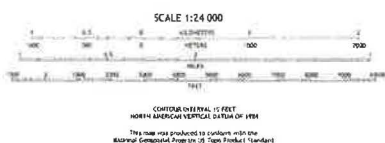
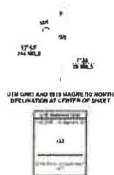
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



EASTHAMPTON QUADRANGLE
MASSACHUSETTS
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
Vertical Datum: National Mean Sea Level (MSSL)
Horizontal Datum: North American Datum of 1983 (NAD83)
This map is a digital reproduction of a paper map.
The map is a digital reproduction of a paper map.
The map is a digital reproduction of a paper map.



EASTHAMPTON, MA
2021

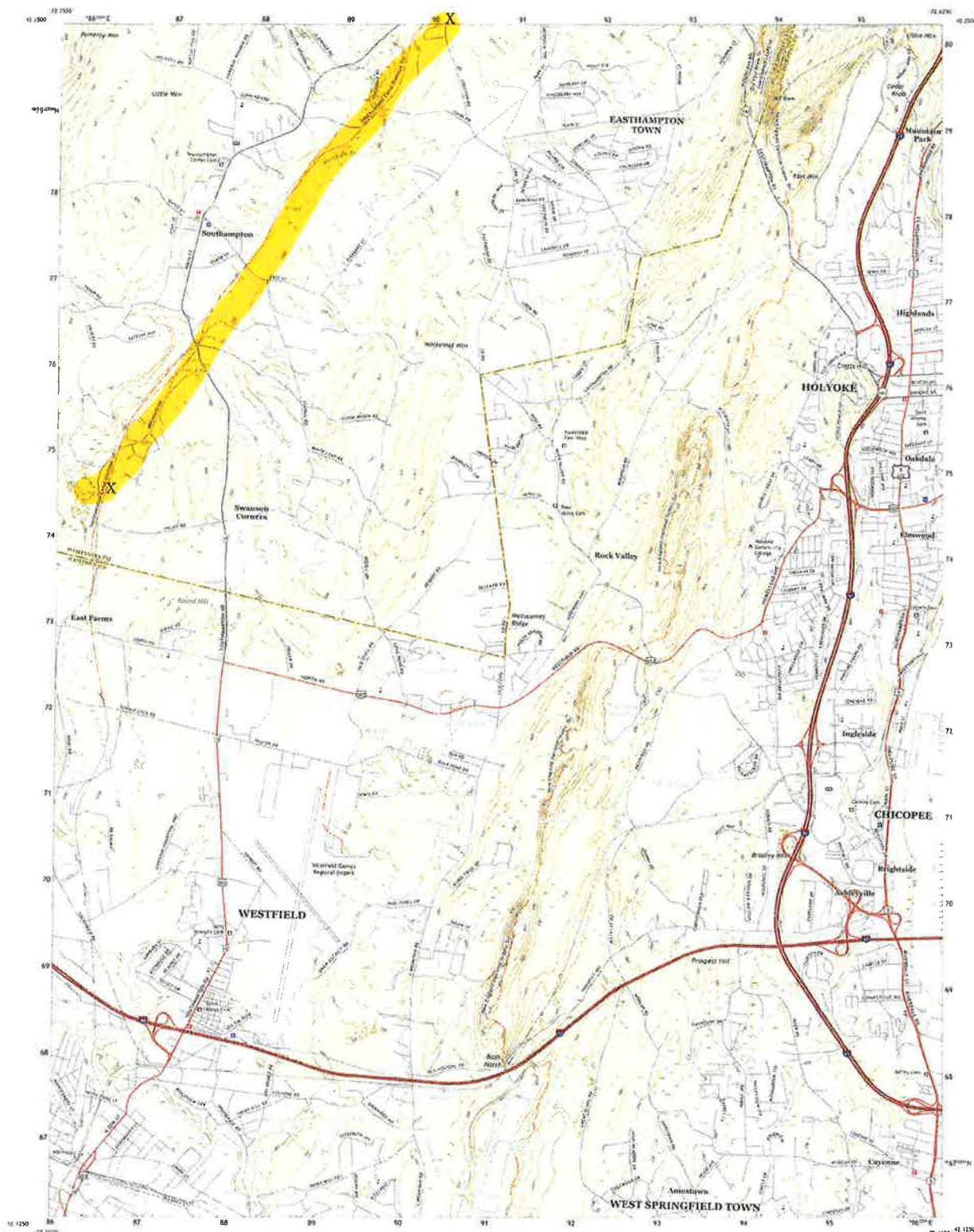




U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

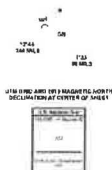


MOUNT TOM QUADRANGLE
MASSACHUSETTS
7.5-MINUTE SERIES



Produced by the United States Geological Survey

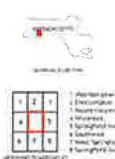
Mount Tom (Quadrangle) (7.5-Minute Series)
This map is a digital reproduction of the original
topographic map. It is not a legal document. It is
intended for informational purposes only. It is
not intended for use in legal proceedings or
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other official business. It is not intended to
be used as a substitute for a legal document.



SCALE 1:24 000



CONTOUR INTERVAL, 10 FEET
NOTE: ALL ELEVATIONS ARE IN FEET
THIS MAP WAS PRODUCED IN CONFORMANCE WITH THE
NATIONAL COASTAL PROGRAM (NCP) TOPOMAP SERIES



ROAD CLASSIFICATION	
Expressway	Local Connector
Arterial	Local Road
Collector	Minor Road
Interstate	State Route

MOUNT TOM, MA
1921



EXHIBIT 4
(Below.)

