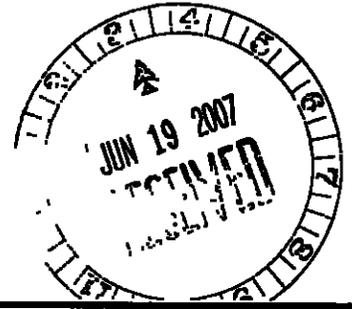




**PAN AM RAILWAYS**  
IRON HORSE PARK  
NO BILLERICA, MA 01862



**FEE RECEIVED**

June 18, 2007

JUN 19 2007

**SURFACE  
TRANSPORTATION BOARD**

The Honorable Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, N W  
Washington, DC 20423-0001

Re Boston & Maine Corporation and Springfield Terminal Railway Company -  
Abandonment and Discontinuance of service - Over the Georgetown Branch -  
Essex County, Massachusetts - Docket No AB 32 (Sub No 53x),  
Docket No AB 355 (Sub No 5x)

219585

219584

Dear Secretary Williams

Enclosed for filing in the above captioned proceeding, please find an original and ten copies of the Verified Notice of Exemption dated June 18, 2007 filed on behalf of the Boston & Maine Corporation and the Springfield Terminal Railway Company. Additionally, please find a check in the amount of \$6,200.00 representing the appropriate fee for filing.

Should you have any questions in regard to this filing, please contact the undersigned at (978) 663-1029. Thank you in advance for your assistance with this matter.

Sincerely,

Michael Q. Geary  
Staff Attorney  
Pan Am Railways

**ENTERED  
Office of Proceedings**

**JUN 19 2007**

**Part of  
Public Record**

Enclosures - Original and 10 copies

BEFORE THE  
SURFACE TRANSPORTATION BOARD



DOCKET NO AB 32 (Sub No 53x)  
DOCKET NO AB 355 (Sub No 5x)

BOSTON & MAINE CORPORATION  
SPRINGFIELD TERMINAL RAILWAY COMPANY  
-ABANDONMENT AND DISCONTINUANCE OF SERVICE-  
GEORGETOWN BRANCH, ESSEX COUNTY, MASSACHUSETTS

VERIFIED NOTICE OF EXEMPTION

Boston & Maine Corporation (the "B&M") and the Springfield Terminal Railway Company ("ST") file this Verified Notice of Exemption pursuant to the Board's regulations at 49 C F R §1152.50. This Notice of Exemption seeks to abandon and discontinue service by B&M and ST over a line of railroad known as the Georgetown Branch in Haverhill, Massachusetts, extending from milepost 4.66 to milepost 6.13 in Essex County. In accordance with the aforementioned regulations, B&M and ST make the following responses.

RESPONSE TO 49 C F R SECTION 1152.50(d)(2):

1 Proposed Consummation Date.

The proposed consummation date of this discontinuance is August 8, 2007.

2 Certification Required in Section 1152.50(b)

The required certification is set forth as Exhibit B to this Notice of Exemption.

3 Information required in Section 1152.22(a)(1-4),(7),(8) and (e)(4)

(a) General.

(1) Exact name of applicant

Boston & Maine Corporation  
Springfield Terminal Railway Company

- (2) Whether applicant is a common carrier by railroad subject to the Interstate Commerce Act

B&M and ST are common carriers by railroad subject to the Interstate Commerce Act

- (3) Relief sought.

B&M and ST seek to abandon and discontinue service over the line

- (4) Detailed map of the line

Map is attached hereto as Exhibit A

- (7) Name, title and address of representative of applicant to whom correspondence should be sent

Michael Q Geary, Esq.  
Boston and Maine Corporation  
Springfield Terminal Railway Company  
Iron Horse Park  
North Billerica, MA 01862

- (8) United States Postal Zip Codes that the line traverses.

Zip Code 01830

- (e) Rural and community impact

- (4) Statement of whether the properties proposed to be abandoned are suitable for use for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed

B&M and ST are unsure about the suitability of the Line for public non-rail purposes. Prior to the effective date of this abandonment, title to the Line will be acquired by third parties.

4 The Level of Labor Protection

B&M and ST understand that, in exempting the proposed abandonment and discontinuance, the Board does not relieve the carrier of its statutory obligation to protect the interests of employees See 49 C F R § 1152 50(c) Accordingly, B&M and ST anticipate that the Board will impose the conditions set forth in Oregon Short Line R. Co –Abandonment- Goshen, 360 I.C.C 91 (1979), for the benefit of employees who may be adversely affected by the proposed abandonment and discontinuance

5 Certificate of Compliance with the Notice Requirements of Section 1152 50(d)(1)

The required certificate is set forth as Exhibit C to this Notice of Exemption.

6 Environmental Report and Historical Report.

The Environmental /Historical Report required by 49 C.F R.1105.7 and 1105.8 is attached as exhibit D to this Notice of Exemption Attached, as Exhibit E, is a certificate affirming B&M and ST's compliance with 49 C.F R. 1105.11

7. Newspaper Notice.

The Newspaper Notice required by 49 C.F.R 1105 12 was published on May 12, 2007. An affidavit from this newspaper is attached.

8 Verification

The required verification is set forth as Exhibit F to this Notice of Exemption.

