

Before the

301315

SURFACE TRANSPORTATION BOARD

ENTERED

STB Docket No. AB-1300X

Office of Proceedings
November 27, 2020

**CATTARAUGUS LOCAL DEVELOPMENT CORP. Part of
ABANDONMENT EXEMPTION Public Record
IN CATTARAUGUS COUNTY, NEW YORK**

SUPPLEMENTAL CERTIFICATE OF SERVICE

Robert J. McLaughlin
McLaughlin Law, P.C.
90 State Street, Suite 700
Albany, New York 12207
518.520.0740
rjm@mclaughlinlawpc.com

*Counsel for
Cattaraugus Local Development Corp.*

Dated: November 27, 2020

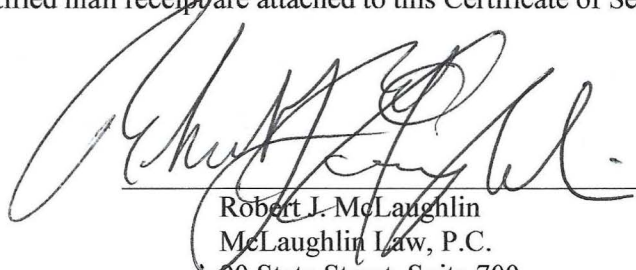
SUPPLEMENTAL CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2020, I served a copy of the Environmental and Historic Report (containing a portion of the Phase I Environmental Site Assessment) filed with the Board in matter AB-1300X on the persons or entities listed below by email (where indicated) or first class mail, postage prepaid.

US Department of the Interior National Park Service RTCA Program 1849 C Street. NW Washington, DC 20249	Hon. Marie Therese Dominguez, Commissioner NYS Department of Transportation 50 Wolf Road Albany, NY 12232
United States Department of the Army Military Surface Deployment and Distribution Command Transportation Engineering Agency ATTN: SDTE-SA (Railroads for National Defense) 1 Soldier Way, Building 1900 W Scott AFB, IL 62225	Hon. Francis P. Cirillo, Regional Director NYS Department of Transportation, Region 5 100 Seneca Street Buffalo, NY 14203
Office of Chief of Forest Service US Department of Agriculture 1400 Independence Ave., SW Washington, DC 20250-1111	

Copies of the transmittal letter and certified mail receipt are attached to this Certificate of Service.

Dated: November 27, 2020



Robert J. McLaughlin
McLaughlin Law, P.C.
90 State Street, Suite 700
Albany, NY 12207
518.820.0740
rjm@mclaughlinlawpc.com

McLAUGHLIN LAW, P.C.

90 STATE STREET, SUITE 700
ALBANY, NEW YORK 12207

518.520.0740

rjm@mclaughlinlawpc.com

November 27, 2020

7019 2970 0000 6606 9301

CERTIFIED MAIL

US Department of the Interior
National Park Service
RTCA Program
1849 C Street, NW
Washington, DC 20240

RE: STB Docket No. AB-1300X – Abandonment Exemption

Dear Sirs:

We are the attorneys for the Cattaraugus Local Development Corp. (CLDC). As you know, CLDC has operated the Sen. Pat McGee Trail ("Trail") since on or about 2005. The Trail follows a portion of the railway formerly owned and operated by the Erie Lackawanna Railroad Company, specifically the portion of the railway located in Cattaraugus County, New York (USRA Line 1250) and extending roughly 12.14 miles from Cattaraugus County Road #6 in the Town of New Albion, Cattaraugus County (Milepost 426.5) to the City line of the City of Salamanca, Town of Salamanca (near Milepost 414.3). This 12.14 mile portion is referred to as the "Line."

On October 8, 2020, we notified you that CLDC had recently learned that the 12.14 mile portion of the railway which operates as the Trail was never fully abandoned with the Surface Transportation Board ("Board"). CLDC has filed an abandonment petition for the Line operated as the Trail with the Board. (The Petition for Exemption is docketed as FD_36435; the Petition for Declaratory Relief was filed with the Board on March 4, 2020 and docketed as FD_36389, now AB_1300X.) Upon receipt of abandonment authority from the Board, CLDC will consummate the abandonment and abandon the Line.