PHOTOS

Manhan River Bridge



Photo 1: East Elevation of the Manhan River Bridge

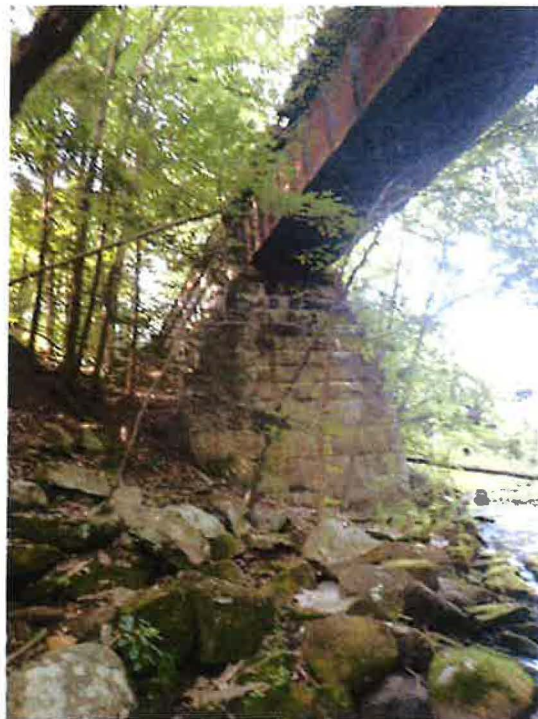


Photo 2: View of the South Abutment



Photo 3: View of the Center Pier



Photo 4: View of the North Abutment



Photo 5: North end of girders, complete section loss of rivet heads



Photo 6: Heavy debris on bearing



Photo 7: Existing timber deck with railroad ties



Photo 8: Undermining of center pier

Bridge over Gunn Road



Photo 9: West Elevation of the bridge over Gunn Road



Photo 10: Rusting and deterioration of the steel stiffeners



Photo 11: Rusting of riveted steel panels above the bridge pier



Photo 12: Cracked bearing on the bridge pier



Photo 13: Cracked bearing on the bridge pier



Photo 14: Tipped anchor bolt on the north abutment

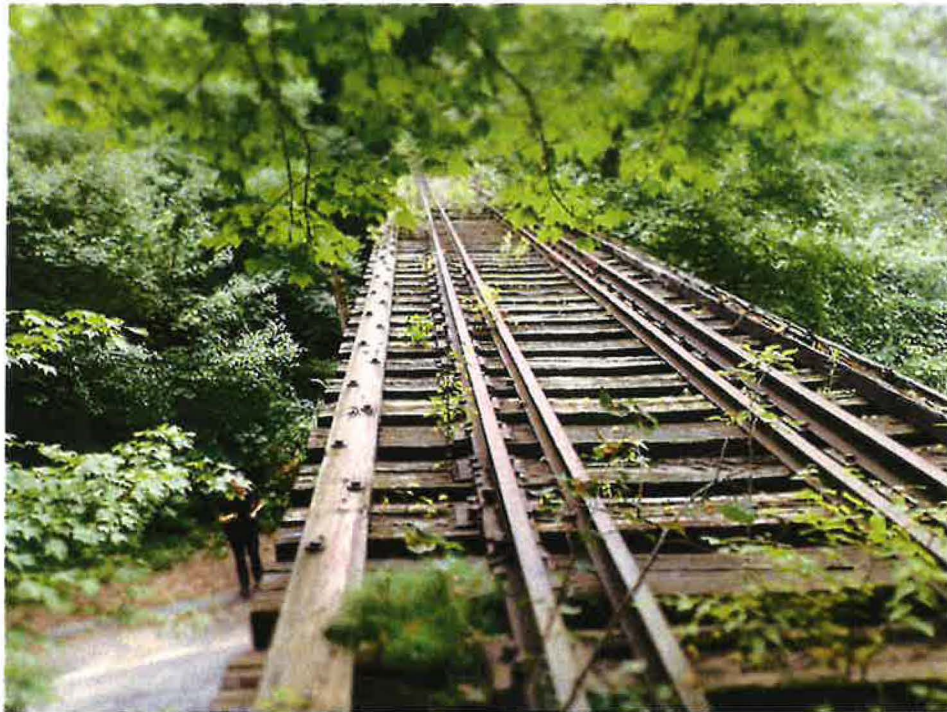


Photo 15: Existing timber deck with railroad ties