Respectfully submitted,

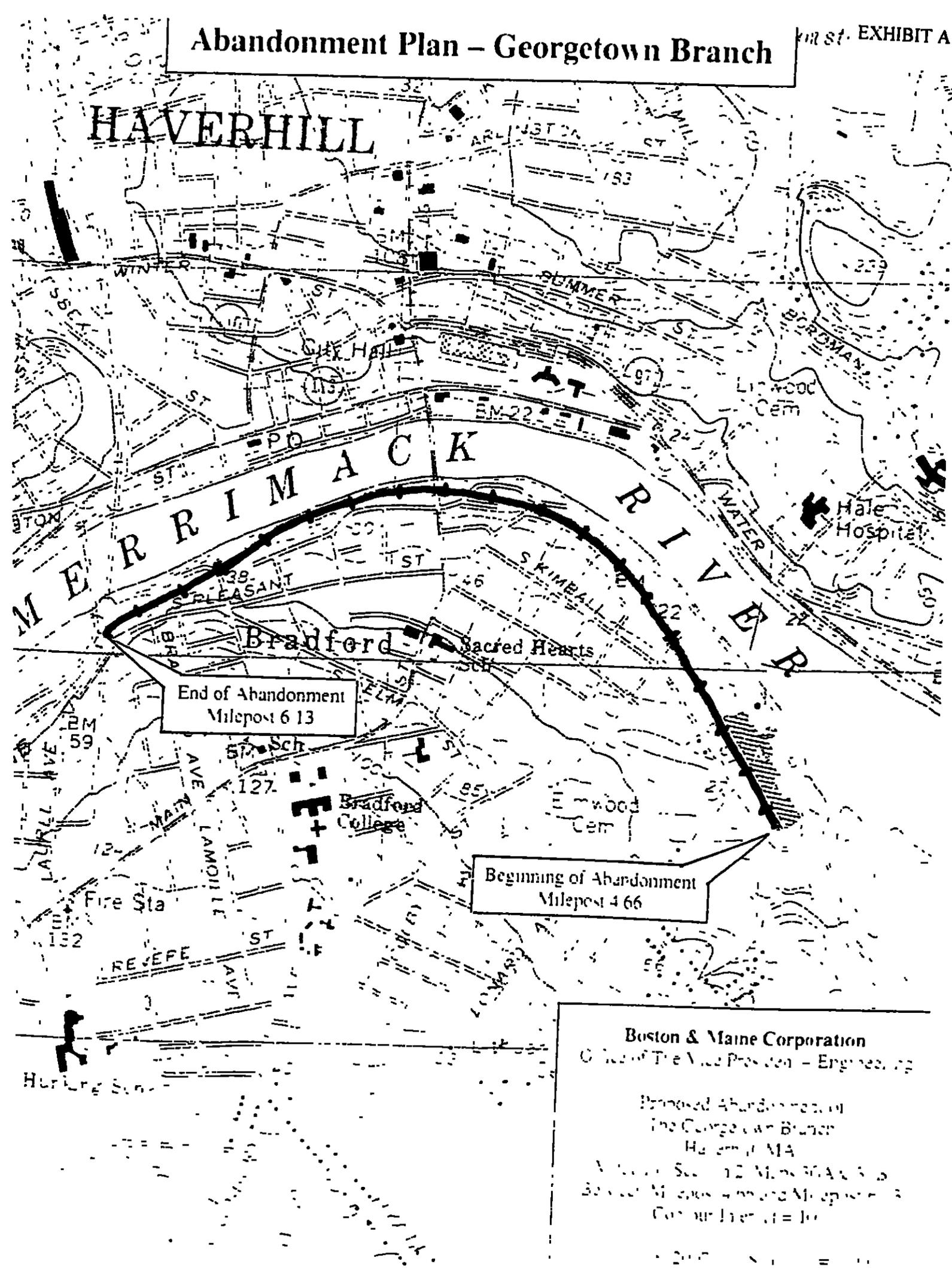


Michael Q. Geary  
Staff Attorney  
Boston & Maine Corporation  
Iron Horse Park  
North Billerica, MA 01862

Dated. June 18, 2007

# Abandonment Plan - Georgetown Branch

131 st. EXHIBIT A



End of Abandonment  
Milepost 6 13

Beginning of Abandonment  
Milepost 4 66

**Boston & Maine Corporation**  
Chief of The Vice President - Engineering  
  
Proposed Abandonment of  
The Georgetown Branch  
Haverhill, MA  
Between Milepost 12 and Milepost 13  
Between Milepost 4 and Milepost 6  
Construction Length = 10

**CERTIFICATION REQUIRED**

**IN 49 C.F.R. SECTION 1152.50(b)**

In accordance with 49 C.F.R. Section 1152.50(b), I hereby certify that, with respect to the line, which is the subject of the Notice of Exemption in Docket No. AB 32 (Sub No. 53x) and Docket No. 355 (Sub No. 5x): (1) no local traffic has moved over the line for at least two years prior to the date hereof; and (2) there is no overhead traffic on the line, and (3) no formal complaint filed by a user of rail service on the line (or state or local agency acting on behalf of such user) regarding cessation of service over the line is either pending with the Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period prior to the date hereof. The foregoing certification is made on behalf of the Boston & Maine Corporation and the Springfield Terminal Railway Company by the undersigned after due and careful investigation of the matters herein certified and based on the best knowledge, information and belief of the undersigned.

  
Michael Q. Geary

Dated June 18, 2007

CERTIFICATE OF COMPLIANCE WITH  
NOTICE REQUIREMENTS OF  
49 C.F.R. 1152.50(d)(1)

In accordance with 49 C.F.R. Section 1152.50(d)(2), I hereby certify that

On May 11, 2007, I caused to be served by FedEx overnight delivery service, the notice required by 49 C.F.R. Section 1152.50(d)(1), upon

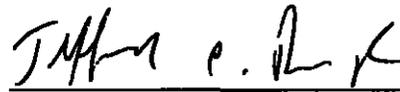
Brian Cristy  
Director, Transportation Division  
Commonwealth of Massachusetts  
Department of Telecommunications and Energy  
One South Station  
Boston, MA 02110

Office of Special Assistant for  
Transportation Engineering  
Railroads for National Defense Program  
Military Traffic Management Command  
Transportation Engineering Agency  
720 Thimble Shoals Blvd - Suite 130  
Newport News, VA 23606

Marie Rust  
Regional Director  
National Park Service, NE Region  
Recreation Resources Division  
U.S. Customs House  
200 Chestnut St, 5<sup>th</sup> Floor  
Philadelphia, PA 19106

Gail Kimball  
Chief of Forest Service  
U.S. Department of Agriculture  
P.O. Box 96090  
Washington, DC 20090-6090

Dated: May 23, 2007

  
Jeffrey C. Royer



PAN AM  
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY  
BOSTON & MAINE CORPORATION  
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK  
NORTH BILLERICA, MA 01862