CLDC's action requires Board environmental and historic review under 49 CFR 1105.6(b)(2). We previously provided you with a portion of the Phase I Environmental Site Assessment ("ESA") for the CLDC Trail (Towns of New Albion, Mansfield, Little Valley and Salamanca, Cattaraugus County, NY). In accordance with 49 CFR 1152.60(d), as a party listed in 49 CFR 1152.50(d), we are serving upon you the enclosed Environmental and Historic Report which has been filed with the Board. Based upon information in the possession of CLDC, the Line does not contain a federally granted right-of-way.

regarding current, and future, continued use of the Line for the Trail. mclaughlinlawpc.com, or by mail to the above address.

do not hesitate to contact me.

Very truly yours,

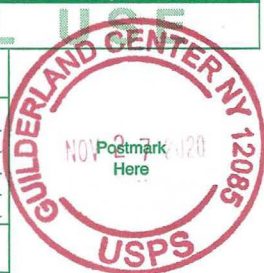
Robert J. McLaughlin

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	US DEPT OF INTERIOR
Street and Apt. No., or PO Box No.	1849 C St NW
City, State, ZIP+4®	WASH DC 20240

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



McLAUGHLIN LAW, P.C.

90 STATE STREET, SUITE 700
ALBANY, NEW YORK 12207
518.520.0740
rjm@mclaughlinlawpc.com

November 27, 2020

7019 2970 0000 6606 9295

CERTIFIED MAIL

Hon. Francis P. Cirillo, Regional Director
NYS Department of Transportation, Region 5
100 Seneca Street
Buffalo, NY 14203

RE: STB Docket No. AB-1300X – Abandonment Exemption

Dear Sirs:

We are the attorneys for the Cattaraugus Local Development Corp. (CLDC). As you know, CLDC has operated the Sen. Pat McGee Trail ("Trail") since on or about 2005. The Trail follows a portion of the railway formerly owned and operated by the Erie Lackawanna Railroad Company, specifically the portion of the railway located in Cattaraugus County, New York (USRA Line 1250) and extending roughly 12.14 miles from Cattaraugus County Road #6 in the Town of New Albion, Cattaraugus County (Milepost 426.5) to the City line of the City of Salamanca, Town of Salamanca (near Milepost 414.3). This 12.14 mile portion is referred to as the "Line."

On October 8, 2020, we notified you that CLDC had recently learned that the 12.14 mile portion of the railway which operates as the Trail was never fully abandoned with the Surface Transportation Board ("Board"). CLDC has filed an abandonment petition for the Line operated as the Trail with the Board. (The Petition for Exemption is docketed as FD_36435; the Petition for Declaratory Relief was filed with the Board on March 4, 2020 and docketed as FD_36389, now AB_1300X.) Upon receipt of abandonment authority from the Board, CLDC will consummate the abandonment and abandon the Line.

CLDC's action requires Board environmental and historic review under 49 CFR 1105.6(b)(2). We previously provided you with a portion of the Phase I Environmental Site Assessment ("ESA") for the CLDC Trail (Towns of New Albion, Mansfield, Little Valley and Salamanca, Cattaraugus County, NY). In accordance with 49 CFR 1152.60(d), as a party listed in 49 CFR 1152.50(d), we are serving upon you the enclosed Environmental and Historic Report which has been filed with the Board. Based upon information in the possession of CLDC, the Line does not contain a federally granted right-of-way.

Please provide any comments regarding current, and future, continued use of the Line for the Trail.

mclaughlinlawpc.com, or by mail to the above address.

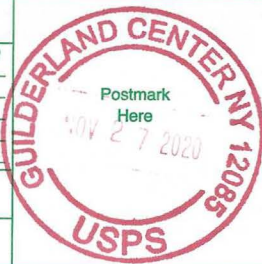
Do not hesitate to contact me.

