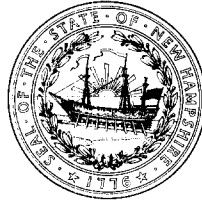


**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE
ATTORNEY GENERAL



Orville B. Fitch, II

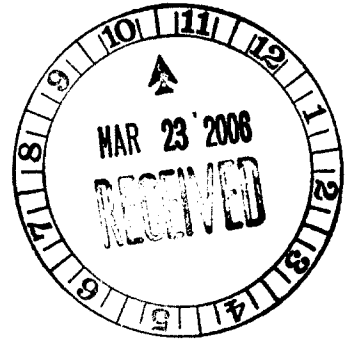
DEPUTY ATTORNEY GENERAL

March 17, 2006

Honorable Vernon Williams, Secretary
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, NW, Room 504
Washington, DC 20423-0001

MAR 21 2006

Part of
Public Record



Re: Docket No. AB-871X
State of New Hampshire Department of Transportation ("NHDOT")
Abandonment
Verified Notice of Exemption
Lakeport Spur – Belknap County, New Hampshire

Dear Secretary Williams:

Enclosed please find the Environmental Report to accompany Docket No. AB-871X, which was sent to your office on behalf of the New Hampshire Department of Transportation on March 9, 2006.

If I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Stephen G. LaBonte".

Stephen G. LaBonte
Assistant Attorney General
Transportation & Construction Bureau
(603) 271-3675

SGL/sec
Enclosures
119250.doc

CONCORD AND MONTREAL RAILROAD
ENVIRONMENTAL/HISTORICAL REPORT

Docket No. AB-871X

I. ENVIRONMENTAL REPORT

The following information is provided in accordance with 49 C.F.R. § 1105.7 (e).

(1) Proposed Action and Alternatives

The State of New Hampshire proposes to abandon and discontinue its right to operate and maintain railroad service over a portion of the Lake Shore Railroad (also known as the Lakeport Spur) in the City of Laconia, NH. (See Figures 1 & 2.) The section to be abandoned is located on private property and is currently owned by James R. Irwin and Sons, Inc. It is depicted as parcel No. 23 and parcel No. 24 on Plan V21-65A entitled: *"Right-of-Way and Track Map, The Concord & Montreal R.R. Operated by the Boston and Maine R.R., Station - +79 to Station 51+84, Scale 1-IN. = 100-FT., June 30, 1914."* and extends from Engineering Station 1+70 ± to Engineering Station 11+28.11. (See Figures 3, 4, & 5.)

The State acquired the right to operate and maintain a railroad through condemnation from the Boston and Maine Corporation in. (See Attachments A & B.) In preparation for this filing, the NHDOT notified the relevant parties and afforded them the opportunity to provide comments.

There has been no traffic on the Lake Shore Railroad for many years. The NHDOT sees no reasonable alternative to the abandonment and discontinuance of service of this line.

Attached to this Environmental/Historical Report, are conference reports (See Attachments C & D) documenting the review and discussion of the proposed abandonment and discontinuance of service with the appropriate federal, state and local authorities and agencies.

This Environmental/Historical Report is based upon the information provided in those responses and from meetings with the relevant parties.

(2) Transportation System

There will be no substantial effect on existing regional or local transportation systems or patterns. There is no passenger or freight traffic on the Lake Shore Railroad and has not been for many years.

(3) Land Use

- (i) Based on the available information, the proposed action will have no effect on local land use.
- (ii) Based on the available information, the proposed action will have no effect on any prime agricultural land.
- (iii) The proposed action is not located within a State coastal zone designated pursuant to the Coastal Zone Management Act (16 U.S.C. 1451 *et seq.*).
- (iv) The land is private property used for commercial purposes and is, therefore, unsuitable for alternative public purposes.
- (v)

(4) Energy

- (i) Based on the available information, the proposed action will have no effect on transportation of energy resources.
- (ii) The proposed action will have no effect on recyclable commodities.
- (iii) The proposed action will have no effect on overall energy efficiency. This railroad line is currently out of operation and abandonment and discontinuation of service will not change that.

- (iv) The proposed action will not result in any diversions from rail to motor carriers as the railroad line is not in service.

(5) Air

The proposed project is located within an area of the State that is in attainment with respect to the National Ambient Air Quality Standards (NAAQS) for ozone and all other criteria pollutants (CO, NO_x, VOCs, and PM). The proposed work is not considered a "Regionally Significant Project" as defined in the final Transportation Conformity rules (40 CFR 51.392) or in those rules adopted by the New Hampshire Department of Environmental Services in accordance with the interagency consultation provisions required by 40 CFR 51.402. When completed, the project is not expected to result in significant air quality impacts or contribute to violations of the NAAQS. Consequently, this project is exempt from the conformity requirements of the Clean Air Act Amendments of 1990. In addition, the project will not result in any of the increases set forth in § 1105.7 (e)(5).

(6) Noise

The proposed action will have no impact on noise levels or result in or exceed any of the thresholds set forth at § 1105.7 (e)(6).

(7) Safety

- (i) The proposed action will have no impact on public health and safety.
- (ii) Hazardous materials are not now transported over this railroad line and will not be transported as a result of the proposed action.
- (iii) Remediation sites near the Lake Shore Railroad line have been identified by the New Hampshire Department of Environmental Services are listed in the table below. (Also

see Figure 6.) Those sites with shaded information have been closed by NHDES, meaning no further regulatory action is required. Two of the remaining sites (yellow shading) had leaking underground storage tanks (LUST) and are currently operating under Groundwater Permits from the NHDES. The remaining site (198901015) was contaminated when the site was used as a bulk storage petroleum facility. The current owner recently submitted a Groundwater Management Permit Application to NHDES.

SITE ID	SITE NAME	ADDRESS	TOWN	PROJECT TYPE	PERMIT #
199204024	Abbott Property	Stark St., and Union Ave.	Laconia	LUST	GWP-199204024-L-002
199511010	Fitzgerald Dodge	1165 Union Avenue	Laconia	UIC	
198901015	Former Aarby's (D'Angelo's)	1056 Union Avenue	Laconia	SPILL / RLS	
199307002	Highway Oil Station #150	965 Union Avenue	Laconia	LUST	GWP-199307002-L-001
199104014	Irwin Marine	958 Union Avenue	Laconia	UIC	
199104014	Irwin Marine	958 Union Avenue	Laconia	SITE-EVAL	
199403007	John Rudzinski	1258 Union Avenue	Laconia	LUST	GWP-199403007-L-001
199510004	Labbe Oil Co	1185 Union Avenue	Laconia	FUEL, UIC	
199811042	Valvoline Instant Oil Change	1147 Union Avenue	Laconia	SPILL / RLS	
199511012	Yankee Rentals	1127 Union Avenue	Laconia	UIC	
199212029	Brooksies Garage/Daves Maintenance	Blaisdell Avenue	Laconia	LUST	
199212029	Brooksies Garage/Daves Maintenance	Blaisdell Avenue	Laconia	UIC	

(8) Biological Resources

- (i) Based on available information, the proposed action will have no affect on endangered or threatened species or critical habitats.
- (ii) No National or State parks, forests, or wildlife sanctuaries will be affected by the proposed action.

(9) Water

- (i) The proposed action will not affect water quality and is not inconsistent with Federal, State, and/or local water quality standards.
- (ii) The proposed action will not require any permits under § 404 of the Clean Water Act. Likewise, no designated wetlands or 100-year floodplains will be affected by the proposed action. (See Figure 7.)
- (iii) The proposed action will not require any permits under § 402 of the Clean Water Act.

(10) Proposed Mitigation

Because no environmental impacts are anticipated from the proposed action, no mitigation will be needed or is planned.

(11) Additional Information for Rail Construction

The proposed action is not a rail construction proposal. Therefore, this section does not apply.

II. HISTORIC REPORT

The following information is provided in accordance with 49 C.F.R. § 11508.8 (d).

(1) Maps

The United States Department of the Interior Geological Survey topographical map is attached hereto identifying the location of the proposed action. (See Figures 1 & 2.)

(2) Description of Right-of-Way

The right to operate and maintain a railroad over land of James R. Irwin & Sons, Inc. was derived by the State from an order of the Merrimack County Superior Court and is described in an *Amended Notice of Condemnation* (See Attachment B) recorded in the Merrimack County Registry of Deeds at Book 1366, Page 893; in the Belknap County Registry of Deeds at Book 786, page 69; and also in the Grafton County Registry of Deeds. It is more particularly described in paragraph *Plan V-21/65-A*, as:

"...and the right to operate and maintain a railroad over Parcel #23, #24, and #25, in accordance with the railroad's reservation of rights under the conveyances of said parcels."

(3) Photographs of Railroad Structures

Photographs of the railroad tracks within the Irwin property are included. (See Figures 8, 9, 10, & 11.) There are no railroad structures other than tracks on the property.

(4) Construction Dates

Construction of the Lake Shore Railroad was begun in 1888 and completed in 1889.