File 0127

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LEGAL DEPARTMENT  
(978) 663-1215  
Fax (978) 663-1213

May 11, 2007

To: Service List

Re: Abandonment of and Discontinuance of Service  
Over Georgetown Branch – AB 32 (Sub No 53x)  
AB 355 (Sub No 5x)

Ladies and Gentlemen

In accordance with the Surface Transportation Board's regulations at 40 CFR § 1152 50(d)(1), the Boston & Maine Corporation and the Springfield Terminal Railway Company hereby gives notice that on or about May 4, 2007 it intends to file with the Surface Transportation Board, Washington, D C. 20423, a Notice of Exemption. Said Notice will seek permission for the abandonment and discontinuance of service on a portion of the so-called Georgetown Branch (the "Line") in Haverhill, Massachusetts, extending from railroad milepost 4 66 to milepost 6 13, which traverse through United States Postal Service Zip Code 01830, a distance of 1.47 miles, in Middlesex County, Massachusetts. A map depicting the Line is attached. If permitted by the Board, the exempt procedure permitted by Subpart F of 49 CFR § 1152 will be used.

Based on information in our possession, the Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting such documentation.

Sincerely,

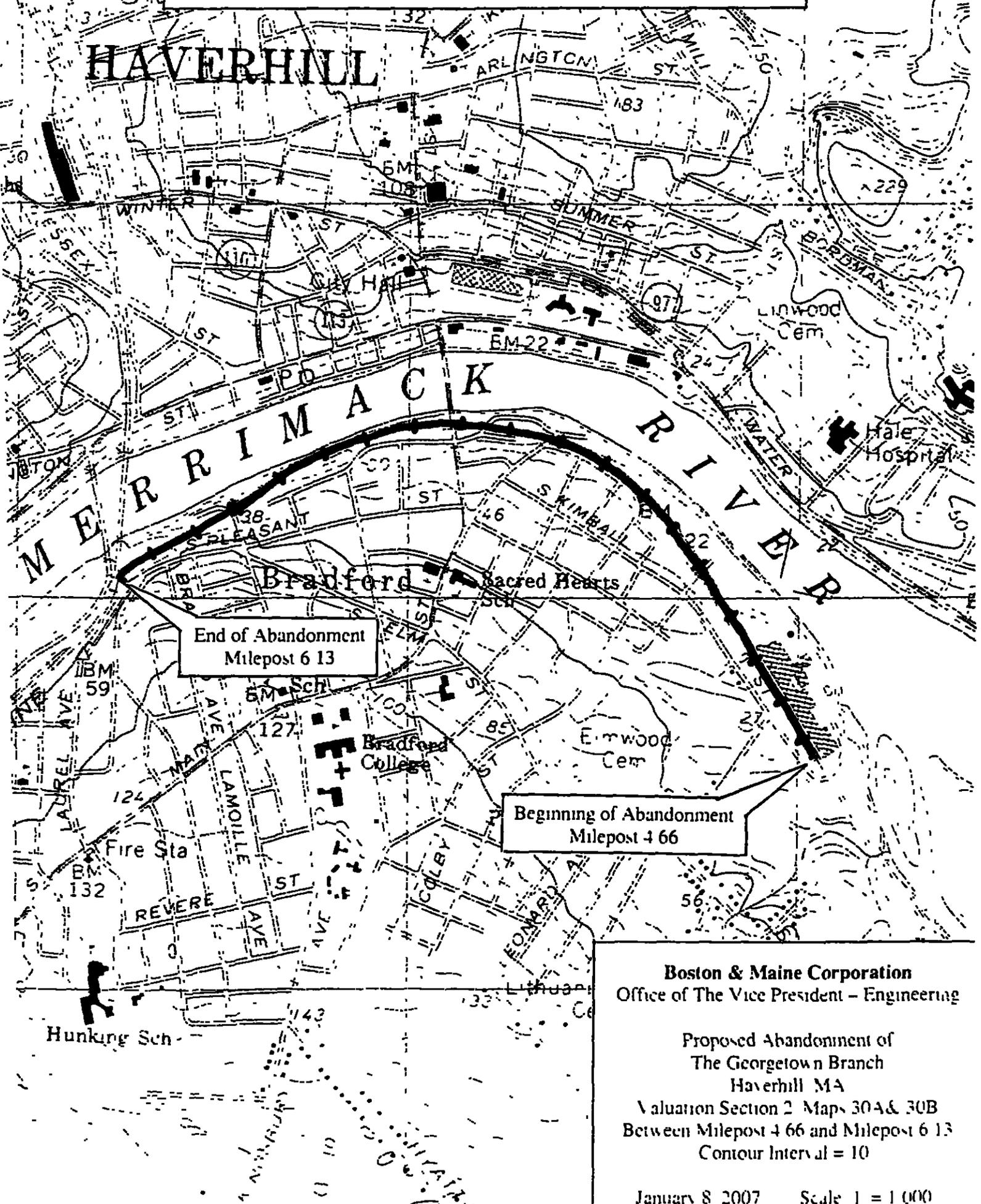
A handwritten signature in black ink, appearing to read "Jeffrey C. Royer".

Jeffrey C. Royer  
Staff Attorney

Enclosure

# Abandonment Plan - Georgetown Branch

onstall



**Boston & Maine Corporation**  
Office of The Vice President - Engineering

Proposed Abandonment of  
The Georgetown Branch  
Haverhill MA  
Valuation Section 2 Maps 30A & 30B  
Between Milepost 4 66 and Milepost 6 13  
Contour Interval = 10

January 8 2007 Scale 1 = 1 000

**GEORGETOWN BRANCH**  
**ENVIRONMENTAL/HISTORICAL REPORT**

**Docket No. AB 32 (Sub No. 53v)**

**Docket No. AB 355 (Sub No. 5v)**

**I. ENVIRONMENTAL REPORT**

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

(1) **Proposed Action and Alternatives**

The Boston and Maine Corporation ("B&M") and the Springfield Terminal Railway Company ("ST") (collectively the "Applicants") propose to abandon and discontinue service over a 1.5 mile portion of the so-called "Georgetown Branch" line of railroad (the "Line"). A map of the proposed abandonment and discontinuance has previously been provided to all parties receiving this report, and is attached as Exhibit A.

