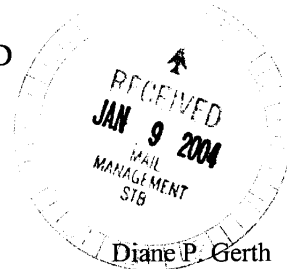


LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION



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Public Record

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

January 6, 2004

The Honorable Vernon Williams
Secretary, Surface Transportation Board
1925 K Street NW, Room 711
Washington D.C. 20423-00001

209818

Re: Abandonment of Trackage Located in Green Island, New York
STB Docket No.: AB-156 (Sub. No. 24X)

Dear Secretary Williams:

Please find enclosed for filing the original and ten copies of Delaware and Hudson Railroad Company's Environmental and Historic Report pursuant to 49 C.F.R. Part 1105. A three and one half inch disk with the Report in Word Perfect format is enclosed, along with the original copy of the Report unbound. I have enclosed a duplicate copy of this letter and self-addressed stamped envelope to be stamped with the filing date and returned to the undersigned.

By copy of this letter the parties on the attached service list are being served via U.S. mail. If you have any questions regarding the above-referenced matter, please feel free to contact me.

Very truly yours,
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION

DIANE P. GERTH

DPG/kaa
Enclosure

cc: Parties on the Attached Service List
Bill Tuttle
Judy Mitchell
Steve Fisk
John Denison

150 SOUTH FIFTH STREET SUITE 2300 MINNEAPOLIS, MINNESOTA 55402 TEL 612-335-1500 FAX 612-335-1657

LAW OFFICES IN MINNEAPOLIS, SAINT PAUL, MANKATO, SAINT CLOUD AND WASHINGTON, D.C.

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WWW.LEONARD.COM

January 6, 2004

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SERVICE LIST

U.S. Environmental Protection Agency

Jane Kenny
Regional Director
US EPA
290 Broadway, Floor 26
New York, NY 10007

U.S. Environmental Protection Agency State Official

New York State
Department of Environmental Conservation
625 Broadway
Albany, NY 12233

U.S. Fish and Wildlife Service

Ms. Mamie Parker
Regional Director
U.S. Fish and Wildlife Service
300 West Gate Center Drive
Hadley, MA 01035-9589

U.S. Army Corps of Engineers

Col. John B. O'Dowd
New York District of Corp. Engineers
Attn: Executive Officer
26 Federal Plaza, Room 2113
New York, NY 10278-0090

National Park Service

National Park Service Northeast Region
US Customs House, 3rd Floor
200 Chestnut Street
Philadelphia, PA 19106

January 6, 2004

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U.S. Soil and Conservation Service

Mr. Joseph R. DeVecchio
State Conservationist
USDA Natural Resources Conservation Service
The Galleries Syracuse
441 Salina Street, 5th Floor
Syracuse, NY 13202
Tel. (315) 477-6524

National Geodetic Survey

National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282
Tel. (301) 713-3425

State Clearinghouse

The State of New York has no designated clearinghouse

State Department of Transportation for New York

Joseph A. Boardman, Commissioner
Department of Transportation
5-504 Harriman State Office Campus
1220 Washington Ave.
Albany, NY 12232

State Environmental Protection Agency for New York

Department of Environmental Conservation
625 Broadway
Albany, NY 12233

State Historic Preservation Office for New York

New York State
Office of Parks, Rec. & Historic Preservation
Empire State Plaza Agency Building #1, 17th Floor
Albany, NY 12238

January 6, 2004
Page 4

State Coastal Zone Management Agency

New York Department of State
Division of Coastal Resources
41 State Street
Albany, NY 12231

Albany County

Michael Breslin
County Executive
112 State Street, Room 200
Albany, NY 12207

Village of Green Island

Mayor
Village of Green Island
20 Clinton St.
Green Island, NY 12183

City of Cohoes

Mayor John T. McDonald III
City of Cohoes
97 Mohawk Street
Cohoes, NY 12047

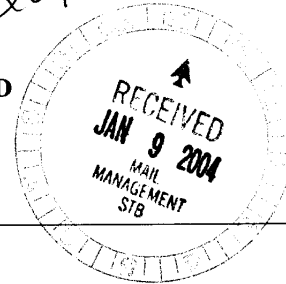
Local and Regional Planning Agencies

Capital District Regional Planning Commission
5 Computer Dr. West
Albany, NY 12205

Capital District Transportation Committee
5 Computer Dr. West
Albany, NY 12205

209818

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.**



DELAWARE AND HUDSON RAILWAY)
COMPANY – ABANDONMENT OF)
TRACKAGE LOCATED IN ALBANY)
COUNTY, NEW YORK)

DOCKET NO. AB-156
(SUB-NO 24X)

NOTICE OF EXEMPTION TO ABANDON PURSUANT TO 49 C.F.R. PART 1152.50 A
1.3 +/- MILE LINE OF RAILROAD BETWEEN MILEPOST T1.81 +/- (IN GREEN ISLAND)
AND MILEPOST T3.11 +/- (IN COHOES) WHICH TRAVERSES THROUGH UNITED
STATES POSTAL SERVICE ZIP CODES 12047 AND 12183, ALBANY COUNTY,
NEW YORK

ENVIRONMENTAL AND HISTORIC REPORTS
IN COMPLIANCE WITH
49 C.F.R. PART 105

**DELAWARE AND HUDSON RAILWAY
COMPANY (d/b/a Canadian Pacific Railway)**

ENTERED
Office of Proceedings
JAN - 9 2004
Part of
Public Record

**LEONARD, STREET and DEINARD
Professional Association**

Diane P. Gerth, Esq.
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Tel. (612) 335-1463
Fax. (612) 335-1657

Attorney for Applicant
Service Date: January 6, 2004

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.**



DELAWARE AND HUDSON RAILWAY	)	
COMPANY – ABANDONMENT OF THE	)	
TRACKAGE LOCATED IN ALBANY	)	
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STATES POSTAL SERVICE ZIP CODES 12047 AND 12183, ALBANY COUNTY,
NEW YORK

ENVIRONMENTAL AND HISTORIC REPORTS
IN COMPLIANCE WITH
49 C.F.R. PART 105

The following information is submitted to the Surface Transportation Board by Delaware and Hudson Railway Company ("D&H") in accordance with the Board's reporting requirements as set forth in 49 C.F.R. Section 1105.7, for the purpose of assisting the Board in its preparation of an environmental document regarding D&H's Notice of Exemption under 49 U.S.C. 10505 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a 1.3 +/- mile line of railroad between milepost T1.81 +/- (in Green Island) and milepost T3.11 +/- (in Cohoes) which traverses through United States Postal Service Zip Codes 12047 and 12183, in Albany County, New York.

REQUIREMENTS OF 49 C.F.R. SECTION 1105.7 (49 C.F.R. Ch. X)

Section 1105.7(b)(1) – (11) Distribution:

(b) At least 20 days prior to filing with the Board a notice of exemption, petition for exemption, or an application for abandonment or discontinuance the applicant must serve copies of the Environmental Report on:

(1) The State Clearinghouse of each State involved (or other state equivalent agency if the State has no clearinghouse);

- (2) The State Environmental Protection Agency of each State involved;
- (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;
- (4) The head of each county (or comparable political entity including any Indian reservation) through which the line goes;
- (5) The appropriate regional offices of the Environmental Protection Agency;
- (6) The U.S. Fish and Wildlife Service;
- (7) The U.S. Army Corps of Engineers;
- (8) The National Park Service;
- (9) The U.S. Soil Conservation Service;
- (10) The National Geodetic Survey (formerly known as the Coast and Geodetic Survey) as designated agent for the National Geodetic Survey and the U.S. Geological Survey; and;
- (11) Any other agencies that have been consulted in preparing the report.

(See attached List of Parties Consulted and Certificate of Service - Exhibit No. 1)

Section 1105.7(c) Certification of Service of Environmental Report:

(c) Certification. In its Environmental Report, the applicant must certify that it has sent copies of the Environmental Report to the agencies listed and within the time specified in paragraph (b) of this section and that it has consulted with all appropriate agencies in preparing the report. These consultations should be made far enough in advance to afford those agencies a reasonable opportunity to provide meaningful input.

(See attached List of Parties Consulted and Certificate of Service - Exhibit No. 1)

Section 1105.7(c) Publication of Newspaper Notice of Intent to Abandon:

Finally, in every abandonment exemption case, applicant shall certify that it has published in a newspaper of general circulation in each county through which the line passes a notice that alerts the public to the proposed abandonment, to available reuse alternatives, and to how it may participate in the STB proceeding.

The Notice for Publication specified at 49 C.F.R. Part 1105.12 was published on December 13, 2003, in the Albany Union Times, Albany, New York. (See Exhibit No. 2, copy of newspaper notice, Certificate of Counsel, and Affidavit of Publication.)

Section 1105.7(d) Documentation:

(d) Documentation. Any written responses received from agencies that were contacted in preparing the Environmental Report shall be attached to the report. Oral responses from such agencies shall be briefly summarized in the report and the names, titles, and telephone numbers of the persons contacted shall be supplied. A copy of, or appropriate citation to, any reference materials relied upon also shall be provided.

All of the agencies referenced at 49 C.F.R. Part 1105.7(b) (1)-(10) were contacted by letters dated November 25, 2003, to solicit comments (See Exhibits Nos. 1 and 4). Input received as of this date has been incorporated along with D&H's analysis, and copies of responses are included in Exhibit No. 3. Subsequent written comments may be received by SEA and D&H.

Status of written and oral comments received:

1105.7(b)(1) State Clearinghouse:

The State of New York has no designated clearinghouse. The State of New York Department of Transportation, the Department of Environmental Quality, the State Water Quality Official, and the Historic Preservation Officer have all been solicited for comments.