(5) History of Carrier Operations

In 1847, the Cochecho Railroad obtained a charter to build a rail line from the Boston & Main Railroad in Dover to some point on the Boston, Concord, & Montreal Railroad in Belknap County. The Cochecho opened a line from Dover to Alton Bay in 1851. The Lake Shore Railroad was intended to complete the missing link between Alton Bay and the Boston, Concord, & Montreal Railroad (See Figure 12). For various reasons, work on the Lake Shore Railroad was delayed until 1888. Freight and passenger service began in 1890. In 1911, the Lake Shore Railroad and its connection with Dover, the former Cochecho Railroad, became the Lakeport Branch.

Connections at Lakeport became increasingly inconvenient, and between 1930 and 1934 passenger traffic was almost halved and freight traffic declined 97 percent as goods were

transferred to highways. The last trains ran on July 9, 1935. Passenger service over the line to Dover ceased simultaneously.

At Alton Bay, a short length was retained for freight switching until 1942. From Lakeport to Lily Pond (See Figure 13), just over a mile of track remained in use as an industrial spur to serve Grossman's lumberyard. This was closed about 1980.

(6) Summary of Useful Documents

The lots of concern are listed as parcels #23 and #24 on valuation plan V21-65A. This plan is the property of Guilford Rail System and can be found at their headquarters at Iron Horse Park, High Street; North Billerica, MA 01862. A copy of the plan can also be found at the NH Department of Transportation, Bureau of Rail and Transit.

A survey of parcel #23 entitled "Land in Laconia, N.H. Boston and Main Railroad to James R. Irwin & Sons, Inc." by J. F. Kerwin Eng'r of Design dated March 1959, can be found in the Belknap County Registry of Deeds, Plan Book 13, Page 954.

A survey of parcel #24 entitled "Land in Laconia, N.H. Boston and Main Corporation to James R. Irwin & Sons, Inc." J. D. Batchelder Eng'r of Design dated October 1966, can be found in the Belknap County Registry of Deeds, Book 487, Page 202A.

The "Amended Notice of Condemnation" is recorded in the Merrimack County Registry of Deeds at Book 1366, Page 893; in the Belknap County Registry of Deeds at Book 786, page 69; and also in the Grafton County Registry of Deeds.

(7) Opinion as to Historic Significance

The proposed abandonment and discontinuation of service over the subject property was reviewed by the NH Division of Historical Resources on February 22, 2005. After reviewing photographs of the property and noting that the only remnants of the railroad were the rails, it was determined there were no objections to the proposed action. (See Attachment D.)

(8) Description of Prior Subsurface Disturbance

The proposed abandonment and discontinuation of service is over privately owned land. After the Boston and Main Railroad sold the land to James R. Irwin & Sons, Inc., the land was developed for a commercial boat storage facility and marina. A considerable amount of disturbance has occurred on the property with the exception of the rail line itself. While portions of the corridor have been paved over, the tracks remain in place and have been kept clear of permanent obstructions in recognition of the State's right to operate a railroad. (See Figure 14.)

Figure 1. Project Location

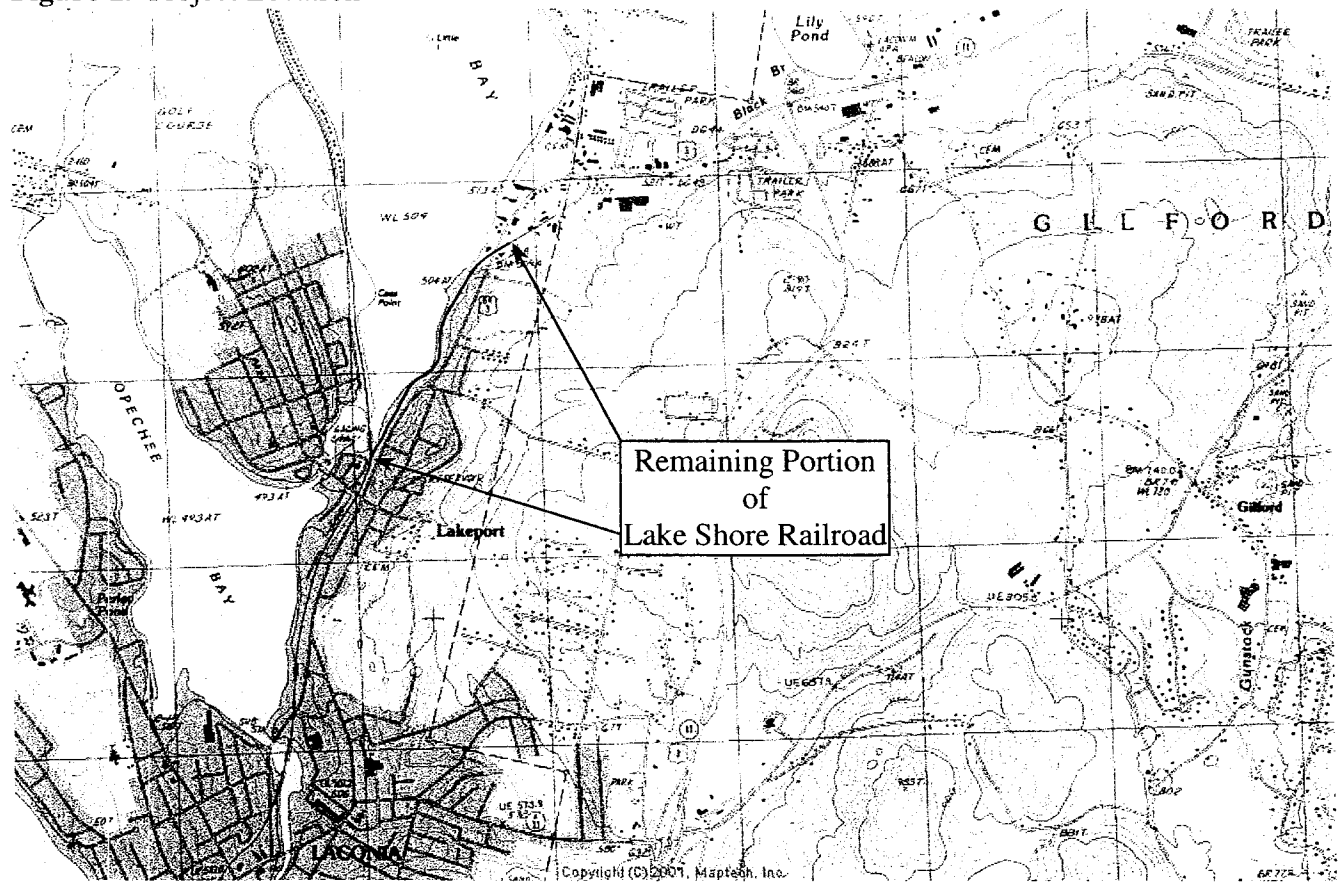
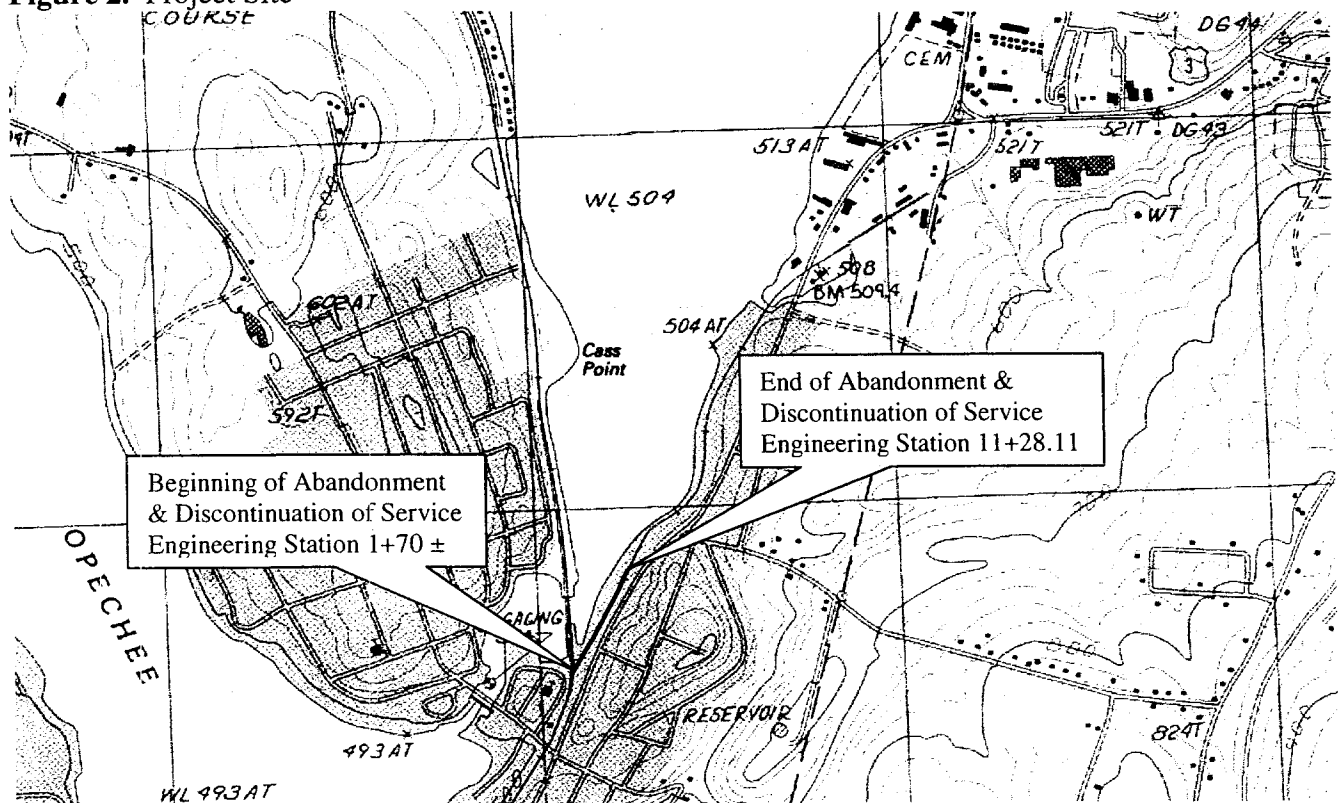


