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To <johnson-ballp@stb.dot.gov>
cc
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Subject State Representative Brad Jones - Testimony re.
FD-34797.pdf

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ATTN: Finance Docket No. 34797
Phillis Johnson-Ball
Surface Transportation Board
1925 K Street NW
Washington, DC 20423

Dear Ms. Johnson-Ball:

Attached, please find comments by Massachusetts House Minority Leader Bradley H. Jones, Jr.
concerning Finance Docket No. 34797.

A printed copy of these comments has been placed in the mail to your attention.

Please feel free to contact our office with any questions. Thank you.

Sincerely,

FREDERICK VAN MAGNESS, JR., Chief of Staff & Senior Legal Counsel
Office of the Massachusetts House Minority Leader
State Representative Bradley H. Jones, Jr.
The State House, Room 124
Boston, MA 02133
(617) 722-2100
(617) 722-2390 fax



State Representative Brad Jones - Testimony re. FD-34797.pdf



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

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BRADLEY H. JONES, JR.
STATE REPRESENTATIVE
MINORITY LEADER

20TH MIDDLESEX DISTRICT
READING • NORTH READING
LYNNFIELD • MIDDLETON
ROOM 124
TEL. (617) 722-2100
Rep.BradleyJones@hou.state.ma.us

May 10, 2006

Attn: Finance Docket No. 34797
Ms. Phillis Johnson-Ball
Surface Transportation Board
1925 K Street NW
Washington, DC 20423

Re: Surface Transportation Board Finance Docket No. 34797
New England Transrail, LLC, d/b/a Wilmington & Woburn Terminal Railway Co.

Dear Ms. Johnson-Ball:

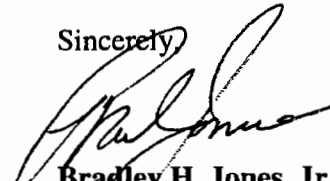
Thank you for this opportunity to submit comments relating to the Environmental Review your office is conducting in the above-captioned matter.

This matter is a resubmission of a petition previously filed by New England Transrail, LLC (FD 34391). On August 26, 2004, I sent you correspondence voicing concerns about the approval of this project. That letter, a copy of which is attached hereto, was placed on file in the previous docket and I am informed that it was helpful in your consideration of this project.

Please know that despite the passage of time, I continue to harbor the concerns stated in my previous letter. Therefore, I would like to resubmit my previous comments for inclusion in the current docket. I incorporate them by reference herein, and I hope you will give them your renewed consideration as you continue to investigate this matter.

I appreciate the opportunity to express these sentiments to you and hope they will be helpful in your regulatory process. Should you wish to discuss this issue further with me, or should my office be in a position where I could assist you with your efforts, please do not hesitate to contact me. Thank you for your attention to these comments.

Sincerely,



Bradley H. Jones, Jr.
Minority Leader

cc: Peter Hechenbleikner, Town Manager



BRADLEY H. JONES, JR.
STATE REPRESENTATIVE
MINORITY LEADER

The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

20th MIDDLESEX DISTRICT
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TEL. (617) 722-2100
Rep.BradleyJones@hou.state.ma.us

August 26, 2004

Attn: Ms. Phillis Johnson-Ball, Environmental Comments
Case Control Unit
Surface Transportation Board
1925 K Street NW
Washington, DC 20423

Re: Finance Docket No. 34391: New England Transrail, LLC, d/b/a
Wilmington & Woburn Terminal Railway Co. – Construction, Acquisition
and Operation Exemption in Wilmington and Woburn, MA

Dear Ms. Johnson-Ball:

Thank you for this opportunity to submit comments relating to the Environmental Assessment your office prepared in the above-captioned matter.

I represent the 20th Middlesex District in the Massachusetts House of Representatives. My district includes a substantial portion of the Town of Reading, which borders the Town of Wilmington and City of Woburn, and is located very close to the proposed construction site. Normally I would not presume to comment on a project such as this which is located outside of my district. However, I feel compelled to do so in this case out of concern the anticipated effects of a reload facility in Wilmington could extend beyond the borders of that town and could be detrimental to the area I represent and the people who live there.

Having represented portions of the Town of Reading for over 10 years I am well aware of the linkages Reading has with other communities, including Wilmington and Woburn. Some connections are structural, such as Interstate Route 93, which passes through all three communities. Reading and Woburn also share the interchange between Route 93 and Route 128, which is one of the busiest traffic areas in Massachusetts. Other ties are natural, such as the shared interest the towns have in the Aberjona/Mystic, Ipswich and Saugus River Water Basins. And some connections are social, including the communities' common visions for planning and preservation. What is important for purposes of this project is that all of the afore-mentioned links are relevant to the development of a rail reload facility in Wilmington. Because of the ties between the communities, it is entirely reasonable to assume certain consequences of the proposed project would be felt in some form and to some extent by all three municipalities.