1105.7(b)(2) State Environmental Protection Agency:

The New York Department of Environmental Conservation was contacted by letter on November 25, 2003. Its response is included in Exhibit No. 3. Because the trackage for this line of railroad was removed many years ago, there is likely to be very little ground disturbance necessitated by the cessation of rail service. D&H will cooperate with the Department of Environmental Conservation in all salvage activities.

1105.7(b)(3) State Coastal Zone Management Agency for New York:

The New York Department of State Division of Coastal Zone Management was contacted by letter on November 25, 2003. There have been subsequent telephone conversations with Mr. Peter Walsh at the Division to determine if the proposed abandonment is within a Coastal Zone Management Area, but to date, no information has been received. If the abandonment is determined to be in such an area, a Federal Consistency evaluation will be undertaken.

1105.7(b)(4) Head of Each County Through Which The Line Goes:

The head of each county and city executives which the tracks run through were contacted by letter on November 25, 2003, but no response has been received to date.

1105.7(b)(5) Appropriated Regional Offices of the Environmental Protection Agency:

The Regional Director of the Regional Environmental Protection Agency was contacted by letter on November 25, 2003, but no response has been received to date.

1105.7(b)(6) U.S. Fish and Wildlife Services:

The Regional Direction of U.S. Fish and Wildlife Service of New York was contacted by letter on November 25, 2003, but no response has been received to date.

1105.7(b)(7) U.S. Army Corps of Engineers:

The New York District U.S. Army Corps of Engineers was contacted by letter on November 25, 2003, but no response has been received to date.

1105.7(b)(8) National Park Service:

The Northeast Region of the National Park Service was contacted by letter on November 25, 2003, but no response has been received to date.

1105.7(b)(9) U.S. Soil Conservation Service:

The USDA Soil Conservation Service was contacted by letter on November 25, 2003, but no response has been received to date.

1105.7(b)(10) National Geodetic Survey:

The National Oceanic and Atmospheric Administration National Geodetic Survey was contacted by letter on November 25, 2003. Their response is included in Exhibit No. 3.

1105.7(d)(3) Local and Regional Planning Activities:

The Capital District Regional Planning Committee and the Capital District Transportation Committee were contacted by letter on November 25, 2003. The Capital District Transportation Committee responded on December 11, 2003. Their response is included in Exhibit No. 3. The proposed sale of the line to the Village of Green Island and the Open Space Institute are consistent with the Committee's goals.

1105.7(b)(10) U.S. Geological Survey:

The US Geological Survey was contacted by letter on November 25, 2003, but no response has been received to date.

Other Comments Received:

None to date.

Section 1105.7(e) Content:

(e) Content. The Environmental Report shall include all of the information specified in this paragraph, except to the extent that applicant explains why any portion(s) are inapplicable. If an historic report is required under Section 1105.8, the Environmental Report should also include the Historic Report required by that section.

A Historic Report pursuant to 49 C.F.R. Section 1105.8 is included and attached to this Report (See Exhibit No. 5).

(1) ALTERNATIVES

Section 1105.7(e)(1) Proposed Action and Alternatives:

(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.

The proposed action is the abandonment of a 1.3 mile length of track located within Albany County. The track is out of service and no traffic has been moved over the line for over twenty years. Any overhead trackage has already been rerouted over other lines. Following abandonment, any remaining ties and rails will be removed. Ties and rail will be either recycled or disposed of in an appropriate manner.

(2) TRANSPORTATION SYSTEMS

Section 1105.7(e)(2) Transportation System:

(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.

No effects on rail traffic are anticipated by the abandonment of this out-of-service line of railroad. The Village of Green Island's transportation system will be improved because the Village is planning for the purchase of one portion of the line for use as a road.

(3) LAND USE

Section 1105.7(d)(3) Land Use: 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.

The Capital District Transportation Committee submitted comments dated December 11, 2003. The Committee indicated that corridor preservation was an important goal. The plans to sell the property to the Village of Green Island for road use and to the Open Space Institute for trail use are consistent with this goal. D&H has been in contact with the Village and the Institute over the sale, both of which are anxious to proceed with the abandonment and eventual sale of the property for use as a roadway and trail.

Section 1105.7(e)(3)(ii): Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

The proposed action will not have an effect on any prime agricultural land.

Section 1105.7(e)(3)(iii): If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 1105.9.

The New York State Department of State, Division of Coastal Resources, was contacted by letter on November 25, 2003, with several telephone contacts as follow up. To date, the Division has not advised D&H whether this line of railroad is part of a designated Coastal Zone.

Section 1105.7(e)(iv): If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.

The line is suitable for public use, and plans are being developed for corridor re-use as a trail and roadway.

(4) ENERGY

Section 1105.7(c)(4) Energy:

Section 1105.7(e)(4)(i): Describe the effect of the proposed action on transportation of energy resources.

The proposed abandonment will have no effect on the development and transportation of energy resources, or on the movement and/or recovery of recyclable commodities as no such energy resources or recyclable commodities are presently transported over this line.

Section 1105.7(e)(4)(ii): Describe the effect of the proposed action on recyclable commodities.

No impact is anticipated.

Section 1105.7(e)(4)(iii): State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

No impact is anticipated.

Section 1105.7(e)(4)(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. To minimize the production of repetitive data, the information on overall energy efficiency in § 1105.7(e)(4)(iii) need not be supplied if the more detailed information § 1105.7(e)(4)(iv) is required.

The proposed action will not cause diversions from rail to truck of more than 1,000 rail carloads per year or more than 50 rail cars per mile per year.

(5) AIR

Section 1105.7(e)(5)(i) Air: 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 or 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 10505) 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.

The proposed abandonment:

- A. Will not result in an increase in rail traffic of at least 100% or an increase of at least 8 trains per day on any segment of rail line affected by the proposed abandonment.
- B. Will not result in an increase in rail yard activity of at least 100% (measured by carload activity).
- C. Will not result in an increase in total traffic by 10% or 50 - vehicles per day for any affected road segment. This is based on the current traffic level on the line.

Section 1105.7(e)(5)(ii): If the proposed action affects a class I or non-attainment 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 or 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. 10505), 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.

The proposed abandonment:

A. Will not result in an increase in rail traffic of at least 50% or an increase of at least 3 trains per day on any segment of rail line affected by the proposed abandonment.

B. Will not result in an increase in rail yard activity of at least 20% (measured by carload activity).

C. Will not result in an increase in total traffic by 10% or 50 vehicles per day for any affected road segment.

Section 1105.7(e)(5)(iii): If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency or 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.

Transportation of ozone depleting materials are not involved.

(6) NOISE

Section 1105.7(e)(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.

No threshold in No. 5 will be surpassed.

(7) SAFETY

Section 1105.7(e)(7)(i): Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

Public health and safety will not be impacted by the proposed abandonment.

Section 1105.7(e)(7)(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.

Not applicable since hazardous materials will no longer be transported over this line segment.

Section 1105.7(e)(7)(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.

There are no known hazardous waste sites and there are no known hazardous material spills on the right of way. A Phase I Environmental Site Assessment was completed in September, 2003, and revealed no Recognized Environmental Conditions (RECs) on the site. There is a hazardous waste site located adjacent to the property (Ford Motor Company, NYS DEC Site No. 401007). D&H Will consult with the DEC for any work in that area.

(8) BIOLOGICAL RESOURCES

Section 1105.7(e)(8)(i) Wildlife: 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.

Based upon consultation with the NYS DEC, the area will be evaluated prior to any ground disturbance for the presence of any endangered plant species, the Giant Pine-drop. D&H will cooperate with the New York State Natural Heritage Program prior to any ground disturbance. Beyond this species, temporary displacement of wildlife along the right of way may occur during short periods when salvage operations are conducted. However, this will be a minor and short-lived effect. (See Exhibit No. 3.)

Section 1105.7(e)(8)(ii): State whether wildlife sanctuaries or refuges National or State parks or forests be affected and describe any effects.

No sanctuaries, state parks, or refuges will be adversely affected by the proposed abandonment as none exist along the right-of-way.

(9) WATER

Section 1105.7(e)(9)(i) Water: 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.

The Proposed abandonment does not appear to be inconsistent with applicable federal, state, and/or local water quality standards. As long as proper care is taken during salvage activities, there will be no impact on water quality.

Section 1105.7(e)(9)(ii) and (iii): (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. (Applicants should contact the U.S. Environmental Protection Agency or the State Environmental Protection or Equivalent Agency if they are unsure whether such permits are required).

Permits under Section 404 of the Clean Water Act are not required for the proposed action. No designated wetlands or 100 year flood plains will be adversely affected. The U.S. Army Corps of Engineers has been notified of the proposed abandonment. Permits under Section 402 of the Clean Water Act (NPDES permit requirements) are not required for this action as no in-stream salvage activities are contemplated.

Section 1105.7(e)(10) Proposed Mitigation: Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

No adverse environmental impacts are anticipated. Other than using appropriate care in conducting salvage operations, no mitigation will be necessary.

Section 1105.7(e)(11) Additional Information for Rail Constructions: The following additional information should be included for rail construction proposals (including connecting track construction).

Not applicable.

Section 1105.8 Historic Reports: (a) An applicant proposing an action identified in Section 1105.6(a) or (b)), or an action in Section 1105.6(c) that will result in the lease, transfer, or sale of a railroad's line, sites or structures, must submit (with its application, petition or notice) the Historic Report described in paragraph (d) of this section, unless excepted under paragraph (b) of this section. This report should be combined with the Environmental Report where one is

required. The purpose of the Historic Report is to provide the Board with sufficient information to conduct the consultation process required by the National Historic Preservation Act.