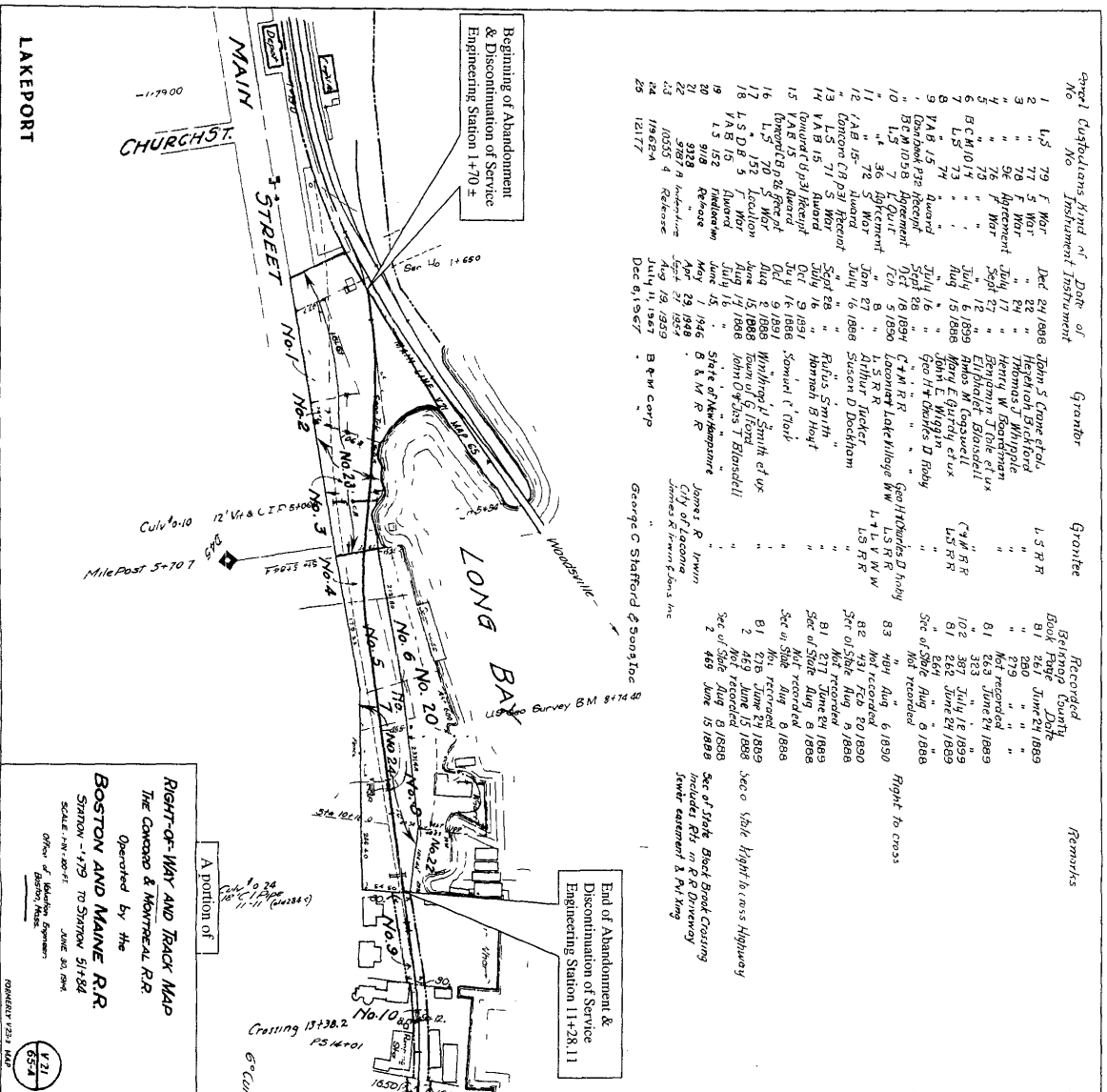
Figure 2. Project Site



Val 21/Mop 65A J1105/P215 P112/64-6-7-8



Figure 3. Irwin Marine property over which the State will abandon and discontinue its right to operate a railroad

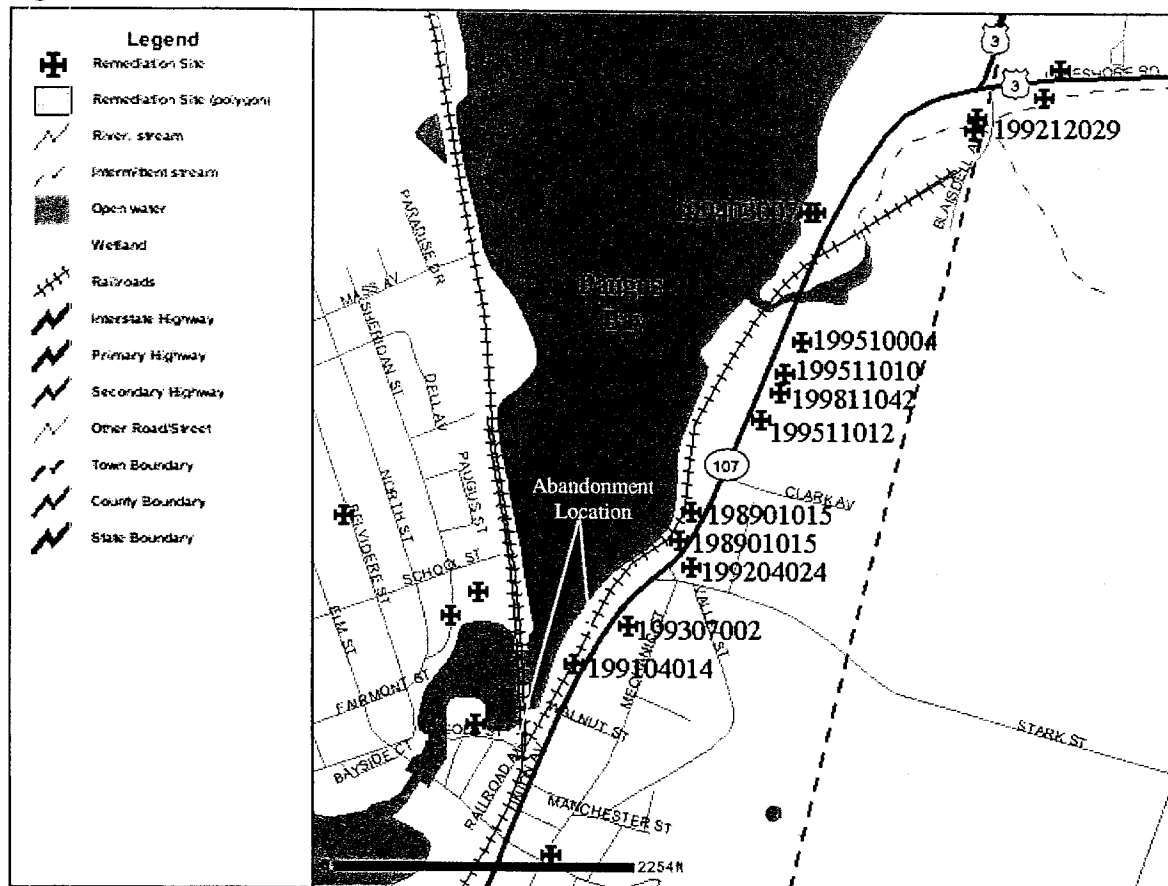


Parcel 23
Boston and Maine Railroad
to
James R. Irwin & Sons, Inc.
Belknap County Registry of Deeds
Deed: Book 398, Page 495
Plan: Plan Book 13, Page 954