Culvert 1



Photo 16: West Elevation



Photo 17: East Elevation showing Collapsed Section



Photo 18: Interior of Culvert 1

Culvert 2



Photo 19: West Elevation



Photo 20: East Elevation



Photo 21: Interior of Culvert 2

Culvert 3



Photo 22: West Elevation Showing Southwest Wingwall Failure



Photo 23: East Elevation



Photo 24: Interior of Culvert 3

Culvert 4



Photo 25: West Side



Photo 26: East Elevation



Photo 27: Interior of Culvert 4

Culvert 5



Photo 28: West elevation



Photo 29: East elevation



Photo 30: Interior of Culvert 5

Culvert 6



Photo 31: West Elevation

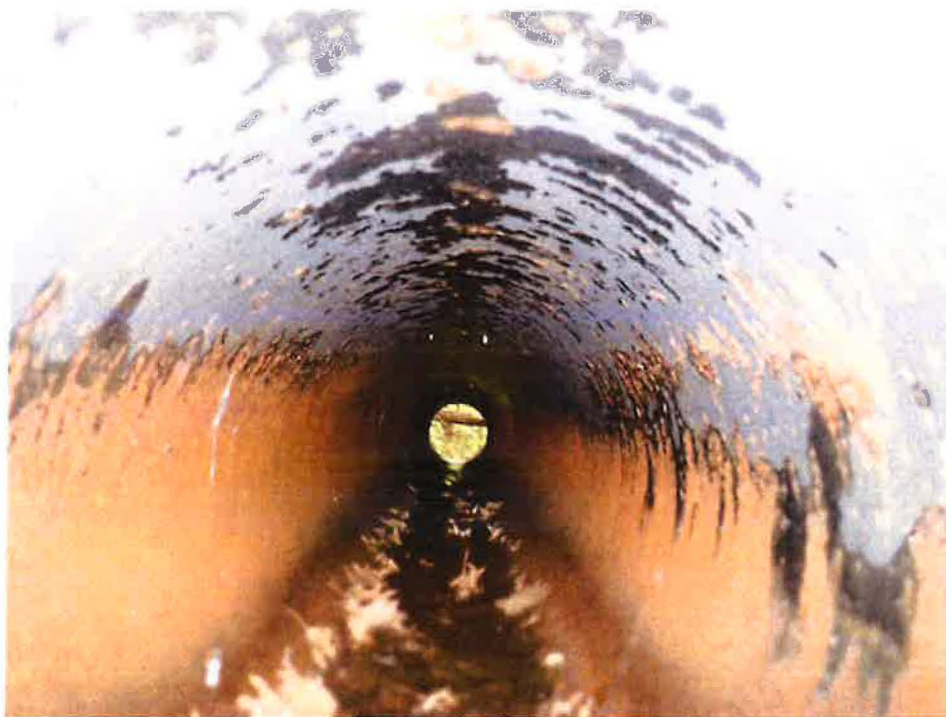


Photo 32: Interior of Culvert 6



Photo 33: East Elevation

Culvert 7



Photo 34: East Elevation



Photo 35: Erosion at East Side



Photo 36: West Elevation



Photo 37: Interior of Culvert 7

Culvert 8