The Historic Report is attached hereto. (See Exhibit No. 5.)

Section 1105.9 Coastal Zone Management Act Requirements: If the proposed action affects land or water uses within a State coastal zone designated pursuant to the Coastal Zone Management Act (16 U.S.C. 1451 et seq.) applicant must comply with the following procedures.

The New York State Department of Health, Division of Coastal Zone Management was contacted by letter on November 25, 2003, with several follow-up telephone calls. D&H has not yet been informed if the area of the proposed abandonment is a designated Coastal Zone. A Federal Consistency Determination will be made if a designated Coastal Zone is determined to be affected by the action.

END OF REPORT

EXHIBIT NO. 1

(List of Parties Consulted and
Certificate of Service of Environmental and Historic Report)

CERTIFICATE OF SERVICE OF ENVIRONMENTAL AND HISTORIC REPORTS

I hereby certify that on January 6, 2004, I served the Environmental Report and Historic Report relative to S.T.B. Docket No. AB-156 (Sub No. 24X) pursuant to C.F.R. Parts 1152.50, 1105.7(b)(c) and 1105.11 by First Class U.S. Mail properly addressed and with postage prepaid upon the parties listed on the attached List of Parties Consulted.

Dated at Minneapolis, Minnesota this 6th day of January, 2004.

A handwritten signature in cursive script, appearing to read "Diane Gerth", is written over a horizontal line.

Diane P. Gerth

ENVIRONMENTAL & HISTORICAL REPORT

LIST OF PARTIES CONSULTED

Parties consulted in preparing Environmental and Historical Reports – Delaware & Hudson Railway Company (d/b/a Canadian Pacific Railway) - Abandonment of Line of Railroad running from Mile Post T 1.81 (in Green Island) and Mile Post T 3.11 (in Cohoes) in Albany County, State of New York which traverses through United States Postal Service Zip Codes 12047 and 12183 (total mileage: approximately 1.3 +/- miles) -- S.T.B. Docket No. AB-156 (Sub-No. 24X)

FEDERAL AGENCIES CONSULTED

Appropriate Regional Office(s) of the U.S. Environmental Protection Agency

Jane Kenny
Regional Director
US EPA
290 Broadway, Floor 26
New York, NY 10007

U.S. Environmental Protection Agency State Official

New York State
Department of Environmental Conservation
625 Broadway
Albany, NY 12233

U.S. Fish and Wildlife Service

Ms. Mamie Parker
Regional Director
U.S. Fish and Wildlife Service
300 West Gate Center Drive
Hadley, MA 01035-9589

U.S. Army Corps of Engineers

Col. John B. O'Dowd
New York District of Corp. Engineers
Attn: Executive Officer
26 Federal Plaza, Room 2113

New York, NY 10278-0090

National Park Service

National Park Service Northeast Region
US Customs House, 3rd Floor
200 Chestnut Street
Philadelphia, PA 19106

U.S. Soil and Conservation Service

Mr. Joseph R. DelVecchio
State Conservationist
USDA Natural Resources Conservation Service
The Galleries Syracuse
441 Salina Street, 5th Floor
Syracuse, NY 13202
Tel. (315) 477-6524

National Geodetic Survey

National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282
Tel. (301) 713-3425

STATE AGENCIES CONSULTED

State Clearinghouse

The State of New York has no designated clearinghouse

State Department of Transportation for New York

Joseph A. Boardman, Commissioner
Department of Transportation
5-504 Harriman State Office Campus
1220 Washington Ave.
Albany, NY 12232

State Environmental Protection Agency for New York

Department of Environmental Conservation
625 Broadway
Albany, NY 12233

State Historic Preservation Office for New York

New York State
Office of Parks, Rec. & Historic Preservation
Empire State Plaza Agency Building #1, 17th Floor
Albany, NY 12238

State Coastal Zone Management Agency

New York Department of State
Division of Coastal Resources
41 State Street
Albany, NY 12231

Other Political Entities and/or Indian Reservations through which the line runs

Albany County

Michael Breslin
County Executive
112 State Street, Room 200
Albany, NY 12207

Village of Green Island

Mayor
Village of Green Island
20 Clinton St.
Green Island, NY 12183

City of Cohoes

Mayor John T. McDonald III
City of Cohoes
97 Mohawk Street
Cohoes, NY 12047

Local and Regional Planning Agencies

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Albany, NY 12205

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5 Computer Dr. West
Albany, NY 12205

EXHIBIT NO. 2

(Certification of Diane P. Gerth Publication of Newspaper Notice in Newspaper
of General Circulation in Counties where Line is Situated and Affidavits of Publication)

(49 C.F.R. Part 1105.12)

CERTIFICATE OF PUBLICATION OF PUBLIC NOTICE
IN NEWSPAPER OF GENERAL CIRCULATION IN ALBANY COUNTY, NEW YORK

I hereby certify that relative to S.T.B. Docket No. AB-156 (Sub-No. 24X) pursuant to C.F.R. Parts 1152.50 and 1105.12, on December 13, 2003, a public legal notice was published in the Albany Times Union, a newspaper of general circulation in Albany County, New York, the county in which the subject trackage is located.

Dated at Minneapolis, Minnesota this 6th day of January, 2004.



Diane P. Gerth

ALBANY TIMES UNION
News Plaza
Box 15000
Albany, New York 12212

STATE OF NEW YORK
COUNTY OF ALBANY

C. Fleming / A. Cooper of the City of Albany, being duly sworn, says that he/she is Principal Clerk of THE TIMES UNION, a daily newspaper printed in the County of Albany, Town of Colonie and Published in the County of Albany, Town of Colonie and the City of Albany, aforesaid and that notice of which a printed copy is annexed has been regularly published in the said ALBANY TIMES UNION on the following dates:

12-13-2003

A.D. Cooper

Sworn to before me, this 15th day of December 2003

Jean M. Hill
Notary Public
Albany County

Acct. #090837003

JEAN M. HILL
Notary Public, State of New York
No. 4820411
Qualified in Albany County
Commission Expires 9/30/06

LEGAL NOTICE

NOTICE

Delaware and Hudson Railway Company, Inc., (d/b/a Canadian Pacific Railway) gives notice that on or about January 25, 2004, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Exemption under 49 U.S.C. 10505 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a 1.3 +/- mile line of railroad between milepost T 1.81 +/- (in Green Island) and milepost T 3.11 +/- (in Cohoes) which traverses through United States Postal Service Zip Codes 12047 and 12183, in Albany County, New York. The proceeding will be docketed as No. AB-156 (Sub No. 24X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than 30 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 SEA, Surface Transportation Board, 1925 K Street NW, Washington, DC, 20423-0001, or by calling SEA at

LEGAL NOTICE

202-565-1674.

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 Office of the Secretary, 1925 K Street NW, 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 Services at 202-927-7597. Copies of any comments or requests for conditions should be served on the applicant's representative, Diane P. Gerth at Leonard, Street and Deinard, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402, 612-335-1500.

**Delaware & Hudson
Railway Company, Inc.**
(d/b/a Canadian
Pacific Railway)
Minneapolis, Minnesota
TU 1t (22225)

EXHIBIT NO. 3

(Responses to Environmental Scoping Correspondence Sent November 25, 2003)

**New York State Department of Environmental Conservation
Division of Environmental Permits, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2069 • **FAX:** (518) 357-2460

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

December 23, 2003

RECEIVED

DEC 30 2003

Diane Gerth
Leonard, Street and Deinard
150 South Fifth Street
Suite 2300
Minneapolis, Minnesota 55402

RE: Proposed Delaware and Hudson
Railway Co. Line Abandonment
MP T 1.81 to MP T 3.11
Greene Island and Cohoes, Albany County

Dear Ms Gerth:

This is in response to your November 25, 2003 letter requesting our input on environmental concerns on the abandonment of the above section of railway. Note, we only received your letter in our Schenectady office last week, so in addition to the comments below, I will forward at a later date any specific comments from our program staff on this proposal.

The railway crosses the Mohawk River, which is regulated as a navigable water. Any excavation or fill proposed in its bed or banks will need a permit from our department. Even if the work can be done without disturbance to the river's bed or bank, care must be taken to protect water quality standards. No turbidity, silt, sediments or other pollutants may be allowed to enter any water body.

No NYS Regulated wetlands were identified in this location. However, the US Army Corps Of Engineers (US ACOE) should be contacted regarding any wetlands or permitting they may require. If federally regulated wetlands will be impacted, a Water Quality Certification may be needed from our Department. The US ACOE can be reached at 518-270-0588.

The Ford Motor Company, Hazardous Waste site # 401007 is adjacent to the railway near the south end of the abandonment. Our Hazardous Waste Remediation group should be consulted with for work proposed in this area. They can be reached at 518-357-2045.

Our resources also indicate that the entire area is potentially sensitive for archeological and historical resources. Prior to disturbing previously undisturbed ground the NYS Office of Parks Recreation and Historic Preservation should be consulted with. They can be reached at 518-237-8643.

Also prior to any ground disturbances, the presence of an endangered plant species, Giant

Page 2

Pine Drop should be evaluated. Historically it has occurred in this vicinity in wooded areas. Information regarding this and other endangered or threatened species can be obtained from our Natural Heritage Program at 518-402-8951.

If you have any questions please feel free to contact me at the above phone number or address.