Parcel 24
Boston and Maine Corporation
to
James R. Irwin & Sons, Inc.
Belknap County Registry of Deeds
Deed: Book 487, Page 198
Plan: Book 487, Page 202A

RIGHT-OF-WAY AND TRACK MAP
THE CONCORD & MONTREAL R.R.
Operated by the
BOSTON AND MAINE R.R.
STATION - 1+79 TO STATION 51+84
SCALE: 1" = 100 FT. (LINE 30, 3000)
Office of Mapping Engineers
Boston, Mass.
REVISION: 1933 MAP

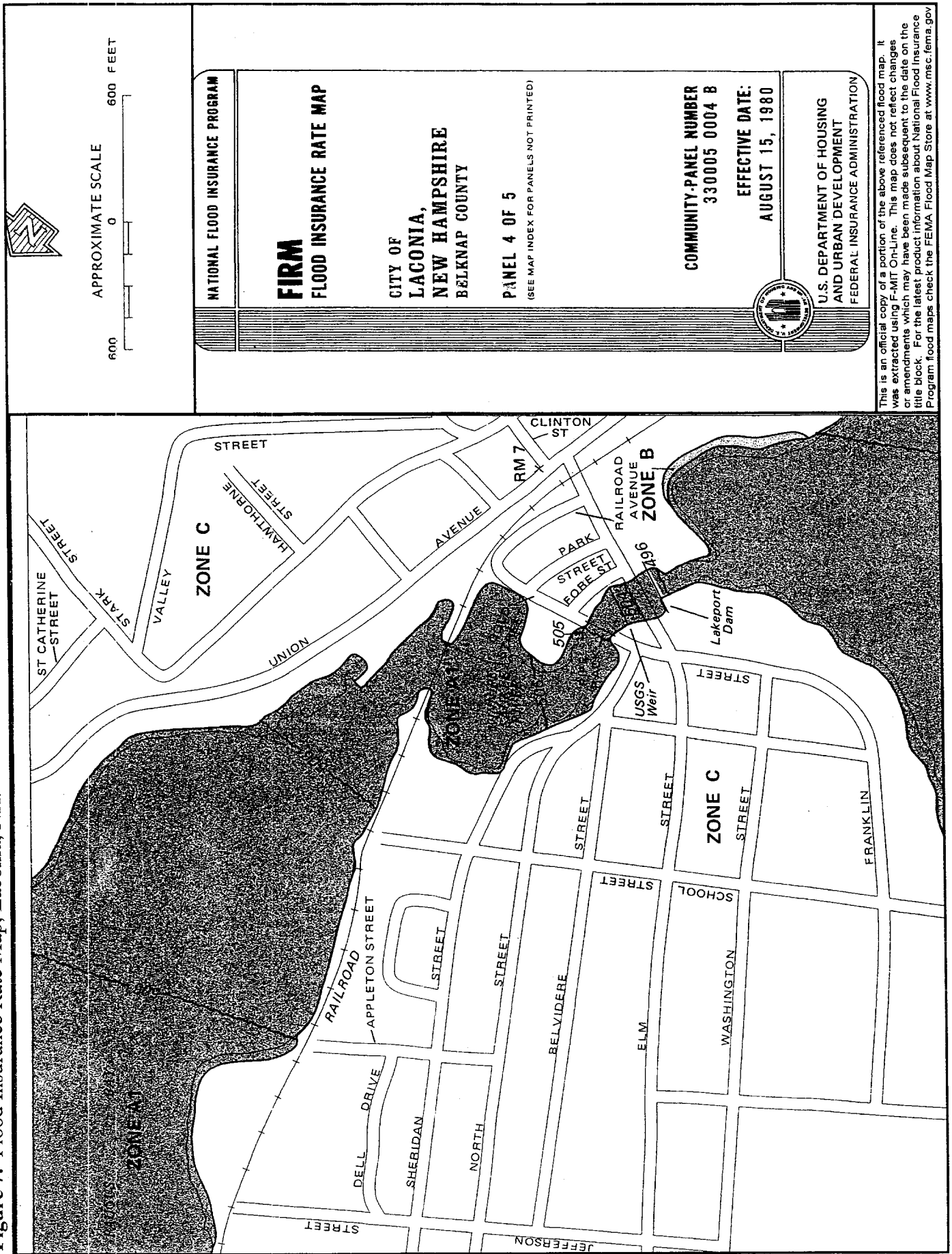
Figure 6. NHDES Remediation Sites Within or near the rail corridor



Remediation Sites

SITE ID	SITE NAME	ADDRESS	TOWN	PROJECT TYPE	PERMIT#
199204024	Abbott Property	Stark St., and Union Ave.	Laconia	LUST	GWP-199204024-L-002
199511010	Fitzgerald Dodge	1165 Union Avenue	Laconia	UIC	
198901015	Former Aarby's (D'Angelo's)	1056 Union Avenue	Laconia	SPILL/RLS	
199307002	Highway Oil Station #150	965 Union Avenue	Laconia	LUST	GWP-199307002-L-001
199104014	Irwin Marine	958 Union Avenue	Laconia	UIC	
199104014	Irwin Marine	958 Union Avenue	Laconia	SITE EVAL	
199403007	John Rudzinski	1258 Union Avenue	Laconia	LUST	GWP-199403007-L-001
199510004	Labbe Oil Co	1185 Union Avenue	Laconia	FUEL, UIC	
199811042	Valvoline Instant Oil Change	1147 Union Avenue	Laconia	SPILL/RLS	
199511012	Yankee Rentals	1127 Union Avenue	Laconia	UIC	
199212029	Brooksies Garage/Daves Maintenance	Blaisdell Avenue	Laconia	LUST	
199212029	Brooksies Garage/Daves Maintenance	Blaisdell Avenue	Laconia	UIC	

Figure 7. Flood Insurance Rate Map, Laconia, NH.