Very truly yours,

Robert J. McLaughlin

7019 2970 0000 6606 9295

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	NYS DOT
Street and Apt. No., or PO Box No.	100 Seneca St
City, State, ZIP+4®	Buffalo NY 14203
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



McLAUGHLIN LAW, P.C.

90 STATE STREET, SUITE 700
ALBANY, NEW YORK 12207
518.520.0740
rjm@mclaughlinlawpc.com

November 27, 2020

7019 2970 0000 6606 9288

CERTIFIED MAIL

Hon. Marie Therese Dominguez, Commissioner
NYS Department of Transportation
50 Wolf Road
Albany, NY 12232

RE: STB Docket No. AB-1300X – Abandonment Exemption

Dear Sirs:

We are the attorneys for the Cattaraugus Local Development Corp. (CLDC). As you know, CLDC has operated the Sen. Pat McGee Trail ("Trail") since on or about 2005. The Trail follows a portion of the railway formerly owned and operated by the Erie Lackawanna Railroad Company, specifically the portion of the railway located in Cattaraugus County, New York (USRA Line 1250) and extending roughly 12.14 miles from Cattaraugus County Road #6 in the Town of New Albion, Cattaraugus County (Milepost 426.5) to the City line of the City of Salamanca, Town of Salamanca (near Milepost 414.3). This 12.14 mile portion is referred to as the "Line."

On October 8, 2020, we notified you that CLDC had recently learned that the 12.14 mile portion of the railway which operates as the Trail was never fully abandoned with the Surface Transportation Board ("Board"). CLDC has filed an abandonment petition for the Line operated as the Trail with the Board. (The Petition for Exemption is docketed as FD_36435; the Petition for Declaratory Relief was filed with the Board on March 4, 2020 and docketed as FD_36389, now AB_1300X.) Upon receipt of abandonment authority from the Board, CLDC will consummate the abandonment and abandon the Line.

CLDC's action requires Board environmental and historic review under 49 CFR 1105.6(b)(2). We previously provided you with a portion of the Phase I Environmental Site Assessment ("ESA") for the CLDC Trail (Towns of New Albion, Mansfield, Little Valley and Salamanca, Cattaraugus County, NY). In accordance with 49 CFR 1152.60(d), as a party listed in 49 CFR 1152.50(d), we are serving upon you the enclosed Environmental and Historic Report which has been filed with the Board. Based upon information in the possession of CLDC, the Line does not contain a federally granted right-of-way.

ing current, and future, continued use of the Line for the Trail.
lawpc.com, or by mail to the above address.

not hesitate to contact me.

Very truly yours,

Robert J. McLaughlin

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage

Total Postage and Fees

Sent To

Street and Apt. No., or P.O. Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

McLAUGHLIN LAW, P.C.

90 STATE STREET, SUITE 700
ALBANY, NEW YORK 12207
518.520.0740
rjm@mclaughlinlawpc.com

November 27, 2020

7019 2970 0000 6606 9271

CERTIFIED MAIL

United States Department of the Army
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

RE: STB Docket No. AB-1300X – Abandonment Exemption

Dear Sirs:

We are the attorneys for the Cattaraugus Local Development Corp. (CLDC). As you know, CLDC has operated the Sen. Pat McGee Trail ("Trail") since on or about 2005. The Trail follows a portion of the railway formerly owned and operated by the Erie Lackawanna Railroad Company, specifically the portion of the railway located in Cattaraugus County, New York (USRA Line 1250) and extending roughly 12.14 miles from Cattaraugus County Road #6 in the Town of New Albion, Cattaraugus County (Milepost 426.5) to the City line of the City of Salamanca, Town of Salamanca (near Milepost 414.3). This 12.14 mile portion is referred to as the "Line."