Sincerely,



Wendy DuBois
Division of Environmental Permits

AlbCo#9/ Delaware Hudson rail/wjd

cc: R-4, Hazardous Waste Remediation
Natural Heritage Program, Steve Young
T. Haley, Permits
file



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

DEC 15 2003

Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Rutson:

The area in question on the map with the Environmental and Historic Reports for the proposed rail line abandonment of Delaware and Hudson Railway Co., for a portion of rail line known as the Troy Branch and is located between Mile Post T 1.81 +/- (in Green Island) and Mile Post 3.11 +/- (in Cohoes), a distance of approximately 1.3 miles, in Albany County, New York, STB Docket No. AB-156 (Sub-No. 24X), has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, 1 geodetic station marker have been identified that may be affected by the proposed abandonment; a listing of this marker is enclosed. Additional information about these station markers can be obtained via the Internet or NGS CD-ROM. A fact sheet for these two data retrieval methods is enclosed. If there are any planned activities which will disturb or destroy these markers, NGS requires not less than 90 days notification in advance of such activities in order to plan for their relocation.

If further information is needed for this geodetic marker, contact Mr. Frank C. Maida. His address is NOAA, N/NGS2, Room 8736, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3198, fax: 301-713-4324, e-mail: Frank.Maida@noaa.gov.

Sincerely,

Richard A. Snay
Chief, Spatial Reference System Division

Enclosures

cc: N/NGS1 - G. Mitchell
Diane P. Gerth, Leonard, Street and Deinard

RECEIVED
DEC 18 2003



Printed on Recycled Paper



DELAWARE AND HUDSON RAILWAY, CO.

THE TROY BRANCH

IN ALBANY COUNTY, NEW YORK

STB DOCKET NO. AB-156 (SUB-NO. 24X)

1 GEODETIC CONTROL MARK IN THE PROPOSED ABANDONMENT AREA

PIDS	DESIGNATION	LATITUDE	LONGITUDE
MZ0787	Z 64	N424536	W0734115



National Geodetic Survey - News Flash!



GEODETTIC DATA AVAILABLE FREE ON THE INTERNET

Are you interested in getting the most current position, height, and descriptive information for all the geodetic control points in the National Spatial Reference System? Are you interested in getting this information immediately, free of cost, and whenever you want it? With an Internet connection, this information is yours to download.

The National Geodetic Survey's (NGS) data sheet contains position, height, and descriptive information for approximately 750,000 control points throughout the United States. The data sheet provides:

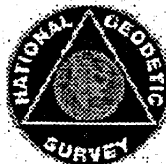
- ▶ The geodetic coordinates and the orthometric height for each point
- ▶ The horizontal and vertical datums on which the information is based
- ▶ State plane coordinates and Universal Transverse Mercator coordinates
- ▶ Modeled geoid height, ellipsoidal height, modeled gravity, and Laplace correction
- ▶ A description of the station's location and how to reach it

To obtain this information, set your Web browser to
http://www.ngs.noaa.gov/products_services.html

For more information contact:

NOAA, National Geodetic Survey, N/NGS12
1315 East-West Highway, Station 09202
Silver Spring, MD 20910

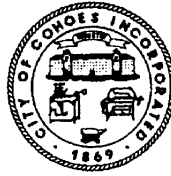
Telephone: (301) 713-3242; Fax: (301) 713-4172
Monday through Friday, 7:00 a.m. - 4:30 p.m., Eastern Time
<http://www.ngs.noaa.gov>



NGS: Tying America Together

**OFFICE OF
COMMUNITY & ECONOMIC
DEVELOPMENT**

97 Mohawk Street
Cohoes, New York
12047-2897



City of Cohoes

*Director, Ralph J. Pascale
Planner, John P. Scavo, Jr.*

Phone: (518) 233-2118

Fax: (518) 233-2155

E-mail: rpascale@ci.cohoes.ny.us
jscavo@ci.cohoes.ny.us

December 22, 2003

Ms. Diane Gerth
Leonard, Street and Deinard
150 South Fifth Street
Suite 2300
Minneapolis, Minnesota 55402

RECEIVED
DEC 31 2003

Dear Ms. Gerth,

I am writing in response to your letter dated November 25, 2003 regarding request for public comments on line abandonment, STB Docket No: AB-156.

The rail line in question has not been used for a number of years; it is clearly not an active railroad. The proposed abandonment therefore will have no adverse impact on transportation in Cohoes. In fact, it is our intention that through the abandonment, the D&H Railroad will sell the bridge and the Cohoes portion properties in question to the Open Space Institute (OSI.) The OSI will then provide these lands to the City so that this property can ultimately be used for bicycle and pedestrian use. This will once again make this productive land in terms of both transportation and recreation.

We understand that the D&H Railroad will remove all ties, rail and related metals. Beyond this we are not aware of any environmental issues.

We therefore support the proposed abandonment in question.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Pascale", written over the word "Sincerely,".

Ralph Pascale,
Director Community and Economic Development



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
328 STATE STREET
SCHENECTADY, N.Y. 12305

THOMAS C. WERNER, P.E.
REGIONAL DIRECTOR

December 12, 2003

JOSEPH H. BOARDMAN
COMMISSIONER

Diane P. Gerth
Leonard, Street and Deinard
150 South Fifth St., Ste. 2300
Minneapolis, Minnesota, 55402

Re: Request for Comments on Potential Environmental Impacts of Proposed Line
Abandonment Located between Mile Post 1.81 (in Green Island) and Mile Post 3.11 (in Cohoes)
in Albany County, State of New York.....

Dear Ms. Gerth:

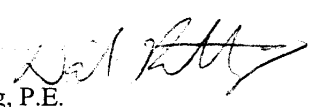
Thank you for soliciting the views of the New York State Department of Transportation on this proposed action by the Delaware and Hudson Railway Co., Inc.(D&H) (d/b/a Canadian Pacific Railway). Commissioner Boardman has asked me to respond on his behalf.

Given the cessation of freight transportation on this portion of the D&H tracks many years ago and the apparent lack of prospects for the resumption of such transportation, and given the intent of the respective municipalities to utilize this right-of-way for either a multi-use recreational path or access to a new hotel/scenic overlook, the New York State Department of Transportation foresees no negative environmental impact from and has no objection to the proposed abandonment.

Two concerns the Department does have regarding this Green Island Branch of the D&H are that the integrity of the corridor proposed for abandonment be maintained, i.e. not be broken up into small parcels, and that no abandonment be proposed between Mile Post 0.0 and 1.81 where there is still a potential need for rail freight transportation.

Again, thank you for soliciting the views of the Depart on this matter. If you need clarification or elaboration of the above, feel free to contact Ted Thompson of my staff at 518-388-0443 or tthompson@dot.state.ny.us.

Sincerely,


David Rettig, P.E.
Regional Planning and Program Manager



CAPITAL DISTRICT TRANSPORTATION COMMITTEE

5 Computer Drive West • Albany, NY 12205-1606

Phone: (518) 458-2161
Fax: (518) 458-2155

Chairman
Mayor John T. McDonald
Staff Director
John P. Poorman

Albany County
Michael G. Breslin
Charles E. Houghtaling

Rensselaer County
Kathleen Jimino
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Robert Stokes
Robert L. Phillips

Schenectady County
Peter Guidarelli

City of Albany
Mayor Gerald D. Jennings

City of Cohoes
Mayor John T. McDonald

City of Mechanicville
Mayor Thomas J. Higgins

City of Rensselaer
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Mayor Kenneth Klotz

City of Schenectady
Mayor Albert P. Jurczynski

City of Troy
Mayor Mark P. Patison

City of Watervliet
Mayor Robert D. Carlson

Town of Colonie
Mary Brizzell

Towns and Villages
Anita Daly, Clifton Park
Luke Smith, Niskayuna
Alternates
Paul Tazbir, North Greenbush
Ken Runion, Guilderland

Albany County
Airport Authority
John O'Donnell

Albany Port
District Commission
Terrence P. Hurley

Capital District Regional
Planning Commission
Michael Stammel

Capital District
Transportation Authority
Stephen G. Bland

New York State Dept. of
Transportation
Joseph H. Boardman

New York State
Thruway Authority
Donald Bell

Non-Voting Members
Thomas C. Werner
NYSDOT Reg. 1

Letitia Thompson, FTA
Robert E. Arnold, FHWA

December 11, 2003

Diane P. Gerth
Leonard, Street and Deinard
150 South Street Suite 2300
Minneapolis, MN 55402

Dear Ms. Gerth:

Thank you for the opportunity for the Capital District Transportation Committee (CDTC) to comment on the proposed rail line abandonment between Green Island and Cohoes, New York. CDTC is the designated Metropolitan Planning Organization (MPO) carrying out federal requirements for cooperative transportation planning and programming within the metropolitan area surrounding the Albany-Schenectady-Troy urbanized area.

In November 2003, a planning study was completed looking at filling off-road gaps in the regional bicycle and pedestrian trail system along the Hudson River. This corridor was identified as a critical waterfront connection to the existing Mohawk Hudson Bike Hike Trail. The potential exists for improving accessibility to extensive regional trial systems, local businesses, and important cultural and historic sites in the Capital District.

We encourage the corridor be kept intact and used to enhance the regional transportation system.

Sincerely,



John P. Poorman
Staff Director

CC: Mark Fitzsimmons, Director Albany County
Department of
Economic Development, Conservation and Planning

RECEIVED
DEC 15 2003

EXHIBIT NO. 4

Environmental Scoping Correspondence Required By 49 C.F.R. § 1105.7(b)(1)-(6)(10)
For Which Responses Were Not Received

LEONARD, STREET AND DEINARD

November 25, 2003

PROFESSIONAL ASSOCIATION

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

New York Department
of State Division of Coastal Resources
George R. Stafford, Director
41 State Street
Albany, NY 12231

Re: Request for Comments on Potential Environmental Impacts of Proposed Line Abandonment Located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/-, (in Cohoes), in Albany County, State of New York (U.S. Postal Zip Codes 12047 and 12183) --- STB Docket No.: AB-156 (Sub-No. 24X)

Dear Mr. Stafford:

Delaware and Hudson Railway Co., Inc. (d/b/a Canadian Pacific Railway) on or about January 20, 2004, anticipates filing a Notice of Exemption to Abandon pursuant to 49 U.S.C. Section 10502 with the United States Department of Transportation - Surface Transportation Board (STB) to discontinue and abandon all freight rail operations over approximately 1.3 +/- miles of rail line located in Albany County, New York. A map of the proposed abandonment is enclosed.