Photo 38: West Elevation



Photo 39: East elevation

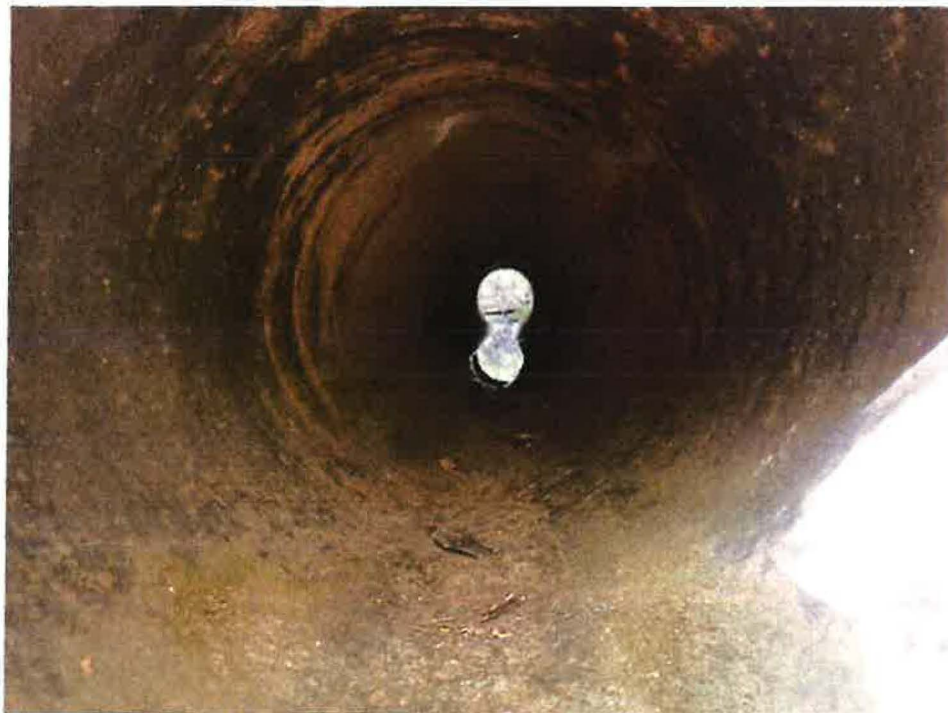


Photo 40: Interior of Culvert 8

Culvert 9



Photo 41: West Elevation



Photo 42: Collapsed Interior



Photo 43: Signs of high water flow



Photo 44: East Elevation



Photo 45: Interior of Culvert 9

Culvert 10



Photo 46: East elevation



Photo 47: West Elevation



Photo 48: Interior of Culvert 10 with Void in Ceiling

Culvert 11



Photo 49: West elevation



Photo 50: East elevation

EXHIBIT C

**CERTIFICATES OF SERVICE AND
PUBLICATION (SEE BELOW.)**

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. §1152.50(d)(1), the undersigned hereby certifies that at least ten days prior to filing this notice of exemption with the Board, notice of the proposed abandonment in Docket No. AB 531 (Sub No. 3X) was served via first class mail on the following:

(i) the Public Service Commission (or equivalent agency) in the state(s) where the line will be abandoned or the service or trackage rights discontinued;	MA Department of Public Utilities Contact Information: Department of Public Utilities 1 South Station, 5 th Floor Boston, MA 02110
(ii)The Department of Defense (Military Surface Deployment and Distribution Command, Transportation Engineering Agency, Railroads for National Defense Program);	Headquarters Military Surface Deployment and Distribution Command Transportation Engineering Agency ATTN: SDTE-SA (Railroads for National Defense Program) 1 Soldier Way, Building 1900W Scott AFB, IL 62225
(iii) The National Park Service, Recreation resources Assistance Division; and	U.S. Department of Interior National Park Service 1849 C Street NW Washington, DC 20240 Kym Hall, Area Director National Park Service 1100 Ohio Drive, SW Washington, DC 20242

	Gay Vietzke, Regional Director * MA is in Region 1 National Park Service 1234 Market Street Philadelphia, PA 19107
	National Park Service, Northeast Regional Office Rivers, Trails and Conservation Assistance Program Helen Mahan 200 Chestnut Street, Third Floor Philadelphia, PA 19106
(iv) The U.S. Department of Agriculture, Chief of the Forest Service	Chief of the Forest U.S. Department of Agriculture 1400 Independence Avenue, SW Washington, DC 20250-0003



Michael S. Schneider
Doherty, Wallace, Pillsbury, & Murphy
Monarch Place
1414 Main Street, Floor 19
Springfield, MA 01144
mschneider@dwpm.com

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that a notice of intent to abandon rail service was published in the form prescribed by the Surface Transportation Board. (Copies are attached hereto as Attachment 1 and Attachment 2.) The notice was published on October 24, 2022 in the Daily Hampshire Gazette, a newspaper of general circulation in Hampshire County, Massachusetts, as required by 49 C.F.R. § 1105.7(c) and .12.



Michael S. Schneider
Doherty, Wallace, Pillsbury, & Murphy
Monarch Place
1414 Main Street, Floor 19
Springfield, MA 01144
mschneider@dwpm.com

354347

Legals

PUBLIC NOTICE

NOTICE OF INTENT TO ABANDON RAIL SERVICE

Pioneer Valley Railroad Company, Inc. ("PVRR") gives notice that on or about October 28, 2022, it intends to file with the Surface Transportation Board, Washington, DC, a Notice of Exemption under 49 CFR 1152 Subpart F—Exempt Abandonments, permitting PVRR to abandon an approximately 4.25-mile out-of-service line of railroad known as Florence Secondary, running from milepost 69.70, at Coleman Road, to milepost 73.95, at Brickyard Road, which traverses through United States Postal Zip Code 01073 in Southamptton, Hampshire County, Massachusetts. The proceeding will be docketed as No. AB 531 (Sub-No. 3X).

The Board's Office of Environmental Analysis (OEA) generally will prepare an Environmental Assessment (EA), which normally will 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, 395 E Street, SW, Washington, DC 20423, or by calling that office at (202) 245-0300.

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 a 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 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's 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 (202) 245-0238. Copies of any comments or requests for specific Board action should be served on the applicant's representative: Michael S. Schneider, Doherty, Wallace, Pillsbury & Murphy P.C., One Monarch Place, Suite 1900, Springfield, MA 01144-1900; phone: (413) 233-9516.

October 24

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Legals

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