Due to the inability to generate traffic over the Line, there is no reasonable alternative to abandonment and discontinuance.

(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 Line. Any traffic previously moving over the Line was rerouted more than two years ago.

(3) **Land Use**

(i) The Applicants believe that the proposed action is consistent with and in furtherance of local land use plans.

(ii) The Applicants believe the proposed action will have no effect or adverse impact on any prime agricultural land

(iii) This action is outside the boundary of the Massachusetts coastal zone

(iv) In light of the fact that title to the Line proposed for abandonment and discontinuance will be sold to third parties, Applicants are unsure whether the right-of-way is suitable for alternative public use under 49 U S C 10906.

(4) **Energy**

(i) The transportation of energy resources will not be effected by the proposed action.

(ii) The proposed action will have no effect on the movement and/or recovery of recyclable commodities

(iii) The proposed action will increase overall energy efficiency in that it will allow Applicants to eliminate their potential responsibility for costly and energy-consuming maintenance operations for an unused portion of line

(iv) The proposed action will not cause a diversion from rail to motor carrier in excess of the threshold levels set forth at § 1105 7 (e)(4)(iv)(A) or (B)

(5) **Air**

The proposed action will not result in any of the increases set forth at § 1105 7 (e)(5).

(6) **Noise**

The proposed action will not result in or exceed any of the thresholds set forth at § 1105 7 (e)(6)

(7) **Safety**

(i) The proposed action will have no adverse effect on public health and

safety

- (ii) No hazardous materials will be diverted to highway transportation
- (iii) No known hazardous waste sites or spills exist on the Line

(8) **Biological Resources**

(i) Applicants know of no endangered or threatened species or critical habitats that will be affected by the proposed action. The Applicants requested comments from the U S Fish and Wildlife Service in this regard. The Service responded and has advised Applicants that "no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U S Fish and Wildlife Service are known to occur in the project area(s)."

(ii) Applicants believe no national or state parks or forests will be affected by the proposed action.

(9) **Water**

(i) The Applicant contemplates no action inconsistent with federal, state and/or local water quality standards

(ii) The Applicant does not believe the proposed action will require any permits under § 404 of the Clean Water Act. No salvage operations will be undertaken. No designated wetlands or 100-year flood plains will be affected by the proposed action.

(iii) Permits under § 402 of the Clean Water Act are not required for the proposed action. However, no salvage operations will be undertaken.

(10) **Proposed Mitigation**

Because no adverse environmental impacts are expected to result from the proposed action, no mitigation will be needed or is planned.

(11) **Additional Information for Rail Constructions**

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

## **II. HISTORIC REPORT**

The following information is provided in accordance with 49 C F R § 1105.8(d)

### **(1) Maps**

A topographical map is attached hereto as Exhibit B

### **(2) Description of Right-of-Way**

The portion of Line at issue is approximately 1.47 miles in length. The width of the right-of-way varies from 38 feet to 100 feet +/- The attached topographic map indicates the Line's topography

### **(3) Photographs of Railroad Structures**

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places The Applicants have requested comments from the Massachusetts Historic Preservation Officer in regard to the anticipated effect of the proposed action on historical resources The Massachusetts Historical Commission ("MHC") has responded by letter, and has no objection to the proposed action

### **(4) Construction Dates**

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places

### **(5) History of Operations**

The Line as existed since approximately 1851 The Line was built by the Newburyport Railroad Company and serves as a link between Georgetown, Massachusetts and Bradford (Haverhill), Massachusetts for over a century

Newburyport Railroad Company was merged into Boston and Maine Corporation's predecessor, Boston and Maine Railroad Company, in 1906. No local or overhead traffic has moved over the Line for at least two years. The proposed abandonment will not effect carrier operations in the area.

(6) **Summary of Useful Documents**

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed on the National Register of Historic Places.

(7) **Opinion as to Historical Significance**

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places. The Applicants have requested comments from the Massachusetts Historic Preservation Officer in regard to the anticipated effect of the proposed action on historical resources. The Massachusetts Historical Commission ("MHC") has responded by letter, and has no objection to the proposed action. The Applicants are not aware of any culturally significant locations, archaeological sites or unique landforms located along the Line or that will be affected by the proposed action.

(8) **Description of Prior Subsurface Disturbance**

The Applicants know of no prior subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of resources and the surrounding terrain.

### **III. CERTIFICATE OF SERVICE**

This certifies that the Applicants have served copies of this

Environmental/Historical Report upon and, prior to such service, consulted, or

attempted to consult, with the following parties

Debra Jean. CDBG  
Financial Assistant  
Department of Housing and  
Community Development  
One Congress Street, 10<sup>th</sup> Floor  
Boston, MA 02114

Richard Chalpin  
Regional Director  
Commonwealth of Massachusetts  
Department of Environmental Protection  
Northeast Regional Office  
205B Lowell Street  
Wilmington, MA 01887

Susan Snow-Cotter  
Commonwealth of Massachusetts  
Executive Office of Environmental Affairs  
Coastal Zone Management Program  
251 Causeway Street, STE 800  
Boston, MA 02114-2138

Mayor James Fiorentini  
4 Summer Street, Room 200  
Haverhill, MA 01830

Stephan Perkins  
Office Director  
Office of Environmental Stewardship  
U S Environmental Protection Agency  
New England, Region 1  
1 Congress Street, STE 1100  
Boston, MA 02114-2023

Michael Bartlett  
New England Field Office  
U S Department of Interior  
Fish & Wildlife Service  
70 Commercial Street, STE 300  
Concord, NH 03301

Larry Rosenberg  
Chief, Public Affairs Office  
New England District  
U S Army Corps of Engineers  
696 Virginia Road  
Concord, MA 01742-2751

Regional Director  
Northeast Region  
National Park Service  
U S Customs House  
200 Chestnut Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19106