This proposed petition for rail line abandonment exemption requires review by the Surface Transportation Board (STB). I will be preparing an Environmental and Historic Report that will provide the basis of the environmental review that the STB's Section of Environmental Analysis (SEA) will conduct for this proceeding. In preparing this report, consultation with agencies or organizations that may have specific interest in or knowledge of the potential environmental impacts is essential. This letter is, therefore, intended to solicit your comments regarding potential environmental impacts, if any, of the proposed rail line abandonment.

Your comments on the potential impacts of this abandonment will be incorporated into our Environmental Report to be filed on or about December 31, 2003. A copy of this report will be provided to you, after which additional comments can be submitted directly to the STB's Section of Environmental Analysis (SEA).

As shown on the attached maps, the line that is proposed to be abandoned is known as the Troy Branch and is located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/- (in Cohoes), a distance of approximately 1.3 miles, in Albany County, New York. It traverses through U.S. Postal Zip Codes 12047 and 12183.

150 SOUTH FIFTH STREET SUITE 2300 MINNEAPOLIS, MINNESOTA 55402 TEL 612-335-1500 FAX 612-335-1657

LAW OFFICES IN MINNEAPOLIS, SAINT PAUL, MANKATO, SAINT CLOUD AND WASHINGTON, D.C.

2420847v1

WWW.LEONARD.COM

November 25, 2003

Page 2

For purposes of evaluating the environmental impacts that would result from abandonment of the line, the proposed action includes discontinuing freight service and salvaging equipment and materials that are present on the line.

Most of the line consists of single and removed track with an average right-of-way width of 82 feet. The right-of-way exists in fee ownership. In addition to the right-of-way, the rail line includes no overhead highway bridges, no at-grade public road crossings, two private crossings, no railroad bridges over public roads, one bridge over the Mohawk River, and no buildings. To facilitate transit use, all of these structures would remain in place. The proposed action includes the removal of all rails, ties, spikes, plates, railroad-related utilities, and signaling devices. The ballast would remain in place. All equipment and materials that are removed from the line would either be reused, sold as scrap, or disposed of in accordance with applicable environmental regulations.

The Environmental Report for the proposed abandonment is being prepared pursuant to STB regulations (49 C.F.R. Chapter X, Part 1105) (copy of which is enclosed), the National Environmental Policy Act, 42 U.S.C. 4332; the Energy Policy and Conservation Act, 42 U.S.C. 6362(b); and related laws including the National Historic Preservation Act, 16 U.S.C. 470f, the Coastal Zone Management Act, 16 U.S.C. 1451, and the Endangered Species Act, 16 U.S.C. 1531. Areas of concern that you and other interested parties are invited to address in your comments include potential impacts of the proposed action on the following:

- Local land use
- Existing local and regional transportation systems
- Energy use
- Air emissions and ambient air quality conditions
- Water quality and wetlands
- Biological resources including threatened or endangered species
- Ambient noise levels
- Public health safety
- Historic, cultural, or archaeological sites listed or eligible for inclusion on the National Register of Historic Places
- Socioeconomics, including local and regional employment

November 25, 2003

Page 3

We are soliciting your comments with regard to: (1) any permitting/approval authority which your agency has over the proposed action, and (2) any specific concerns which you feel should be addressed in the STB environmental document prepared after our Report is submitted. As required by applicable STB regulations (49 C.F.R., Chapter X, Part 1105.7(e)(9)(iii)) and Part 1105.7(c), we also request that you comment on and describe the effects, if any, of our proposed action on those resources or areas of concern within the authority of your agency.

Specifically, the Board's regulations state that, with respect to the area of concern within the jurisdiction of your agency. So must address the following:

"49 C.F.R. Part 1105.7(e)(4)(i)-(iv) Energy:

(i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year; or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in Section 1105.7(e)(4)(iii) need not be supplied if the more detailed information in Section 1105.7(e)(4)(iv) is required."

"49 C.F.R. Part 1105.7(e)(5)(ii) Air:

(ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act."

"49 C.F.R. Part 1105.7(e)(6)(ii) Noise:

(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."

November 25, 2003

Page 4

"49 C.F.R. Part 1105.7(e)(7)(iii) Safety:

(iii) If there are 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."

"49 C.F.R. Part 1105.7(e)(9)(i), (ii), & (iii) 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.

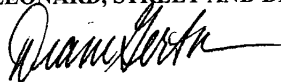
(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)" (emphasis added)

Any written comments should be submitted to the undersigned at the address on this letterhead. They will be appended to the Environmental Report being submitted to the Board if received prior to December 31, 2003. Thereafter, please submit them directly to: SEA, Surface Transportation Board, 1925 K Street NW, Washington D.C. 20423-0001, or by calling that office at (202) 565-1526, and forward a copy to the undersigned.

Any comments or information that you provide will be included in D&H's Environmental Report and will be considered by the STB in the preparation of the draft environmental document and in its evaluation of the overall environmental and energy impacts of the proposed action. Your cooperation will help ensure that all environmental concerns are thoroughly addressed.

Thank you very much for your assistance.

Very truly yours,
LEONARD, STREET AND DEINARD



DIANE P. GERTH
Enclosures

LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

November 25, 2003

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

Michael Breslin
Albany County Executive
112 State Street, Room 200
Albany, NY 12207

Re: Request for Comments on Potential Environmental Impacts of Proposed Line Abandonment Located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/-, (in Cohoes), in Albany County, State of New York (U.S. Postal Zip Codes 12047 and 12183) --- STB Docket No.: AB-156 (Sub-No. 24X)

Dear Mr. Breslin:

Delaware and Hudson Railway Co., Inc. (d/b/a Canadian Pacific Railway) on or about January 20, 2004, anticipates filing a Notice of Exemption to Abandon pursuant to 49 U.S.C. Section 10502 with the United States Department of Transportation – Surface Transportation Board (STB) to discontinue and abandon all freight rail operations over approximately 1.3 +/- miles of rail line located in Albany County, New York. A map of the proposed abandonment is enclosed.

This proposed petition for rail line abandonment exemption requires review by the Surface Transportation Board (STB). I will be preparing an Environmental and Historic Report that will provide the basis of the environmental review that the STB's Section of Environmental Analysis (SEA) will conduct for this proceeding. In preparing this report, consultation with agencies or organizations that may have specific interest in or knowledge of the potential environmental impacts is essential. This letter is, therefore, intended to solicit your comments regarding potential environmental impacts, if any, of the proposed rail line abandonment.

Your comments on the potential impacts of this abandonment will be incorporated into our Environmental Report to be filed on or about December 31, 2003. A copy of this report will be provided to you, after which additional comments can be submitted directly to the STB's Section of Environmental Analysis (SEA).

As shown on the attached maps, the line that is proposed to be abandoned is known as the Troy Branch and is located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/- (in Cohoes), a distance of approximately 1.3 miles, in Albany County, New York. It traverses through U.S. Postal Zip Codes 12047 and 12183.

150 SOUTH FIFTH STREET SUITE 2300 MINNEAPOLIS, MINNESOTA 55402 TEL 612-335-1500 FAX 612-335-1657

LAW OFFICES IN MINNEAPOLIS, SAINT PAUL, MANKATO, SAINT CLOUD AND WASHINGTON, D.C.

2420847v1

WWW.LEONARD.COM

November 25, 2003

Page 2

For purposes of evaluating the environmental impacts that would result from abandonment of the line, the proposed action includes discontinuing freight service and salvaging equipment and materials that are present on the line.

Most of the line consists of single and removed track with an average right-of-way width of 82 feet. The right-of-way exists in fee ownership. In addition to the right-of-way, the rail line includes no overhead highway bridges, no at-grade public road crossings, two private crossings, no railroad bridges over public roads, one bridge over the Mohawk River, and no buildings. To facilitate transit use, all of these structures would remain in place. The proposed action includes the removal of all rails, ties, spikes, plates, railroad-related utilities, and signaling devices. The ballast would remain in place. All equipment and materials that are removed from the line would either be reused, sold as scrap, or disposed of in accordance with applicable environmental regulations.

The Environmental Report for the proposed abandonment is being prepared pursuant to STB regulations (49 C.F.R. Chapter X, Part 1105) (copy of which is enclosed), the National Environmental Policy Act, 42 U.S.C. 4332; the Energy Policy and Conservation Act, 42 U.S.C. 6362(b); and related laws including the National Historic Preservation Act, 16 U.S.C. 470f, the Coastal Zone Management Act, 16 U.S.C. 1451, and the Endangered Species Act, 16 U.S.C. 1531. Areas of concern that you and other interested parties are invited to address in your comments include potential impacts of the proposed action on the following:

- Local land use
- Existing local and regional transportation systems
- Energy use
- Air emissions and ambient air quality conditions
- Water quality and wetlands
- Biological resources including threatened or endangered species
- Ambient noise levels
- Public health safety
- Historic, cultural, or archaeological sites listed or eligible for inclusion on the National Register of Historic Places
- Socioeconomics, including local and regional employment

We are soliciting your comments with regard to: (1) any permitting/approval authority which your agency has over the proposed action, and (2) any specific concerns which you feel should

November 25, 2003

Page 3

be addressed in the STB environmental document prepared after our Report is submitted. As required by applicable STB regulations (49 C.F.R., Chapter X, Part 1105.7(e)(9)(iii)) and Part 1105.7(c), we also request that you comment on and describe the effects, if any, of our proposed action on those resources or areas of concern within the authority of your agency.