On October 8, 2020, we notified the US Army Corps of Engineers (copy enclosed) that CLDC had recently learned that the 12.14 mile portion of the railway which operates as the Trail was never fully abandoned with the Surface Transportation Board ("Board"). CLDC has filed an abandonment petition for the Line operated as the Trail with the Board. (The Petition for Exemption is docketed as FD_36435; the Petition for Declaratory Relief was filed with the Board on March 4, 2020 and docketed as FD_36389, now AB_1300X.) Upon receipt of abandonment authority from the Board, CLDC will consummate the abandonment and abandon the Line.

CLDC's action requires Board environmental and historic review under 49 CFR 1105.6(b)(2). We previously provided the US Army Corps of Engineers with a portion of the Phase I Environmental Site Assessment ("ESA") for the CLDC Trail (Towns of New Albion, Mansfield, Little Valley and Salamanca, Cattaraugus County, NY). In accordance with 49 CFR 1152.60(d), as a party listed in 49 CFR 1152.50(d), we are serving upon you the enclosed Environmental and Historic Report which has been filed with the Board. Based upon information in the possession of CLDC, the right-of-way.

ling current, and future, continued use of the Line for the Trail.
mclaughlinlawpc.com, or by mail to the above address.

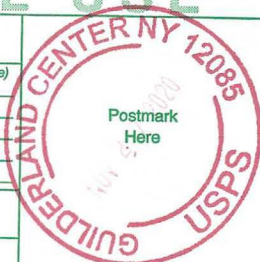
Do not hesitate to contact me.

Very truly yours,

Robert J. McLaughlin

7019 2970 0000 6606 9271

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	USDEPT OF Army
Street and Apt. No., or PO Box No.	1 Soldier Way Bldg 1900W
City, State, ZIP+4®	SCOTT AFB, IL 62225
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



McLAUGHLIN LAW, P.C.

90 STATE STREET, SUITE 700
ALBANY, NEW YORK 12207
518.520.0740
rjm@mclaughlinlawpc.com

November 27, 2020

7019 2970 0000 6606 9264

CERTIFIED MAIL

Office of Chief of Forest Service
US Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250-1111

RE: STB Docket No. AB-1300X – Abandonment Exemption

Dear Sirs:

We are the attorneys for the Cattaraugus Local Development Corp. (CLDC). As you know, CLDC has operated the Sen. Pat McGee Trail ("Trail") since on or about 2005. The Trail follows a portion of the railway formerly owned and operated by the Erie Lackawanna Railroad Company, specifically the portion of the railway located in Cattaraugus County, New York (USRA Line 1250) and extending roughly 12.14 miles from Cattaraugus County Road #6 in the Town of New Albion, Cattaraugus County (Milepost 426.5) to the City line of the City of Salamanca, Town of Salamanca (near Milepost 414.3). This 12.14 mile portion is referred to as the "Line."

CLDC recently learned that the 12.14 mile portion of the railway which operates as the Trail was never fully abandoned with the Surface Transportation Board ("Board"). CLDC has filed an abandonment petition for the Line operated as the Trail with the Board. (The Petition for Exemption is docketed as FD_36435; the Petition for Declaratory Relief was filed with the Board on March 4, 2020 and docketed as FD_36389, now AB_1300X.) Upon receipt of abandonment authority from the Board, CLDC will consummate the abandonment and abandon the Line.

CLDC's action requires Board environmental and historic review. In accordance with 49 CFR 1152.60(d), as a party listed in 49 CFR 1152.50(d), we are serving upon you the enclosed Environmental and Historic Report which has been filed with the Board. This Report contains a portion of the Phase I Environmental Site Assessment ("ESA") for the CLDC Trail (Towns of New Albion, Mansfield, Little Valley and Salamanca, Cattaraugus County, NY). Based upon information in the possession of CLDC, the Line does not contain a federally granted right-of-way.

Regarding current, and future, continued use of the Line for the Trail. mclaughlinlawpc.com, or by mail to the above address.

Do not hesitate to contact me.

Very truly yours,

Robert J. McLaughlin

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage
\$
Total Postage and Fees
\$

Sent To
Office/Chief of Forest Service
Street and Apt. No., or PO Box No.
1400 Independence Ave SW
City, State, ZIP+4®
Washington DC 20250-1111

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