Dan Lenthall  
District Conservationist  
USDA – NRCS  
319 Littleton Road, STE 205  
Westford, MA 01886-4133

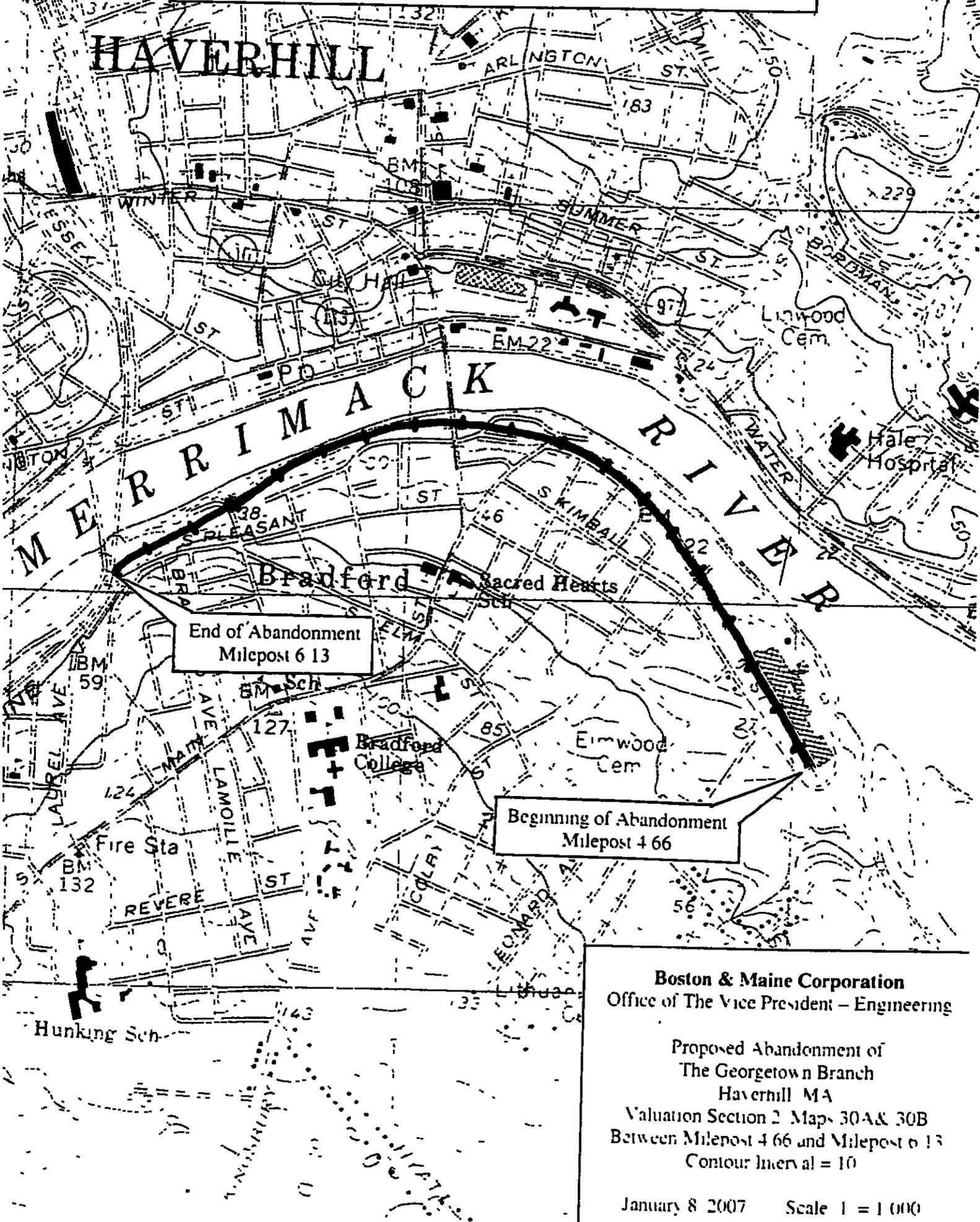
Edward J McKay, Chief  
Spatial Reference System Division  
National Geodetic Survey  
NOAA, N/NGS2  
1315 East-West Highway  
Silver Spring, MD 20910-3293

Ann M Lattinville  
Director of Architectural Review  
Massachusetts Historical Commission  
220 Morrissey Blvd  
Boston, MA 02125

**EXHIBIT A**

# Abandonment Plan - Georgetown Branch

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End of Abandonment  
Milepost 6 13

