



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO
Frank DePaola, General Manager
Brian Shortsleeve, Chief Administrator



Mr. Dennis Farias, City Clerk
City of New Bedford
133 William St.
Room 118
New Bedford, MA 02740

October 28, 2015

RE: South Coast Rail Survey Data Collection

Dear Mr. Farias:

The Massachusetts Bay Transportation Authority (MBTA) is continuing the preliminary design and permitting phase of the South Coast Rail (SCR) project, and crews are going back in the field to conduct additional survey work. The purpose of this letter is to notify South Coast communities that crews will be deployed during the remainder of 2015 and through next year.

MBTA and/or its consultants will require access to certain city-owned parcels adjacent to the right-of-way. The activity is necessary to continue to advance data collection to support the advancement of preliminary design and environmental permitting. There are no intrusive activities planned to occur on publically-held properties during this time period.

The MBTA's right to enter upon property is explained in the enclosed copy of Massachusetts General Laws, Chapter 161A, Section 44 (<http://www.mass.gov/legis/laws/mgl/161a-44.htm>). This statute allows the MBTA to enter upon property after giving a thirty-day notice by registered or certified mail for the purposes stated above, and this letter shall serve as this required notice.

General information concerning the SCR project is available at www.southcoastrail.com. Should you have any specific questions or concerns, please feel free to contact either Jamie Rush at 617-222-4538 or via email at JRush@MBTA.com or Carolann McCarron at 617-222-4284 or via email at Cmmccarron@MBTA.com. Thank you in advance for your continued co-operation.

Sincerely,

James A. Rush
Senior Right of Way Agent

Certified Mail:
Return Receipt Requested

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XXII. CORPORATIONS

CHAPTER 161A. MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

Chapter 161A: Section 44. Entry onto lands, waters and premises for purpose of making surveys, soundings, test pits, borings, drillings or examinations; notice; reimbursement for damage

Section 44. Whenever the authority deems it necessary to make surveys, soundings, test pits, borings, drillings or examinations to obtain information for or to expedite the construction of public transportation facilities or other projects under its jurisdiction, said authority, or its authorized agents or employees may, after 30 days notice by registered or certified mail and without the necessity of any judicial orders or other legal proceedings, enter upon any lands, waters and premises, not including buildings, in the commonwealth, including lands both publicly and privately owned, including land owned by railroad corporations, for the purpose of making such surveys, soundings, test pits, borings, drillings or examinations as it may deem necessary or convenient for the purposes of this section, and the entry shall not be deemed to be a trespass. Said authority shall make reimbursement for any injury or damage to lands resulting from entry caused by any act of its authorized agents or employees and shall, so far as possible, restore such lands to the same condition as prior to the making of such surveys, soundings, test pits, borings, drillings or examinations.