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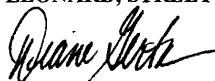
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Thank you very much for your assistance.

Very truly yours,
LEONARD, STREET AND DEINARD



DIANE P. GERTH
Enclosures

LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

November 25, 2003

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

Jane Kenny
Regional Director
US EPA
290 Broadway, Floor 26
New York, NY 10007

Re: Request for Comments on Potential Environmental Impacts of Proposed Line Abandonment Located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/-, (in Cohoes), in Albany County, State of New York (U.S. Postal Zip Codes 12047 and 12183) --- STB Docket No.: AB-156 (Sub-No. 24X)

Dear Ms. Kenny:

Delaware and Hudson Railway Co., Inc. (d/b/a Canadian Pacific Railway) on or about January 20, 2004, anticipates filing a Notice of Exemption to Abandon pursuant to 49 U.S.C. Section 10502 with the United States Department of Transportation – Surface Transportation Board (STB) to discontinue and abandon all freight rail operations over approximately 1.3 +/- miles of rail line located in Albany County, New York. A map of the proposed abandonment is enclosed.

This proposed petition for rail line abandonment exemption requires review by the Surface Transportation Board (STB). I will be preparing an Environmental and Historic Report that will provide the basis of the environmental review that the STB's Section of Environmental Analysis (SEA) will conduct for this proceeding. In preparing this report, consultation with agencies or organizations that may have specific interest in or knowledge of the potential environmental impacts is essential. This letter is, therefore, intended to solicit your comments regarding potential environmental impacts, if any, of the proposed rail line abandonment.

Your comments on the potential impacts of this abandonment will be incorporated into our Environmental Report to be filed on or about December 31, 2003. A copy of this report will be provided to you, after which additional comments can be submitted directly to the STB's Section of Environmental Analysis (SEA).

As shown on the attached maps, the line that is proposed to be abandoned is known as the Troy Branch and is located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/- (in Cohoes), a distance of approximately 1.3 miles, in Albany County, New York. It traverses through U.S. Postal Zip Codes 12047 and 12183.

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For purposes of evaluating the environmental impacts that would result from abandonment of the line, the proposed action includes discontinuing freight service and salvaging equipment and materials that are present on the line.

Most of the line consists of single and removed track with an average right-of-way width of 82 feet. The right-of-way exists in fee ownership. In addition to the right-of-way, the rail line includes no overhead highway bridges, no at-grade public road crossings, two private crossings, no railroad bridges over public roads, one bridge over the Mohawk River, and no buildings. To facilitate transit use, all of these structures would remain in place. The proposed action includes the removal of all rails, ties, spikes, plates, railroad-related utilities, and signaling devices. The ballast would remain in place. All equipment and materials that are removed from the line would either be reused, sold as scrap, or disposed of in accordance with applicable environmental regulations.

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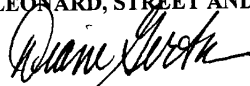
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Enclosures

LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

November 25, 2003

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

Mamie Parker
Regional Director
US Fish and Wildlife Service
300 West Gate Center Drive
Hadley, MA 01035

Re: Request for Comments on Potential Environmental Impacts of Proposed Line Abandonment Located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/-, (in Cohoes), in Albany County, State of New York (U.S. Postal Zip Codes 12047 and 12183) --- STB Docket No.: AB-156 (Sub-No. 24X)

Dear Ms. Parker:

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Most of the line consists of single and removed track with an average right-of-way width of 82 feet. The right-of-way exists in fee ownership. In addition to the right-of-way, the rail line includes no overhead highway bridges, no at-grade public road crossings, two private crossings, no railroad bridges over public roads, one bridge over the Mohawk River, and no buildings. To facilitate transit use, all of these structures would remain in place. The proposed action includes the removal of all rails, ties, spikes, plates, railroad-related utilities, and signaling devices. The ballast would remain in place. All equipment and materials that are removed from the line would either be reused, sold as scrap, or disposed of in accordance with applicable environmental regulations.

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Enclosures

LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

November 25, 2003

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

US Army Corp of Engineers
New York District, Col. John B. O'Dowd
Executive Office
26 Federal Plaza, Room 2113
New York, NY 10278

Re: Request for Comments on Potential Environmental Impacts of Proposed Line Abandonment Located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/-, (in Cohoes), in Albany County, State of New York (U.S. Postal Zip Codes 12047 and 12183) --- STB Docket No.: AB-156 (Sub-No. 24X)

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Enclosures

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PROFESSIONAL ASSOCIATION

November 25, 2003

Diane P. Gerth
612-335-1463
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National Park Service
Northeast Region
US Customs House, 3rd Floor
200 Chestnut Street
Philadelphia, PA 19106

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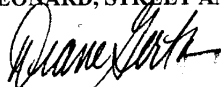
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Very truly yours,
LEONARD, STREET AND DEINARD



DIANE P. GERTH
Enclosures

LEONARD, STREET AND DEINARD

November 25, 2003

PROFESSIONAL ASSOCIATION

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

USDA Natural Resources
Joseph P. DelVecchio
State Conservationist
The Galleries Syracuse
441 Salina Street, 5th Floor
Syracuse, NY 13202

Re: Request for Comments on Potential Environmental Impacts of Proposed Line Abandonment Located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/-, (in Cohoes), in Albany County, State of New York (U.S. Postal Zip Codes 12047 and 12183) --- STB Docket No.: AB-156 (Sub-No. 24X)

Dear Mr. DelVecchio:

Delaware and Hudson Railway Co., Inc. (d/b/a Canadian Pacific Railway) on or about January 20, 2004, anticipates filing a Notice of Exemption to Abandon pursuant to 49 U.S.C. Section 10502 with the United States Department of Transportation – Surface Transportation Board (STB) to discontinue and abandon all freight rail operations over approximately 1.3 +/- miles of rail line located in Albany County, New York. A map of the proposed abandonment is enclosed.

This proposed petition for rail line abandonment exemption requires review by the Surface Transportation Board (STB). I will be preparing an Environmental and Historic Report that will provide the basis of the environmental review that the STB's Section of Environmental Analysis (SEA) will conduct for this proceeding. In preparing this report, consultation with agencies or organizations that may have specific interest in or knowledge of the potential environmental impacts is essential. This letter is, therefore, intended to solicit your comments regarding potential environmental impacts, if any, of the proposed rail line abandonment.

Your comments on the potential impacts of this abandonment will be incorporated into our Environmental Report to be filed on or about December 31, 2003. A copy of this report will be provided to you, after which additional comments can be submitted directly to the STB's Section of Environmental Analysis (SEA).

As shown on the attached maps, the line that is proposed to be abandoned is known as the Troy Branch and is located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/- (in Cohoes), a distance of approximately 1.3 miles, in Albany County, New York. It traverses through U.S. Postal Zip Codes 12047 and 12183.

150 SOUTH FIFTH STREET SUITE 2300 MINNEAPOLIS, MINNESOTA 55402 TEL 612-335-1500 FAX 612-335-1657

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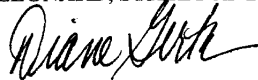
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DIANE P. GERTH
Enclosures

LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

November 25, 2003

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

Mayor
Village of Green Island
20 Clinton Street
Green Island, NY 12183

Re: Request for Comments on Potential Environmental Impacts of Proposed Line Abandonment Located between Mile Post T 1.81 +/- (in Green Island) and Mile Post T 3.11 +/-, (in Cohoes), in Albany County, State of New York (U.S. Postal Zip Codes 12047 and 12183) --- STB Docket No.: AB-156 (Sub-No. 24X)

Dear Mayor:

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This proposed petition for rail line abandonment exemption requires review by the Surface Transportation Board (STB). I will be preparing an Environmental and Historic Report that will provide the basis of the environmental review that the STB's Section of Environmental Analysis (SEA) will conduct for this proceeding. In preparing this report, consultation with agencies or organizations that may have specific interest in or knowledge of the potential environmental impacts is essential. This letter is, therefore, intended to solicit your comments regarding potential environmental impacts, if any, of the proposed rail line abandonment.

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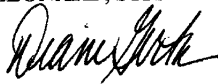
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Capital District Regional Planning Commission
5 Computer Drive West
Albany, NY 12205

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DIANE P. GERTH

EXHIBIT NO. 5

Historic Report

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.