Site Photographs

Figure 8. Looking West

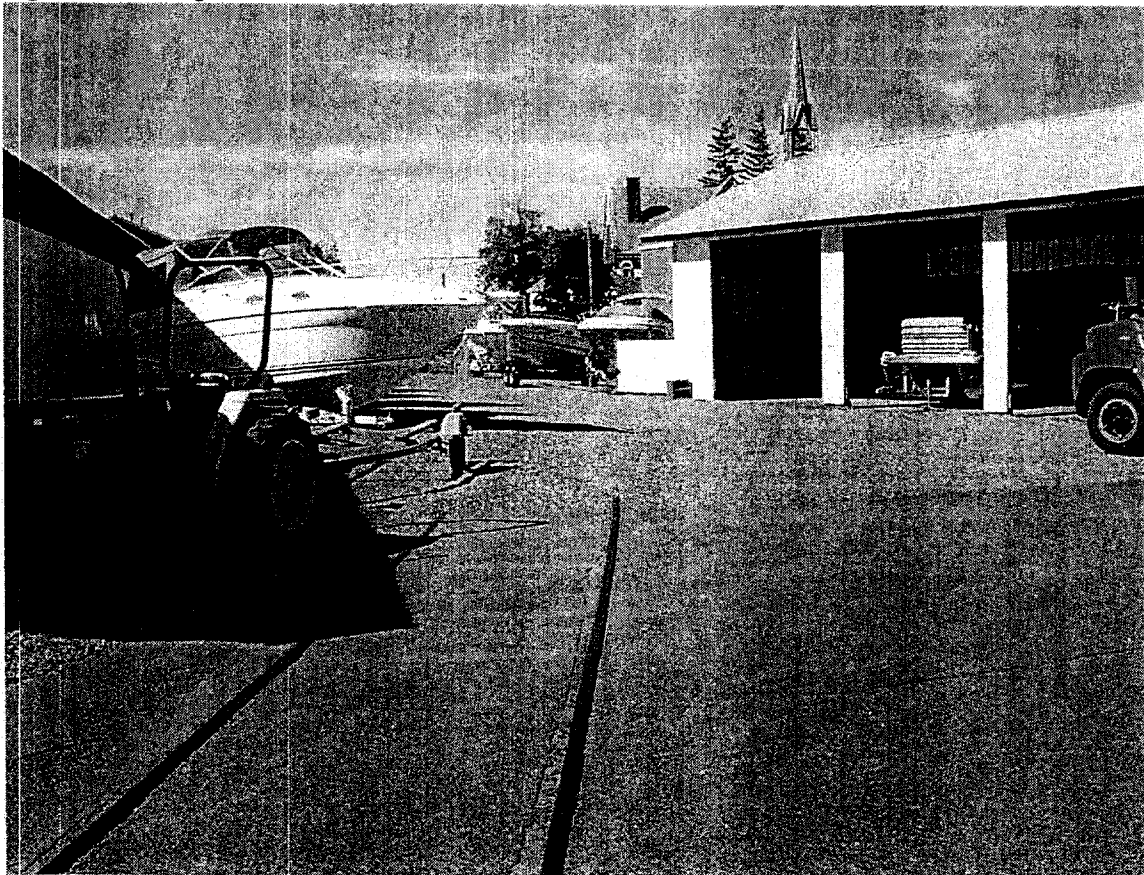


Figure 9. Looking East

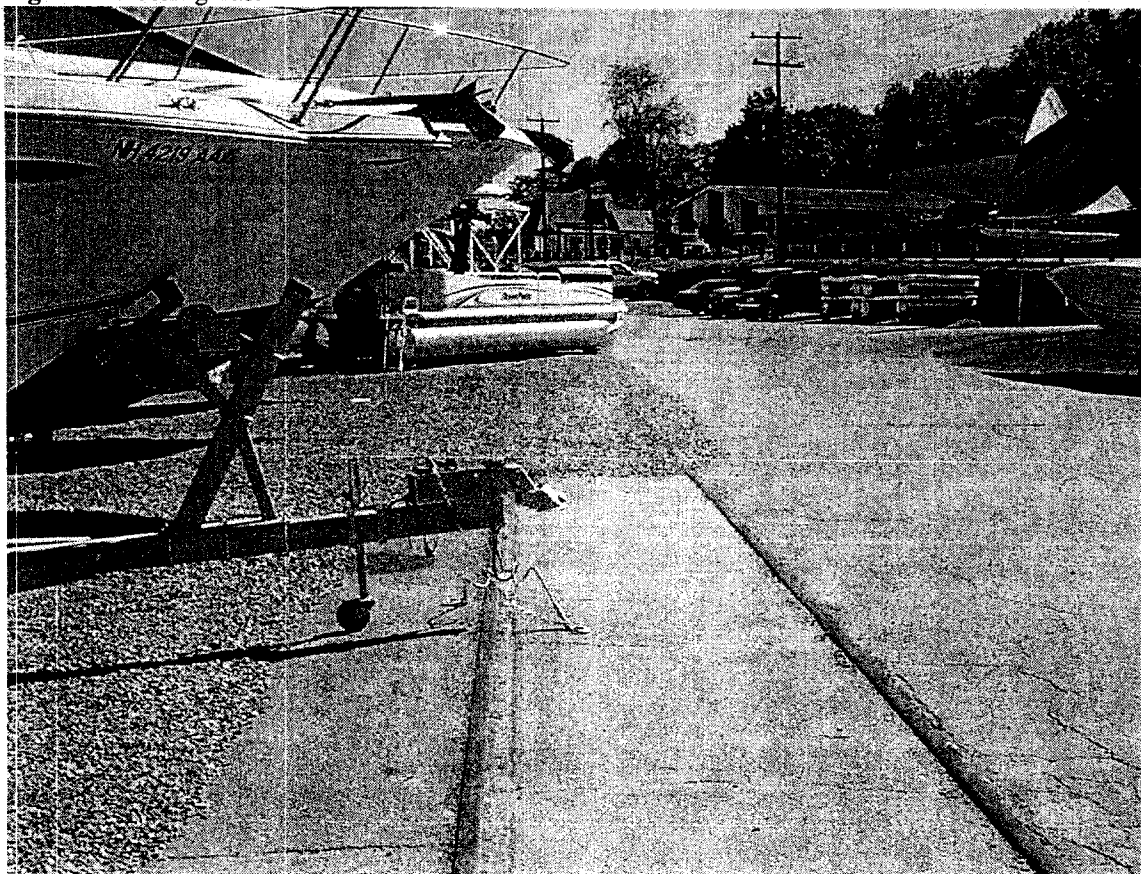


Figure 10. Looking East

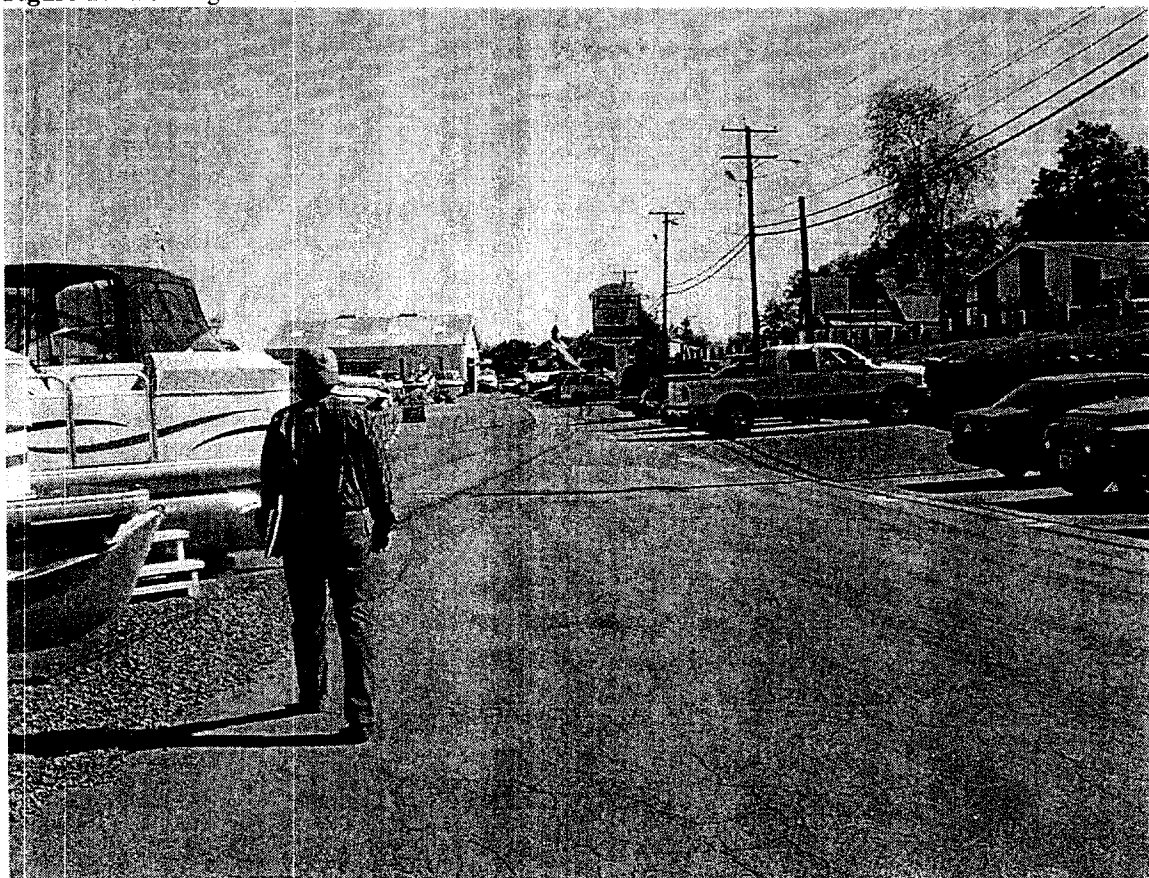


Figure 11. Looking East

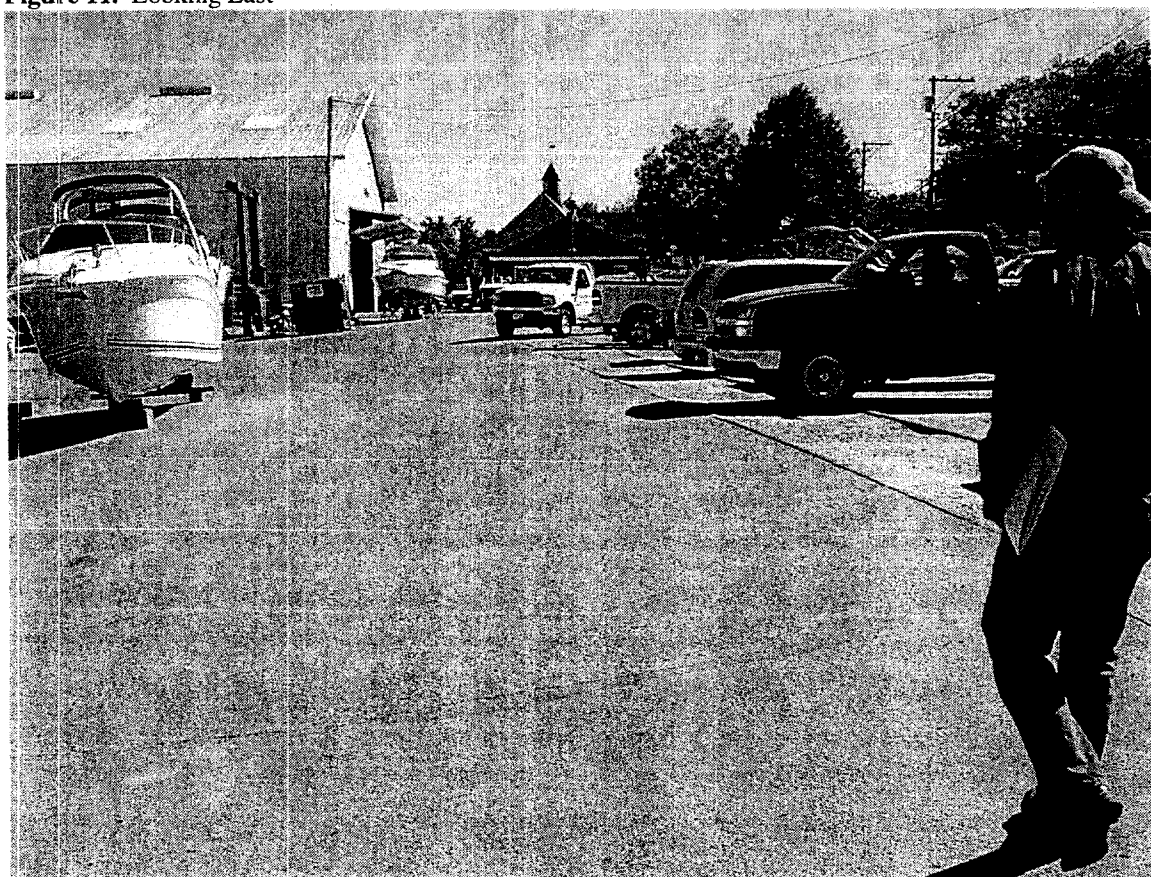