Beginning of Abandonment  
Milepost 4 66

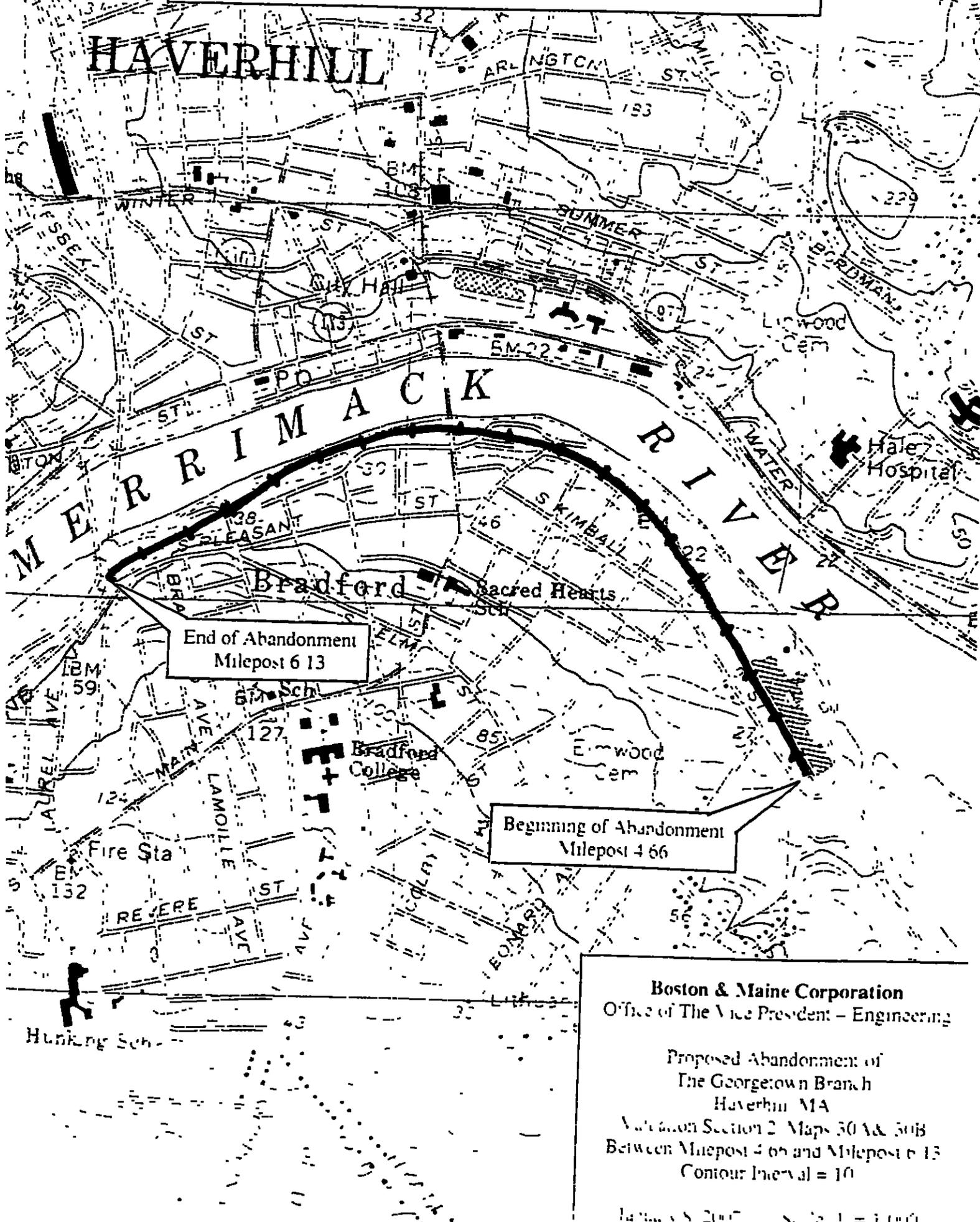
**Boston & Maine Corporation**  
Office of The Vice President - Engineering

Proposed Abandonment of  
The Georgetown Branch  
Haverhill MA  
Valuation Section 2 Maps 30-A & 30-B  
Between Milepost 4 66 and Milepost 6 13  
Contour Interval = 10

January 8 2007 Scale 1 = 1 000

**EXHIBIT B**

# Abandonment Plan - Georgetown Branch



**Boston & Maine Corporation**  
Office of The Vice President - Engineering

Proposed Abandonment of  
The Georgetown Branch  
Haverhill MA  
Variation Section 2 Maps 50 A & 50 B  
Between Milepost 4 66 and Milepost 6 13  
Contour Interval = 10

January 8, 2007 Scale 1" = 1000'

APPENDIX TO  
ENVIRONMENTAL/HISTORICAL REPORT



Natural Resources Conservation Service  
319 Littleton Road Suite 205  
Westford MA 01886

978-692-1904 x3  
fax 978-392-1305  
www.ma.nrcs.usda.gov

---

January 24, 2007

Jeffrey C Royer, Esq , Legal Department  
Springfield Terminal Railway Company  
Boston & Maine Corporation  
1700 Iron Horse Park  
North Billerica, MA 01862

RE Abandonment of and Discontinuance of Service  
Over Georgetown Branch – AB 32 (Sub No 53x)

Dear Sir

I am not aware of any adverse effect that the proposed abandonment and discontinuance of service of the above mentioned rail line will have on agricultural resources or businesses in the area

Sincerely,

A handwritten signature in cursive script that reads "Daniel J Lenthall".

Daniel J Lenthall  
District Conservationist



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
OFFICE OF COASTAL ZONE MANAGEMENT  
250 Causeway, State Suite 800 Boston, MA 02114-2136  
TEL: 617-725-1200 FAX: 617-725-1240

February 5, 2007

Jeffrey C. Royer  
Pan Am Railways  
1700 Iron Horse Park  
North Billerica, MA 01862

RE Abandonment of and discontinuance of Service over Georgetown Branch;  
Haverhill

Dear Mr. Royer

The Massachusetts Office of Coastal Zone Management (CZM) has received your package of information, including plans, for the proposed (project description)

The activities associated with this project fall outside the geographical boundaries of the Massachusetts Coastal Zone as delineated in Chapter 5 Massachusetts Coastal Regions and An Atlas of Resources, 1 June 1977 and further described in the Massachusetts Coastal Zone Management Plan and therefore are not subject to federal consistency review by this office

Thank you for submitting the information to CZM. If you have any questions regarding our review process, feel free to call me at (617) 626-1219

Sincerely,

Truman Henson  
Project Review Coordinator

TH/pb

cc Karen Kirk Adams, Chief  
Regulatory Branch, NED, US Army Corps of Engineers





PAN AM  
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY  
BOSTON & MAINE CORPORATION  
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK  
NORTH BILLERICA, MA 01862

RECEIVED

JAN 21 2007

MASS. HIST. COM. 10

LEGAL DEPARTMENT

(978) 663-1215

Fax (978) 663-1213

January 15, 2007

To Service List

Re Abandonment of and Discontinuance of Service  
Over Georgetown Branch - AB 32 (Sub No 53x)

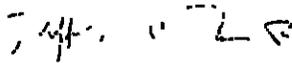
Ladies and Gentlemen

The Boston and Maine Corporation and the Springfield Terminal Railway Company intends to file a Notice of Exemption with the Surface Transportation Board regarding the abandonment of an approximately 1.47 mile line of railroad known as the Georgetown Branch in Haverhill, Massachusetts. A map depicting the portion of the line to be abandoned is attached.