DELAWARE AND HUDSON RAILWAY	)	
COMPANY – ABANDONMENT OF	)	
TRACKAGE LOCATED IN ALBANY	)	
COUNTY, NEW YORK	)	DOCKET NO. AB-156
	)	(SUB-NO 24X)
	)	

NOTICE OF EXEMPTION TO ABANDON PURSUANT TO 49 C.F.R. PART 1152.50 A
1.3 +/- MILE LINE OF RAILROAD BETWEEN MILEPOST T1.81 +/- (IN GREEN ISLAND)
AND MILEPOST T3.11 +/- (IN COHOES) WHICH TRAVERSES THROUGH UNITED
STATES POSTAL SERVICE ZIP CODES 12047 AND 12183, ALBANY COUNTY,
NEW YORK

HISTORIC REPORT
IN COMPLIANCE WITH
49 C.F.R. PART 1105.8

**DELAWARE AND HUDSON RAILWAY
COMPANY d/b/a Canadian Pacific Railway)**

**LEONARD, STREET and DEINARD
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Service Date: January 6, 2004

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.**

DELAWARE AND HUDSON RAILWAY	)	
COMPANY – ABANDONMENT OF	)	
TRACKAGE LOCATED IN ALBANY	)	
COUNTY, NEW YORK	)	DOCKET NO. AB-156
	)	(SUB-NO 24X)
	)	

HISTORIC REPORT

Pursuant to 49 C.F.R. Part 1105.7(e) and 1105.8, Delaware and Hudson Railway Company, Inc. hereby submits the following Historical Report regarding the Petition for Exemption to Abandon a 1.3 +/- mile line of railroad between milepost T1.81 +/- (in Green Island) and milepost T3.11 +/- (in Cohoes) which traverses through United States Postal Service Zip Codes 12047 and 12183 in Albany County, New York,-- STB Docket No.: AB-156 (Sub-No. 24X)

Section 1105.8(c) Distribution: The applicant must send the Historic Report to the appropriate State Historic Preservation Officer(s), preferably at least 60 days in advance of filing the application, petition, or notice, but not later than 20 days prior to filing with the Board.

(See Certificate of Service effecting service on January 6, 2004, Attached as Exhibit 1 to Environmental Report.)

Section 1105.8(d)(1)-(8) Content: The Historic Report should contain the information required by Section 1105.7(e)(l) (Environmental Report - See Preceding Report) and the following additional historic information:

Section 1105.8(d)(1) U.S.G.S. Topographic Maps: 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;

(See Appendix A)

Section 1105.8(d)(2) Right-of-Way: 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;

The right of way is on average 82 feet wide, is single-tracked for that portion of its length where trackage is still in place. The line runs primarily through urban industrial areas in Green Island and Cohoes. Tracks were removed on a portion of the line many years ago.

Section 1105.8(d)(3) Photographs: 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;

See Appendix B

Section 1105.8(d)(4): The dates of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.

The following bridge structure is the only structure remaining on the line. The New York State Historic Preservation Office has indicated verbally that the structure is eligible for inclusion in the National Register of Historic Places. To date, it has not been determined if the proposed action will result in any adverse effects on the structure. D&H will engage in ongoing consultation with the New York State SHPO on this proposed action, and will involve the proposed purchaser of the bridge in those discussions. If mitigation efforts are necessary, the parties will negotiate a Memorandum of Agreement outlining the measures that the railroad and the SHPO determine are appropriate.

Structure Number	Location	Over	Number of Spans	Length in feet	Type of Bridge	Year Built
No. 15.75	Green Island/Cohoes	Mohawk River	2	303	Iron	1891

Section 1105.8(d)(5) History: 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.

The line to be abandoned was originally owned by the Rensselaer and Saratoga Railroad Company (R&S), incorporated April 14, 1832 to construct a railroad between Troy, NY, and Ballston Spa, NY. The railroad was opened October 6, 1835. The Troy Branch was a part of the original Main Line route of The R&S.

This line of railroad was operated by the R&S until 1871, and since that time by predecessors of Delaware and Hudson Railway Company, Inc., under a perpetual lease dated May 1, 1871. The R&S was eventually merged into D&H by Agreement of Merger dated May 1, 1944.

In 1978, a portion of the Troy Branch to the north of this segment of the line was abandoned from milepost T3.11, in the City of Cohoes, Albany County, to milepost T4.55, in the Village of

Waterford, Saratoga County. Shortly after that abandonment, the one remaining rail customer on that portion of the Troy Branch in the City of Cohoes ended rail service. Since there were no longer rail customers in the City of Cohoes, that section of railroad from milepost T1.81, in the Village of Green Island, northerly to the south line of Ontario Street at MP T3.11 (the segment that is the subject of this report) ceased operation. It has been over twenty years since any rail traffic moved on this portion of the Troy Branch.

Section 1105.8(d)(6) Documents: 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.

The carrier's files consist primarily of maps and photos of the line, some engineering drawings, and recent maintenance records. Canadian Pacific purchased the assets of the Delaware and Hudson in 1991 following the bankruptcy of the former Delaware and Hudson Railway company, limiting the historic documentation in the possession of the Carrier.

Section 1105.8 (d)(7) Opinion: 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 C.F.R. 60.4), and whether there is a likelihood of archaeological 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);

It is the opinion of the railroad that this line would not meet the criteria for listing in the National Register of Historic Places. While the SHPO may determine that the Mohawk River Bridge is eligible, the proposed reuse of the bridge as part of a regional trail will likely not result in any adverse effects.

Section 1105.8(d)(8) Archaeological Resources: 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 archaeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

There are no known ground disturbances or fills other than those which would have occurred during original construction of this line or any subsequent maintenance or rehabilitation. There are no known toxic waste areas within the right way of this line segment.

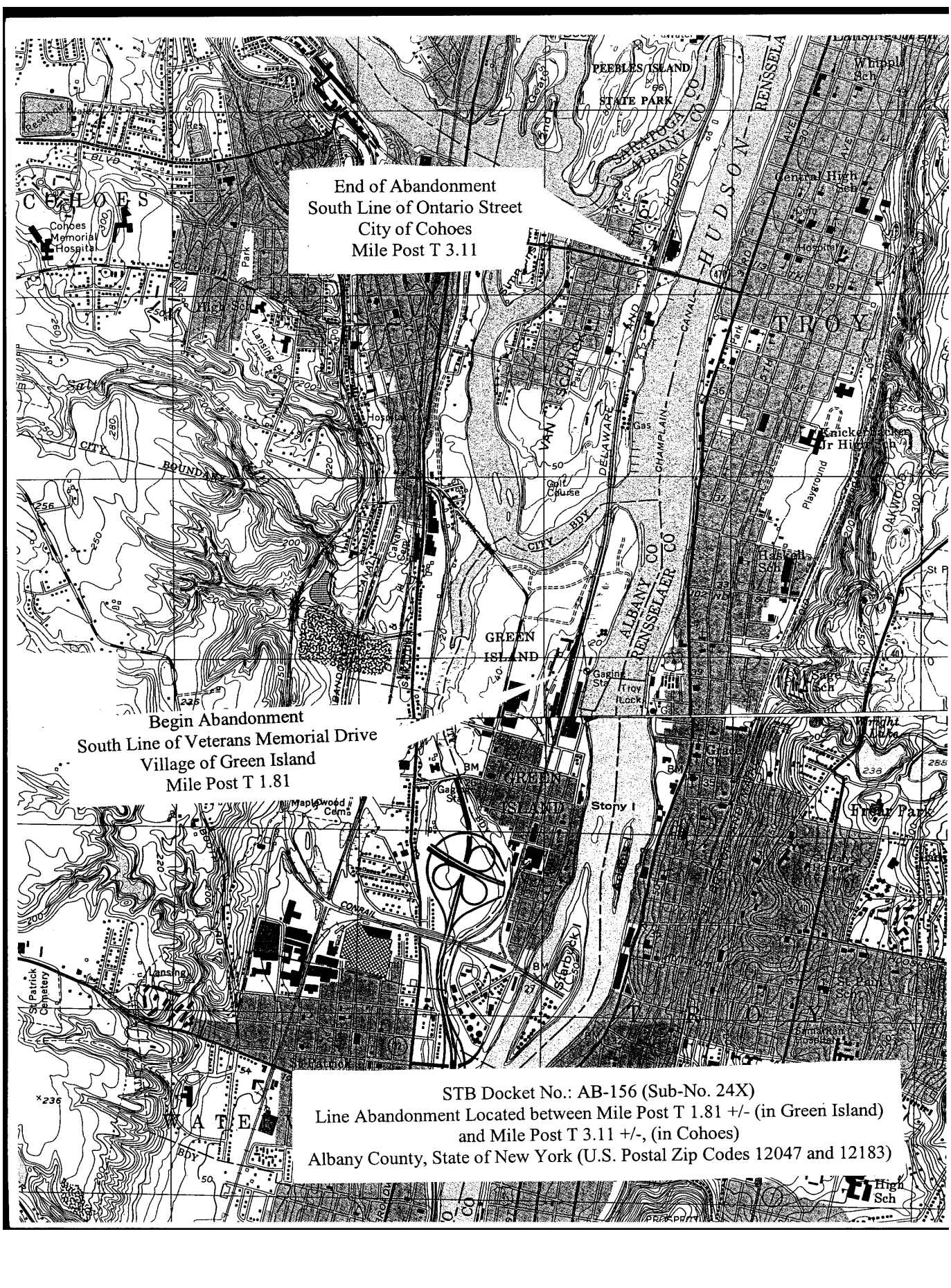
The following is based upon an excerpt from the former ICC Document Assessment of Environmental Impacts Associated with Railroad Abandonment Proposals in which archeological evaluations are discussed:

"...Salvaging an abandoned railroad line is normally confined to the limits of the right of way and rarely involves major excavation work. If the right of way is to be leveled at all,

only the roadbed built up during actual construction of the line would be affected. It is unlikely that there are any historic track structures under the roadbed since old rails and ties are salvaged during maintenance and rehabilitation operations. Likewise, there is usually neither significant damage to the vegetation found within the right of way nor any effect on land adjacent to the railroad property. By confining salvage operations of a rail line as discussed above, it is not anticipated that any archaeological sites in or immediately adjacent to the right of way, would be affected by the abandonment."

