



Access to Capital Program (SM)
Program Eligibility Form

Insured Party Name(s) Town of Acton

Site Location(s) That portion of Bruce Freeman Rail Trail ("BFRT") located in the Town of Acton, MA, comprising a portion of the former Lowell Secondary Track Railroad. See attached Supplemental Information. The project also includes the BFRT in Carlisle and Westford.

(Use additional sheets if necessary)

The information requested below is being collected by Massachusetts Business Development Corporation (MassBusiness), as agent for the Commonwealth of Massachusetts, to qualify your project to obtain a subsidy of the cost of environmental insurance purchased from designated program providers, and to allow for the evaluation of the public and economic development benefits of the project and the BRAC Program (SM). Payment of any subsidy amount for which the project may be eligible, will be deferred until such time as all requested information has been provided.

- 1. Please indicate the total amount expended (or to be expended) for the purchase of the site. (include and debt forgiveness or unpaid assessments) \$0 for purchase of the site.
2. Please indicate the amount expended, or to be to be expended for development of the site. \$ The estimated amount of federal, state and local funds expected to be expended on the project totals approximately \$11,088,000.
3. What was the prior use(s) of the insured property? The property was used as a railroad right-of-way from the 1870's until the early 1990's.
4. What is the planned use of the insured property? (If housing please indicate type and # of units) A multi-use rail trail and bicycle path for non-motorized transportation and recreation purposes as a portion of the overall BFRT which is planned to extend from Lowell to Framingham.
5. Estimate the number of permanent jobs (not including cleanup or construction) that will be created and/or retained at the site as a result of the project. Jobs created 0 Jobs Retained 0
6. List the source(s) and amount(s) of all equity and all financing being used for the purchase, environmental assessment, remediation, development or redevelopment of the site, or to purchase environmental insurance. (Use additional Sheets if necessary) Appropriation of \$567,000 of CPA Funds and General Revenues by the Town of Acton; federal and state design grants totaling \$1,431,500 +/- for the design of the BFRT Phase 2A in the Acton, Carlisle and Westford and including design of a separate BFRT Phase 2C in the Town of Concord; and acceptance of potential private gifts and other public subsidies where available.
7. List all BRAC qualified insurance companies to whom you have applied for environmental insurance. AIG/Chartis Specialty Ins. Co.
8. For what types of insurance are you applying? (Check all that apply) Liability X Cleanup Cost X Lender Coverage
9. Attach "Conclusions" from a recent Environmental Site Assessment report and/or other information concerning the environmental conditions at the site. (Form cannot be processed without this information): Please see the attached excerpt from the Phase 1 Environmental Site Assessment prepared by GEI Consultants, Inc.
10. Provide an estimate of the cost of environmental remediation that... is to be conducted at the site \$ See attached, or was previously conducted at the site \$ See attached.

Signed [Signature] Date 8/20/14

Please FAX, mail or E-mail this form and any attachments to: Massachusetts Business Development Corporation, 500 Edgewater Drive, Suite 555, Wakefield, MA 01880 FAX (781) 928-1101 - tbarry@mass-business.com (E-mailed responses do not require signature)

This document supplements the Town of Acton's (the "Town's") response to the following sections of the Program Eligibility Form:

Site Description

The Bruce Freeman Rail Trail ("BFRT") in the Town comprises a portion of the former Lowell Secondary Track railroad right-of-way acquired by the Commonwealth of Massachusetts (acting through its former Executive Office of Transportation and Construction) by deeds dated April 28 and November 29, 1982, and recorded in the Middlesex South District Registry of Deeds at Book 14609, Pages 302-317 and Book 14836, Pages 507-512. The property will be leased by the Town from the Massachusetts Department of Transportation ("MDOT") for the BFRT.

Question 10

GEI identified concentrations of polycyclic aromatic hydrocarbons and metals in soil that may require remediation under the Massachusetts Contingency Plan during construction of the BFRT in Acton. GEI has also recommended performing an ASTM Phase II ESA to evaluate whether a release of oil or hazardous materials to the environment has occurred.