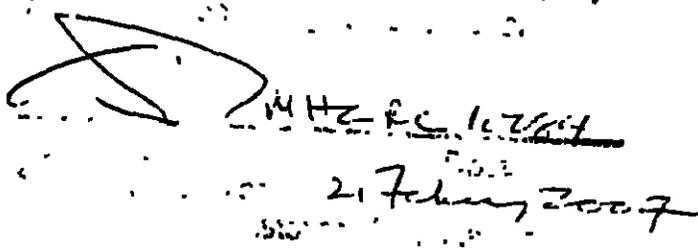
In connection with the Notice of Exemption, federal regulations at 49 CFR § 1105.7 and § 1105.8 require that we prepare an Environmental/Historical Report after consulting with and gathering information from your office regarding the anticipated impact of the proposed action on environmental and historical resources. Your input is welcome. Because time is of the essence, however, kindly forward any comments and any relevant information to the undersigned at your earliest convenience, and in any event, no later than two weeks from receipt of this letter. If you know of no adverse effect that the proposed abandonment and discontinuance of service will have, and/or do not object to the proposed action, I would appreciate your so notifying the undersigned in writing.

Thank you for your cooperation. If you have any questions, please do not hesitate to call.

Sincerely,

  
Jeffrey C. Royer, Esq.  
Staff Attorney

Enclosure

  
21 February 2007



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
New England Field Office  
70 Commercial Street, Suite 300  
Concord, New Hampshire 03301-5087



February 23, 2007

<u>Reference</u>	<u>Project</u>	<u>Location</u>
	Railroad abandonment AB 32 (Sub No 53x)	Georgetown Branch, Haverhill, MA

Jeffrey Royer  
Boston & Maine Corporation  
1700 Iron Horse Park  
North Billerica, MA 01862

Dear Mr Royer

This responds to your recent correspondence requesting information on the presence of federally-listed and/or proposed endangered or threatened species in relation to the proposed activity(ies) referenced above

Based on information currently available to us, no federally-listed or proposed threatened or endangered species or critical habitat under the jurisdiction of the U S Fish and Wildlife Service are known to occur in the project area(s) Preparation of a Biological Assessment or further consultation with us under Section 7 of the Endangered Species Act is not required

This concludes our review of listed species and critical habitat in the project location(s) and environs referenced above No further Endangered Species Act coordination of this type is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available

Thank you for your coordination Please contact us at 603-223-2541 if we can be of further assistance

Sincerely yours,

Anthony P Tur  
Endangered Species Specialist  
New England Field Office



JAMES J. FIORENTINI  
MAYOR

CITY OF HAVERHILL  
MASSACHUSETTS

CITY HALL ROOM 100  
FOUR SUMMER STREET  
HAVERHILL MA 01830  
PHONE (978) 374-2300  
FAX (978) 373-7544  
WWW.CITYHAVERHILL.MA.US

February 27, 2007

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K St., NW, Rm 711  
Washington, DC 20423

Subject ***Pan Am Railways (Boston and Maine Corporation and Springfield Terminal Railway Company) – Abandonment of and Discontinuance of Service over Georgetown Branch – AB 32 (Sub No. 53x)***

Dear Mr. Williams

This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of The City of Haverhill which is a municipal government agency interested in transportation and natural resources, which is hereinafter referred to as 'Commenter'.

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between "End of Abandonment, Milepost 6.13" and the Main Street Bridge over the Merrimack River (see attachment).

**A Public Use Condition**

Commenter requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except of public use on reasonable terms. The justification for this condition is that the City of Haverhill desires conversion to a public recreational trail at this location, which is along a scenic river. The trail is part of local plans to provide a downtown walking loop which would encompass the above mentioned limits along the current rail, the Upper County Bridge (which is adjacent to Milepost 6.13), a boardwalk on the north side of the river (next spring construction is scheduled for a portion of the boardwalk and replacement of an existing section of boardwalk), and the Main Street Bridge. To this end, the City has hired a Consulting Firm to complete 100% design plans for the sections of boardwalk mentioned above, and to bring to 25% design the remaining sections of boardwalk on the north side of the river and a recreational trail on the south side of the river (location of the to be abandoned rail). The existing rail corridor provides important wildlife habitat and greenspace and its preservation as a recreational trail is

consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time because our Consultant needs the proper time to complete the design plans and to this point we have had the opportunity for only preliminary discussions with Pan Am Rail to express our interest.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period request is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

## B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, Commenter also makes the following request:

### STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL REESPONSIBILITY

In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29, The City of Haverhill is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any taxes that may be levied or assessed against the right-of-way owned by Pan Am Railways.

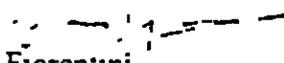
The property, known as the Georgetown Branch extends from railroad milepost 6.13 at end of abandonment to milepost 4.66 at beginning of abandonment, a distance of 1.47 miles in Essex County, Massachusetts. The right of way is part of a line of railroad proposed for abandonment in STB Docket No. AB 32 (Sub No. 53A).

A map depicting the right of way is attached.