Figure 12. Department of the Interior, Geological Survey - New Hampshire Winnepesaukee Quadrangle, 1909. Lake Shore Branch, Lakeport to Alton Bay

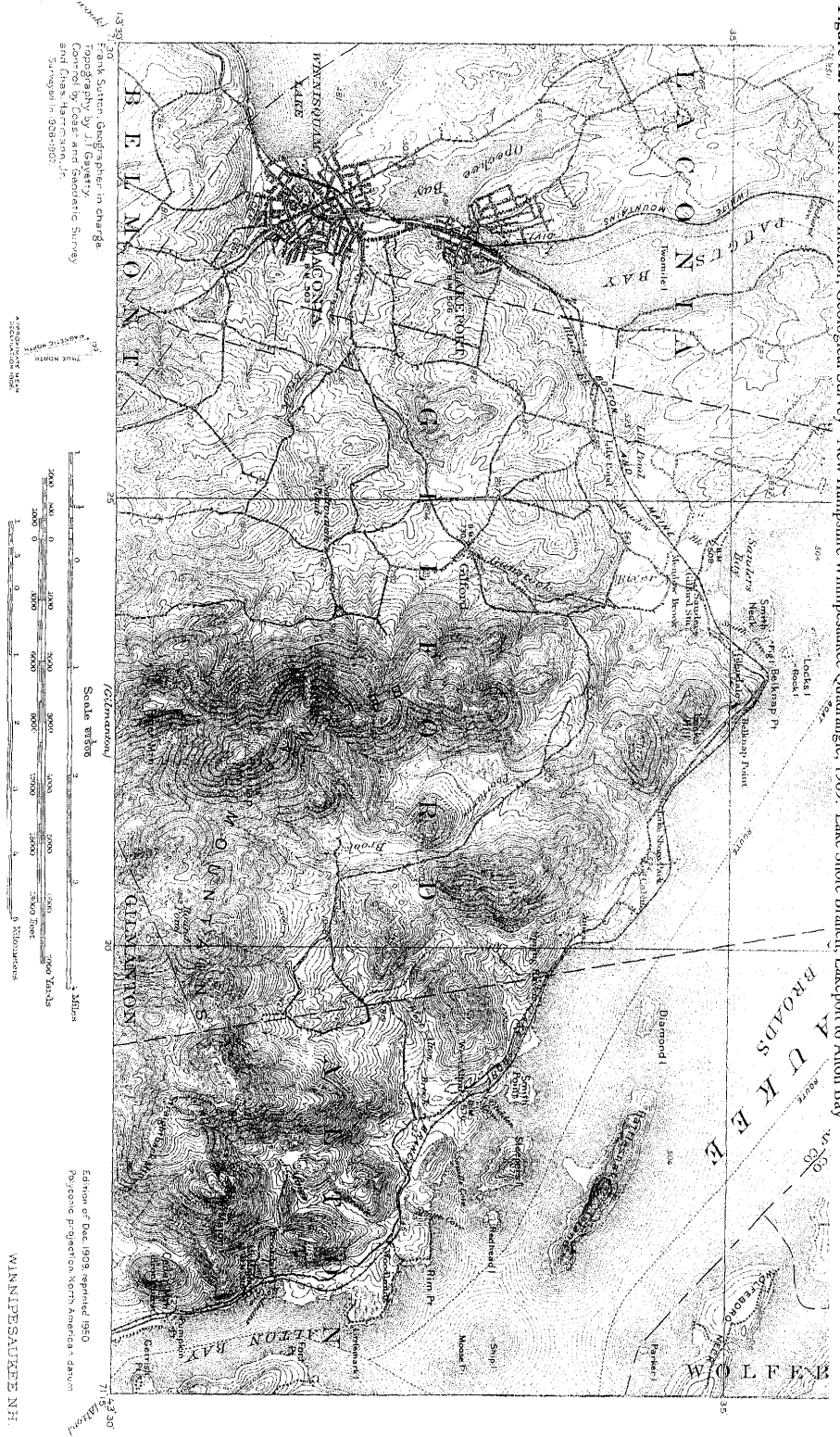


Figure 13. Department of the Interior, Geological Survey - New Hampshire Winnepesaukee Quadrangle, 1909.
Lake Shore Branch, Lakeport to Lily Pond