END OF REPORT

APPENDIX A
(CONSOLIDATED USGS TOPOGRAPHIC MAP)



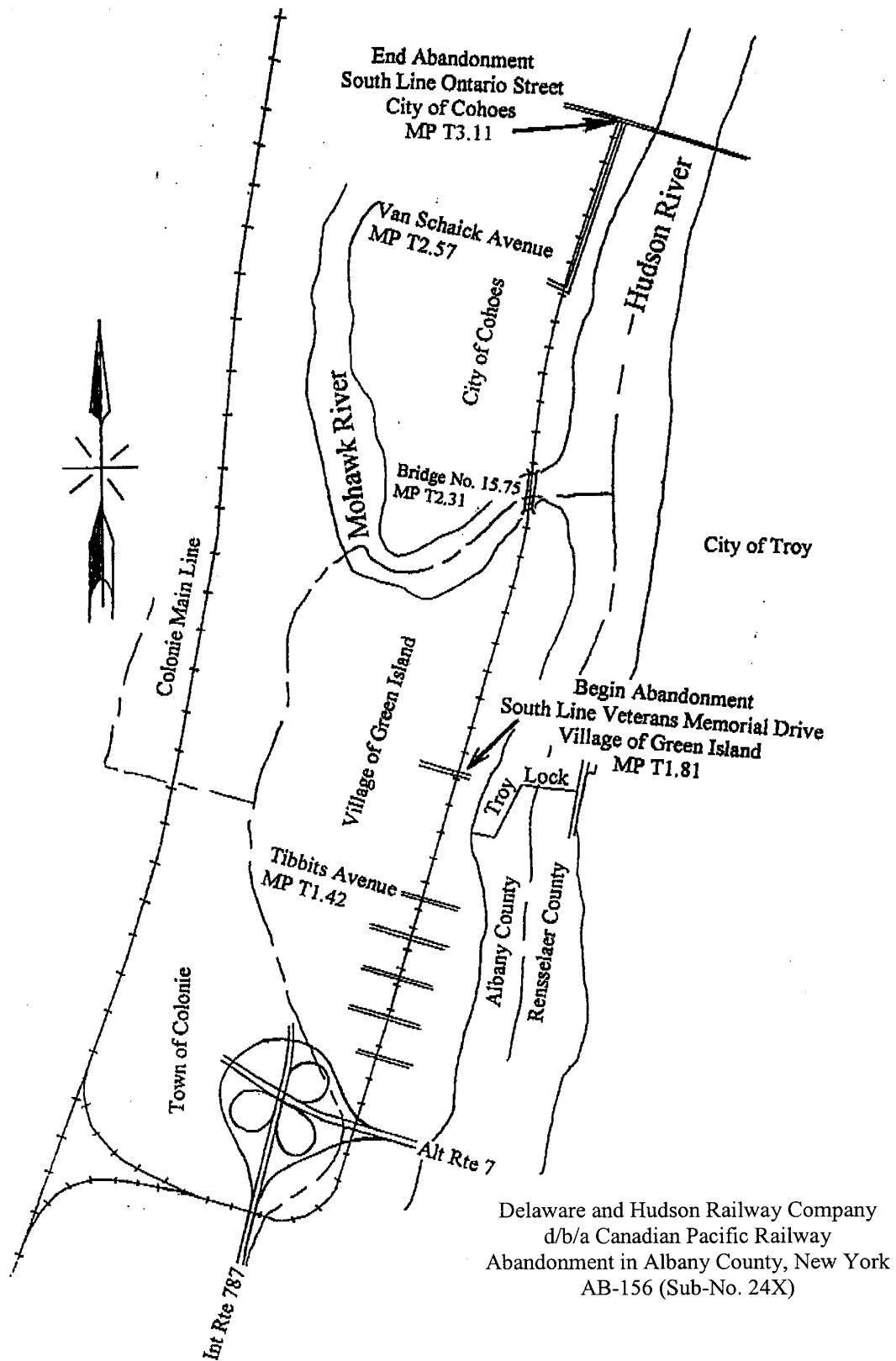
End of Abandonment
South Line of Ontario Street
City of Cohoes
Mile Post T 3.11

Begin Abandonment
South Line of Veterans Memorial Drive
Village of Green Island
Mile Post T 1.81

STB Docket No.: AB-156 (Sub-No. 24X)
Line Abandonment Located between Mile Post T 1.81 +/- (in Green Island)
and Mile Post T 3.11 +/- (in Cohoes)
Albany County, State of New York (U.S. Postal Zip Codes 12047 and 12183)

High Sch

APPENDIX B
(LOCATION MAP)



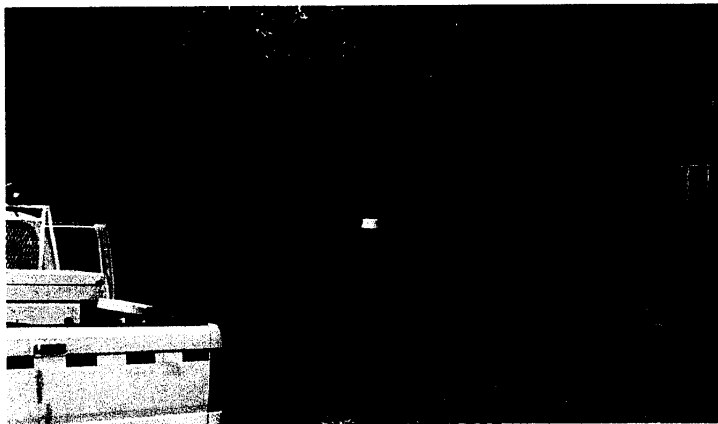
APPENDIX C
(PHOTOS OF RAILROAD STRUCTURES)

ARCADIS

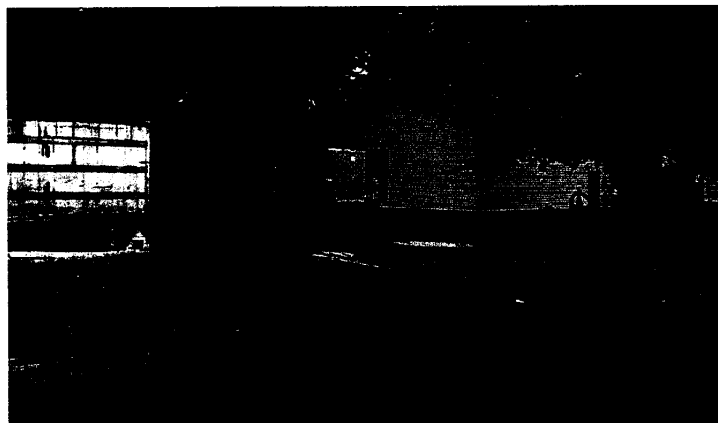
CPR Green Island/Troy Branches, NY
Site Reconnaissance Photographs
July 23, 2003



1. Site at Mile Post T 3.11,
looking south.



2. Village of Cohoes Pump
Station vent pipe, located on the
Site, south of Mile Post T 3.11,
looking south.



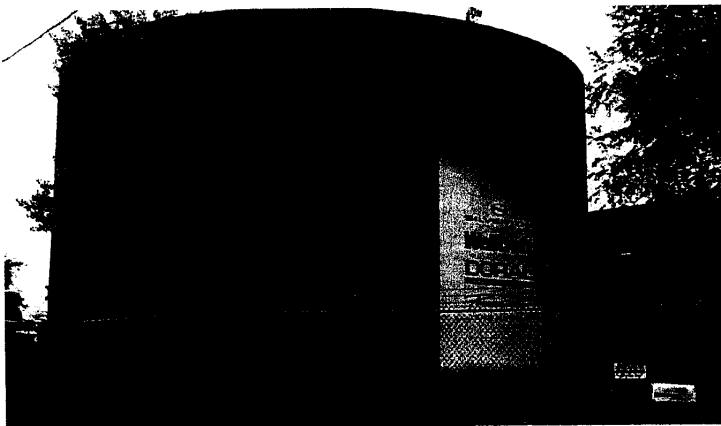
3. Village of Cohoes Pump
Station, located east of Site,
looking southeast.

ARCADIS

CPR Green Island/Troy Branches, NY
Site Reconnaissance Photographs
July 23, 2003



4. Site, slightly north of Mohawk River, looking south.



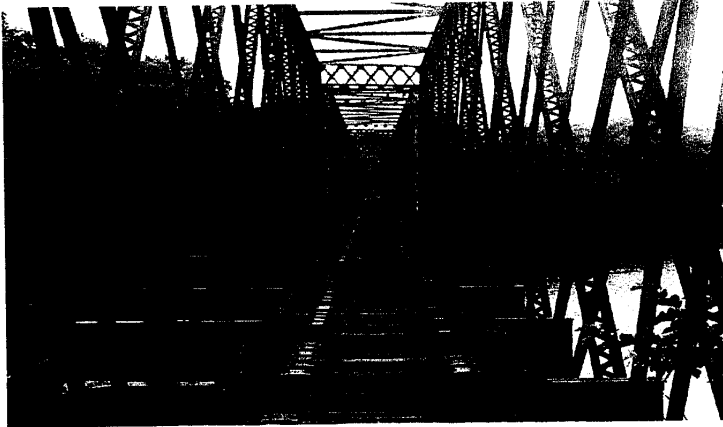
5. Adjacent property, north of Mohawk River, looking east.



6. Adjacent property, north of Mohawk River, looking east.

ARCADIS

CPR Green Island/Troy Branches, NY
Site Reconnaissance Photographs
July 23, 2003



7. Bridge over Mohawk River,
looking south.



8. Bridge over Mohawk River,
looking north.



9. Site, slightly south of bridge
over Mohawk River, looking
south.

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CPR Green Island/Troy Branches, NY
Site Reconnaissance Photographs
July 23, 2003



10. Unidentified mile marker,
south of bridge over Mohawk
River.



11. Site, slightly south of
Veterans Highway, looking
south.