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SERVICE DATE – AUGUST 20, 2010

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 32 (Sub-No. 71X)

BOSTON & MAINE CORPORATION—ABANDONMENT EXEMPTION—IN ESSEX,
MIDDLESEX, AND SUFFOLK COUNTIES, MASS.

Decided: August 19, 2010

Boston & Maine Corporation (B&M) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon a 9.74-mile portion of a line of railroad known as the Saugus Branch, extending from milepost 2.69 to milepost 12.43, in Saugus, in Essex, Middlesex, and Suffolk Counties, Mass. Notice of the exemption was served and published in the Federal Register on July 22, 2010 (75 Fed. Reg. 42,814). The exemption is scheduled to become effective on August 21, 2010.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on July 27, 2010. In the EA, SEA states that the National Park Service, Northeast Regional Office (NPS), submitted comments providing B&M with a list of the resources of interest to NPS. NPS indicated to B&M that it was B&M's responsibility to determine if the proposed abandonment is located in the vicinity of, and may potentially affect, any of the listed resources, and that B&M should contact the manager of the specific resource for more information. Accordingly, SEA recommends a condition that, prior to commencement of any salvage activities, B&M be required to consult with NPS regarding any resources that may be affected by the proposed abandonment. SEA notes in the EA that it will provide a copy of the EA to NPS for its review and comment.

SEA also states in the EA that the National Geodetic Survey (NGS) has identified 6 geodetic station markers in the area of the proposed abandonment. Accordingly, SEA recommends a condition that, prior to commencement of any salvage activities, B&M be required to consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that could disturb or destroy any geodetic station markers.

Comments to the EA were due by August 10, 2010. No comments were received. Accordingly, the conditions recommended by SEA in the EA will be imposed.

As conditioned, this decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. Upon reconsideration, the notice served and published in the Federal Register on July 22, 2010, exempting the abandonment of the line described above, is subject to the conditions that, prior to commencement of any salvage activities, B&M shall: (1) consult with NPS regarding any resources that may be affected by the proposed abandonment; and (2) consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that could disturb or destroy any geodetic station markers.

3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.