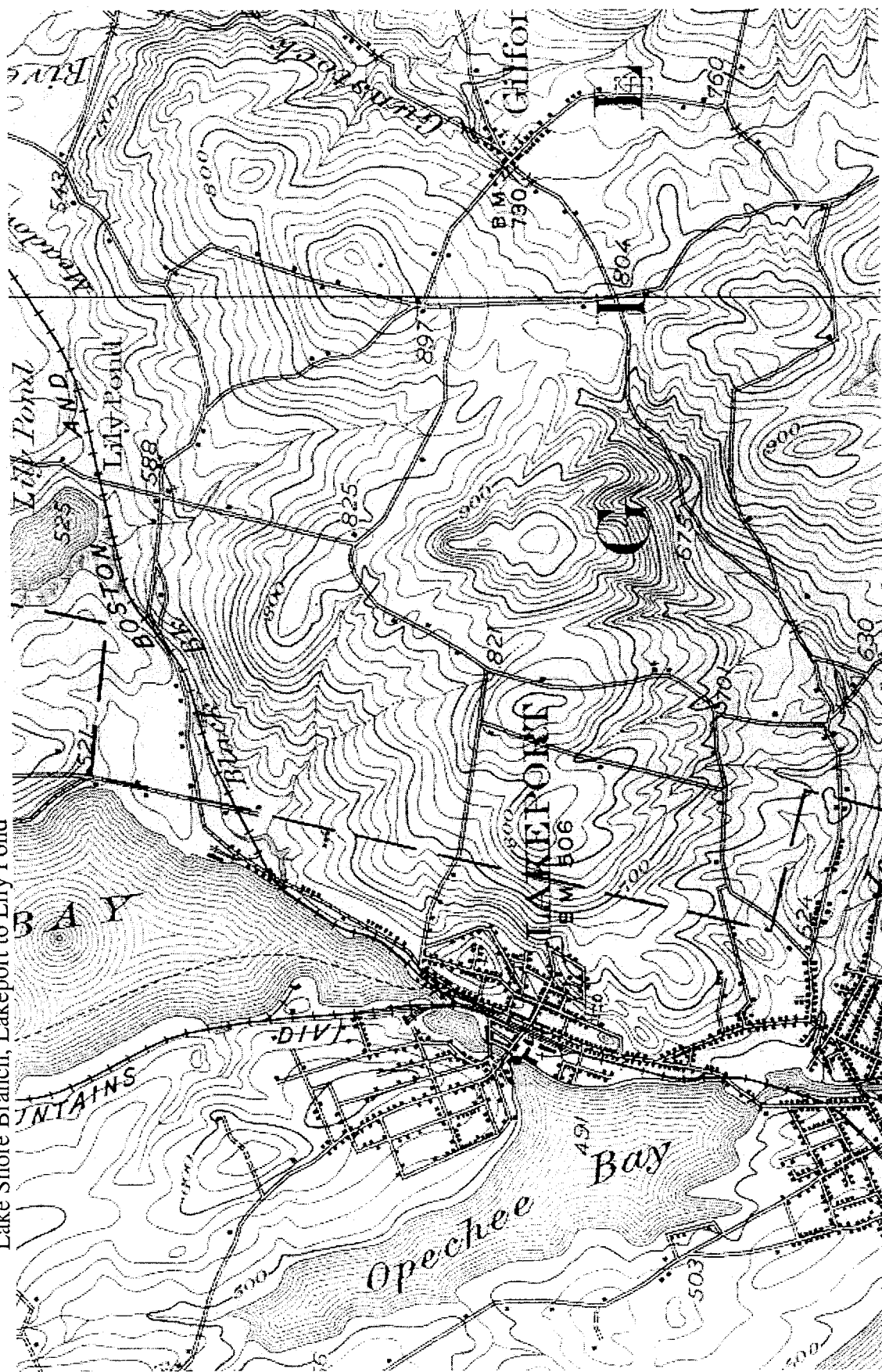
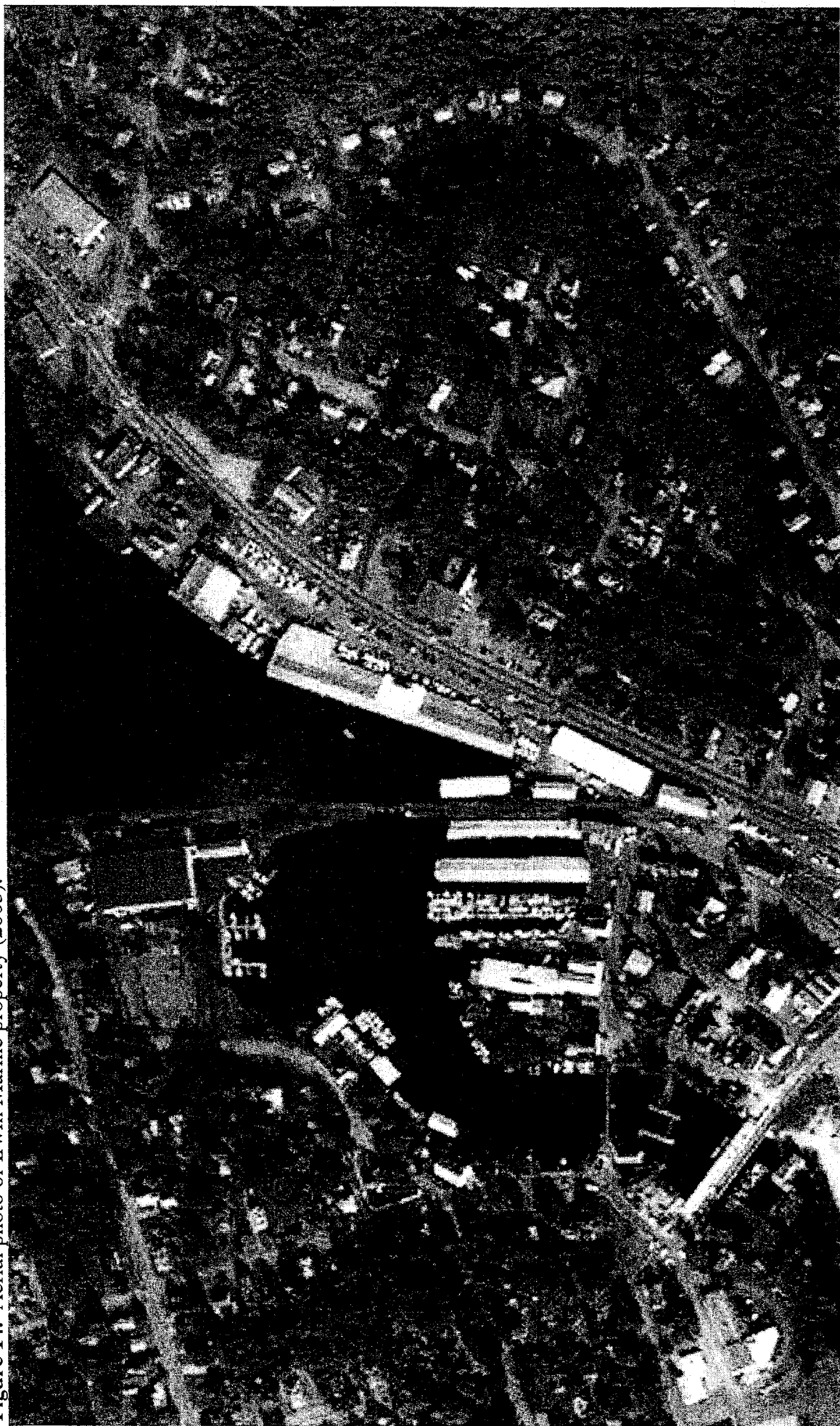


Figure 14. Aerial photo of Irwin Marine property (2003).



NOTICE OF CONDEMNATION

THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION BY ALEXANDER J. KALINSKI, CHAIRMAN OF THE COMMISSION, AS SOLE AGENT FOR THE STATE OF NEW HAMPSHIRE, HAS ON OCTOBER 30, 1975, FILED WITH THE MERRIMACK COUNTY SUPERIOR COURT, SEPTEMBER 1975 COURT TERM, A DECLARATION OF TAKING FOR THE FEE TITLE AND OTHER RIGHTS TO THE FOLLOWING PROPERTY LOCATED IN THE CITIES OF CONCORD, FRANKLIN AND LACONIA AND THE TOWNS OF CANTERBURY, NORTHFIELD, TILTON, BELMONT, GILFORD, MEREDITH, NEW HAMPTON, ASHLAND, BRIDGEWATER, PLYMOUTH, CAMPTON, THORNTON, WOODSTOCK AND LINCOLN, IN THE COUNTIES OF MERRIMACK, BELKNAP AND GRAFTON, OWNED BY:

THE BOSTON AND MAINE CORPORATION, DEBTOR,
FIRST NATIONAL BANK OF BOSTON,
STATE STREET TRUST COMPANY AND
MICHAEL F. BENTLEY, ESQUIRE, GUARDIAN AD LITEM

SAID PROPERTY BEING THE CONCORD-LINCOLN RAILROAD LINE, SO-CALLED, INCLUDING THE FRANKLIN-TILTON SPUR, SO-CALLED:

More specifically described on the Right-of-Way and Track Maps numbered V-21:36 through 88, excluding map numbered V-21:65-C; V-30:1 through 22, excluding maps numbered V-30:8a, 8b, 21-B and 21-C; and V-31:1 through 5, prepared and maintained by and on file with the Boston and Maine Corporation, Debtor, a railroad in reorganization, at Iron Horse Park, Billerica, Massachusetts, copies of which are attached hereto and made a part hereof, and includes all right, title and interest, present and future, tangible and intangible, to all real property, railway properties, trade fixtures, affixed or appurtenant to the line including without limitation, all tracks, ties, bridges, signals and crossing protection devices, on, within and appurtenant to the line, whether owned by the Boston and Maine Corporation, Debtor, a railroad in reorganization or others, located between Stations 56 + 75 as shown on map V-21:36 and Station 1130 + 70 as shown on map V-30:22, but not including parcels 5 and 8 as shown on map V-21:38; parcels 6, 9, 10, 11, 13, 15, 17 and 42-12 as shown on map V-21:43; parcels 4, 5 and 6 as shown on map V-21:46; parcels 27 through 32 as shown on map V-21:54; parcels 20 and 22 as shown on map V-21:65; parcels 9 and 10 as shown on map V-21:65B; parcel 3 as shown on map V-21:74; parcels 7 and 8 as shown on map V-21:77; parcels 1, 2 and 4 as shown on map V-30:2; parcel 9 as shown on map V-30:17; and parcels 6 through 8 as shown on map V-30:21A.

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

By

Roger G. Burlingame
Roger G. Burlingame
Assistant Attorney General

October 30, 1975

BK 662 PGE-455

FILED
OCT 30 PM 1:01
David H. Wheeler
MERRIMACK COUNTY

*Amendment
See Book 786,
Page 69
Entered by [illegible]*

SEE PLAN BOOK DRAWER 'B' PAGES 17-32

****AMENDED****

NOTICE OF CONDEMNATION

In accordance with the order of the Merrimack County Superior Court in the case of New Hampshire Public Utilities Commission v. Trustees of the Boston & Maine Corporation, Debtors, et al (Eq. 22,902), the State of New Hampshire filed in said Court an Amended Declaration of Taking which thereby became part of the Declaration of Taking filed in said Court on October 29, 1975, relating to certain tracts of land in the Cities of Concord, Franklin and Laconia and the Towns of Canterbury, Northfield, Tilton, Belmont, Gilford, Meredith, New Hampton, Ashland, Bridgewater, Plymouth, Campton, Thornton, Woodstock and Lincoln, in the Counties of Merrimack, Belknap and Grafton, owned by The Boston & Maine Corporation, Debtor, First National Bank of Boston, State Street Trust Company and Michael P. Bentley, Esquire, Guardian Ad Litem.