It is because of the shared interest of the several towns that I was surprised to see the Town of Reading was not included on the distribution list for the Environmental Assessment. I am worried officials in Reading have not had an adequate opportunity to educate themselves as to the proposed scope and consequences of the rail reload facility and to submit informed comments to you. The proposed project should not go forward unless and until affected communities are fully aware of its consequences and have ample opportunity to provide input on matters of concern to them. For those reasons, I respectfully request that the Surface Transportation Board extend the period for comment in this matter by a period of 60 days and notify officials in abutting communities (including the Town of Reading) of their opportunity to obtain information and submit comments concerning this project.

Please also allow me to submit for your consideration the following substantive comments about the proposed project.

According to the Environmental Assessment, the proposed action threatens to generate between 200 and 400 truck trips per day to the reload facility. The truck trips would involve a mixture of 30 foot trucks and 18-wheel semi-tractors. Some trucks would access the facility via Interstate Route 93 while others result from local traffic. In total, the assessment predicts an increase in average daily traffic on adjacent roadways of between three and five percent. It is further admitted the project will involve a "short-term negligible impact on air quality" and the transport of "small quantities of propane", which is a sensitive if not hazardous material.

Given those and other findings contained in the Environmental Assessment I find it difficult to agree with its conclusion that the community risks associated with the project will be insubstantial. In contrast, I worry any increase in local traffic and environmental hazard would have a profoundly negative effect on area residents. Several factors in particular draw me to that conclusion.

Over the past year I have participated in meetings of state, local and community leaders to study the impact of the I-93/I-95 interchange on area towns. Those discussions have made us all acutely aware of the substantial congestion and public safety issues now existing at the interchange. The cloverleaf poses a severe traffic problem for area residents every day, due in no small part to the volume of trucks using it. Aside from the traffic inconvenience, drivers and analysts have complained of the sharp radius and slope of ramps which could make the intersection potentially hazardous to trucks. Unfortunately, the interchange has been the site of overturned commercial vehicles in the past, some of which hauled sensitive cargo.

It seems reasonable to conclude a project which would add up to 400 trucks per day to Route 93 in its initial stages would exacerbate current problems. Residents potentially would be harmed by increased traffic congestion and the risk of hazardous material incidents. First responders in the Town of Reading also would have to cope with such threats without any added support. Unfortunately, there appears to be nothing in the Environmental Assessment to reassure the town against such eventualities or to mitigate such problems should they occur.

Residents of Reading have a long history of being concerned about environmental contamination, some of it caused by trucking. For example, the town was the site of a tragic accident in the mid-1990's where a gasoline tanker overturned on the highway and spilled a large part of its cargo into a wetlands area servicing the town's municipal drinking supply. Cleanup from the accident took a number of years and had a severe impact on the town's conservation and wetlands resources. Reading also is located adjacent to the City of Woburn, which is home to several seriously-contaminated Superfund sites which have plagued residents for years and had subsidiary effects on those residing in Reading.

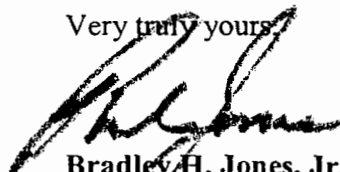
With that in mind, Reading residents have long objected to the number of large trucks and commercial vehicles passing through residential neighborhoods. Those protests have caused several "no-trucking" exclusions to be posted on local roads. Most recently, my office worked closely with officials at MassHighway and community leaders to enact a truck exclusion on West Street in Reading in late 2003. The exclusion is both a reflection of the residential and historic character of the neighborhood and a response to profound concerns for public safety.

I appreciate the work the Surface Transportation Board has done to research this issue and the thoughtful analysis contained in the Environmental Assessment. However, in my opinion, the proposed action could be harmful to the community by substantially increasing the risk of problems due to traffic and environmental hazard. It also would reverse recent improvements the town has made in terms of traffic flow and congestion. Unfortunately, the Environmental Assessment fails to address such issues from the perspective of residents in Reading and contains nothing in the way of mitigation or assurances for those citizens. It also ignores the possibility of future expansion at the site which could increase the risk of harm.

As your organization weighs whether and under what conditions to allow this project to go forward, I would encourage you to give added deliberation to some of these factors and to do as much as possible to protect local residents from unintended consequences associated with the load facility. It seems to me the best way to start doing so would be to extend the comment period for at least 60 days and solicit input from community leaders in the best position to assess those consequences.

I appreciate the opportunity to express these sentiments to you and hope they will be helpful in your regulatory process. Should you wish to discuss this issue further with me, or should my office be in a position where I could assist you with your efforts, please do not hesitate to contact me. Thank you for your attention to these comments.

Very truly yours,



Bradley H. Jones, Jr.
Minority Leader

cc: Peter Hechenbleikner, Town Manager