In accordance with the order of said Court, the New Hampshire Transportation Authority hereby files this "Amended Notice of Condemnation" reflecting the following changes in the Notice of Condemnation dated October 30, 1975, and recorded in the Merrimack County Registry of Deeds at Book 1260, Page 227; in the Belknap County Registry of Deeds at Book 662, Page 455; and in the Grafton County Registry of Deeds at Book 1262, Page 141:

Paragraph 3 of said Notice of Condemnation, which reads as follows:

More specifically described on the
Right-of-Way and Track Maps numbered V-21:36

OK 786 PGE-069

through 88, excluding map numbered V-21:65-C; V-30:1 through 22, excluding maps numbered V-30:8a, 8b, 21-B and 21-C; and V-31:1 through 5, prepared and maintained by and on file with the Boston and Maine Corporation, Debtor, a railroad in reorganization, at Iron Horse Park, Billerica, Massachusetts, copies of which are attached hereto and made a part hereof, and includes all right, title and interest, present and future, tangible and intangible, to all real property, railway properties, trade fixtures, affixed or appurtenant to the Line including without limitation, all tracks, ties, bridges, signals and crossing protection devices, on, within and appurtenant to the Line, whether owned by the Boston and Maine Corporation, Debtor, a railroad in reorganization or others, located between Stations 56 + 75 as shown on map V-21:36 and Stations 1130 + 70 as shown on map V-30:22, but not including parcels 5 and 8 as shown on map V-21:38; parcels 6, 9, 10, 11, 13, 15, 17 and 42-42 as shown on map V-21:43; parcels 4, 5 and 6 as shown on map V-21:46; parcels 27 through 32 as shown on map V-21:54; parcels 20 and 22 as shown on map V-21:65; parcels 9 and 10 as shown on map V-21:65B; parcel 3 as shown on map V-21:74; parcels 7 and 8 as shown on map V-21:77; parcels 1, 2 and 4 as shown on map V-30:2; parcel 9 as shown on map V-30:17; and parcels 6 through 8 as shown on map V-30:21A.

is hereby stricken in its entirety; and in place thereof are substituted the following paragraphs:

4. The property taken consists of the Concord-Lincoln Railroad Line, so called, including the Franklin-Tilton Spur, so called, said line and other spurs being located in the counties of Merrimack, Belknap and Grafton in the State of New Hampshire, and described on the Right-of-Way and Track Maps numbered V-21:36 through V-21:89, V-30:1 through V-30:22 and V-31:1 through V-31:5, prepared and maintained by and on file with the Boston and Maine Corporation, Debtor, a railroad in reorganization, at Iron Horse Park, Billerica, Massachusetts, copies of which are attached hereto and made a part hereof, and includes, unless a lesser

interest is herein specified, all right, title, and interest, present and future, tangible and intangible, to all real property, railway properties, and trade fixtures affixed or appurtenant to the line, whether owned by the Boston and Maine Corporation, Debtor, a railroad in reorganization or others: including without limitation, all tracks, ties, bridges, signals and crossing protection devices, on, within, and appurtenant to the line. Said Railroad Line commencing at Station 56 + 75 as shown on Plan V-21/36 and ending at Station 1130 + 70 as shown on Plan V-30/22, and the Franklin-Tilton Spur, so called, commencing at the easterly bank of the Merrimack River, as shown on Plan V-31/1, and ending at the westerly limits of the Concord-Lincoln Line, as shown on Plan V-31/5 and Plan V-21/53, and being more specifically described as follows:

Merrimack County

Plan V-21/36: That portion of Parcel #16 lying northerly of the "yard limit" at Station 56 + 75; and also Parcel #17 (meaning the right to cross North Fan Road, so called) and Parcel #18.

Plan V-21/37: Parcels #1, #2, #3 (meaning the right to cross Benacook Street, so called), #4, #5, #6; so much of Parcel #7 as lies twenty-five (25) feet either side of the centerline of the rail line as it existed on October 29, 1975, from the northerly boundary of East Portsmouth Street to the southerly boundary of Parcel #28; #8 (meaning the right to cross East Portsmouth Street, so called; also called "Pecker Street" and "Old New Hampshire Turnpike), #9, #20, #28, and #29.

Plan V-21/38: Parcels #2, #3, #4, #6 (meaning the right to cross

(meaning the right to cross Elm Street, so called), #12, #15, #16, #17, #18, #20, #21, and the right to operate and maintain a railroad over Parcel #29, in accordance with the railroad's reservation of rights under the conveyance of said Parcel.

Plan V-21/65-A: Parcels #9, #10, #11, #12, #13, #14, #15, #16, #17 (meaning the right to cross a highway), #18 (excluding, however, any portion of said Parcel #18 as may have been conveyed by Parcel #10 of Plan V-21/65-B), #19, and the right to operate and maintain a railroad over Parcels #23, #24, and #25, in accordance with the railroad's reservation of rights under the conveyances of said Parcels.

Plan V-21/65-B: No parcels acquired.

Plan V-21/65-C: No parcels acquired.

Plan V-21/66: Parcels #1, #2, #3, and #4.

Plan V-21/67: Parcels #1, #2, #3, #4, and #5.

Plan V-21/68: Parcels #1, #2, #3, #4, #5, and #6.

Plan V-21/69: Parcels #1, #2, #3, #4, and #5.

Plan V-21/70: Parcels #3 (meaning the right to cross a highway), #4, and #12.

Plan V-21/71: Parcels #1, #2, #3, and #4.

Plan V-21/72: Parcels #1, #2, #3, and #4.

Plan V-21/73: Parcels #1, #2, #3, #4, and #5.

of its political subdivisions for highway or other public purposes.

Excepting and reserving from the above-described takings any and all express or implied easement rights or licenses, private or public, to cross said railroad line as were legally in effect on October 29, 1975.

All parcels, or portions thereof, appearing or described on said Plans which are not specifically referred to above are intended to be excluded from, and shall not constitute a part of, this taking.

Where any of the parcels referred to above have been modified or reduced in size by subsequent conveyances under other parcel numbers not referred to, only such portions of the referenced parcels as remain are intended to be acquired.

In all other respects, the Notice of Condemnation dated October 30, 1975, shall remain the same.

THE STATE OF NEW HAMPSHIRE

TRANSPORTATION AUTHORITY

By its Executive Director

Charles W. Chandler
Charles Chandler

John O. Morton Building
85 Loudon Road
Concord, New Hampshire 03301

February 28, 1980

Attorney for the State of New Hampshire
Attorney General Thomas D. Rath
State House Annex
Concord, New Hampshire 03301

Edward W. Stewart, Jr.
James E. Motris
Assistant Attorney General

FILED

1980 FEB 29 AM 10:36
Everett D. Wheeler
Deputy
of Lynn M. Dunleavy
Deputy

BK 786 PGE-080



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

CAROL A. MURRAY, P.E.
COMMISSIONER



STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF ENVIRONMENT

CONFERENCE REPORT

PROJECT: Lake Shore Railroad

DATE OF CONFERENCE: February 16, 2005

ATTENDEES:

NHDOT

Mark Hemmerlein
 Charlie Hood
 Russ St.Pierre

Army Corps of

Engineers

Rich Roach

US Fish and Wildlife

Service

Bill Neidermyer

**Federal Highway
 Administration**

Bill O'Donnell
 Harry Kinter

NH Wetlands Bureau

Gino Infascelli

NH Fish and Game

Dept.

Bill Ingham

SUBJECT: Abandonment and discontinuation service by the State of NH

NOTES ON CONFERENCE:

Russ St.Pierre explained the State's intent to abandon and discontinue its right to operate and maintain a railroad over a portion of the former Lake Shore Railroad (Lakeport Spur) in the City of Laconia, NH. He explained that the land over which rail service would be abandoned is private property owned by James R. Irwin & Sons, Inc. and is currently used commercially as Irwin Marine. Photographs depicting the current state of the property were displayed. The photographs revealed the extensive development of the property and how the marina has maintained clear access to the rail line.

After discussion, it was determined the potential environmental consequences of the proposal were minor. There were no official objections to the proposed abandonment, though one participant did express a personal objection.



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

CAROL A. MURRAY, P.E.
COMMISSIONER



STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF ENVIRONMENT

CONFERENCE REPORT

PROJECT: Lake Shore Railroad

DATE OF CONFERENCE: February 22, 2005

ATTENDEES:

NHDOT
Joyce McKay
Russ St.Pierre

**Federal Highway
Administration**
Harry Kinter

**NH Division of Historical
Resources**
Linda Wilson
Edna Feighner
Jim Garvin

SUBJECT: Abandonment and discontinuation service by the State of NH

NOTES ON CONFERENCE:

R. St. Pierre reviewed the State's proposal to abandon and discontinue its right to operate a railroad over a small portion of the former Lakeport Spur Railroad in Laconia, NH. He explained that the action would not involve the transfer of property as the land was privately owned and in commercial use. James R Irwin & Sons, Inc. acquired the land from the Boston and Maine Railroad in the 1940s and 1950s and developed it into Irwin Marine. Though the B & M Railroad sold the real estate, they retained their right to operate a railroad over the property. The State acquired this right from through condemnation proceedings against the B & M Railroad in 1975, as amended in 1980.

Photographs and maps of the property were reviewed. It was noted that there were no railroad structures on the property and development and alterations had disturbed most of the land. After review, it was determined that there were no objections to the proposed abandonment and discontinuation of service.