The City of Haverhill acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

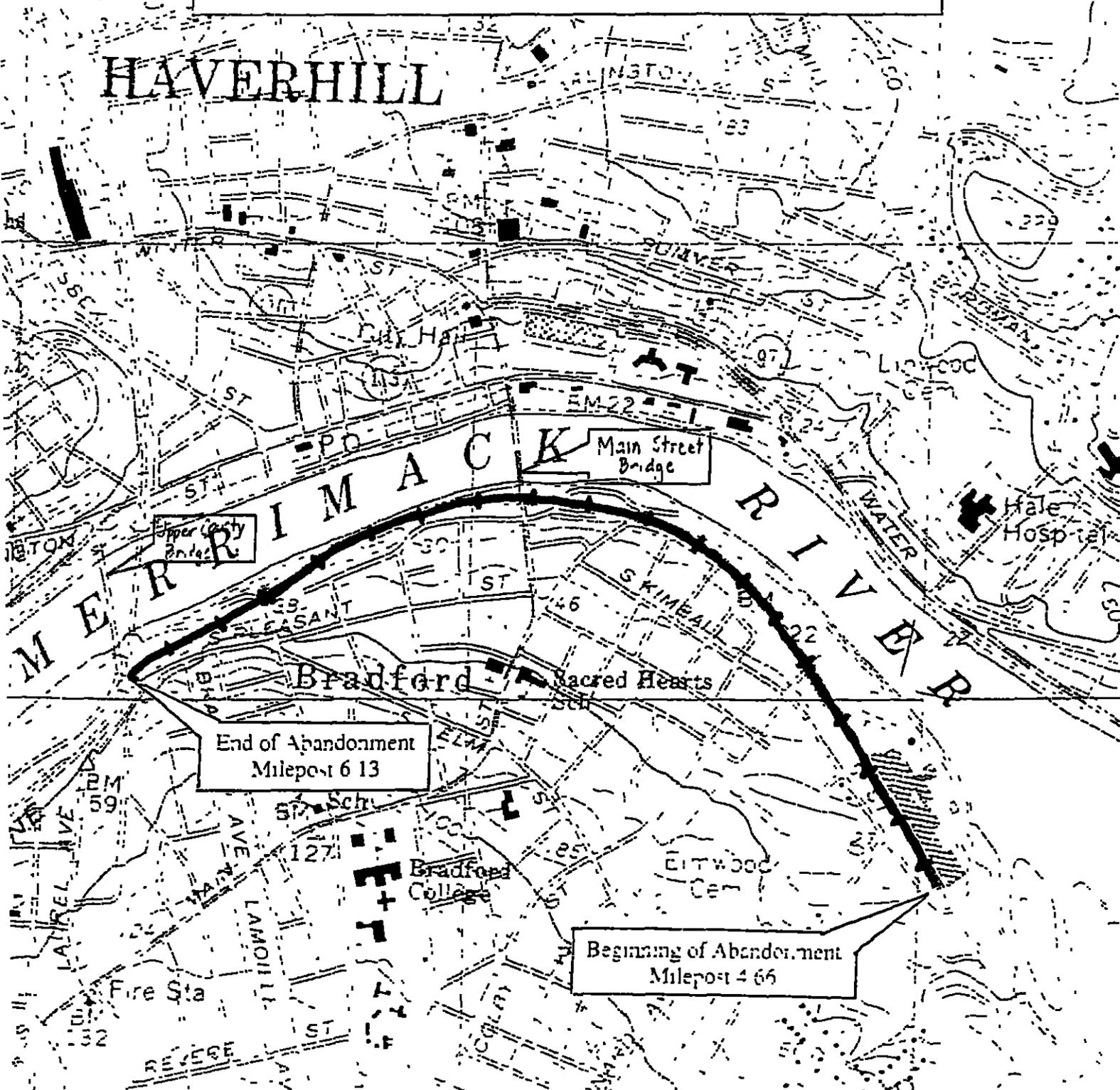
By my signature below, I certify service upon Pan Am Railways (attention Jeffrey C. Royer, Esq.), 1700 Iron Horse Park, North Billerica, MA 01862, by U.S. Mail postage prepaid, first class, this 27<sup>th</sup> day of 2007.

Respectfully submitted,

  
James J. Fiorentini  
Mayor

# Abandonment Plan - Georgetown Branch

install



Boston & Maine Corporation  
 Office of The Vice President - Engineering

Proposed Abandonment of  
 The Georgetown Branch  
 Haverhill, MA  
 Between Section 2 Miles 5.34 & 3.8  
 Between Milepost 4.66 and Milepost 6.13  
 Construction No. 1

June 28, 1977 Sheet 1 of 1

**CERTIFICATE OF COMPLIANCE  
WITH NOTICE REQUIREMENTS OF  
49 C.F.R. 1105.11 AND 1105.7(b)**

In accordance with 49 C.F.R. Section 1105.7(b), I hereby certify that on March 13, 2007, a copy of the Environmental/Historical Report was served upon the parties listed below, by first-class mail, postage prepaid

**Debra Jean, CDBG**  
Financial Assistant  
Department of Housing and  
Community Development  
One Congress Street, 10<sup>th</sup> Floor  
Boston, MA 02114

**Richard Chalpin**  
Regional Director  
Commonwealth of Massachusetts  
Department of Environmental Protection  
Northeast Regional Office  
205B Lowell Street  
Wilmington, MA 01887

**Susan Snow-Cotter**  
Commonwealth of Massachusetts  
Executive Office of Environmental Affairs  
Coastal Zone Management Program  
251 Causeway Street, STE 800  
Boston, MA 02114-2138

**Mayor James Fiorentini**  
4 Summer Street, Room 200  
Haverhill, MA 01830

**Stephan Perkins**  
Office Director  
Office of Environmental Stewardship  
U S Environmental Protection Agency  
New England, Region 1  
1 Congress Street, STE 1100  
Boston, MA 02114-2023

**Michael Bartlett**  
New England Field Office  
U S Department of Interior  
Fish & Wildlife Service  
70 Commercial Street, STE 300  
Concord, NH 03301

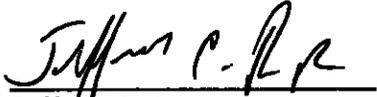
**Larry Rosenberg**  
Chief, Public Affairs Office  
New England District  
U S Army Corps of Engineers  
696 Virginia Road  
Concord, MA 01742-2751

**Regional Director**  
Northeast Region  
National Park Service  
U S Customs House  
200 Chestnut Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19106

**Dan Lenthall**  
District Conservationist  
USDA – NRCS  
319 Littleton Road, STE 205  
Westford, MA 01886-4133

**Simon Monroe**  
Spatial Reference System Division  
National Geodetic Survey  
NOAA, N/NGS2  
1315 East-West Highway  
Silver Spring, MD 20910-3293

**Ann M Lattinville**  
Director of Architectural Review  
Massachusetts Historical Commission  
220 Morrissey Blvd  
Boston, MA 02125

  
Jeffrey C Royer

Dated May 23, 2007



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IRON HORSE PARK  
NORTH BILLERICA, MA 01862

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# The Boston Globe

## CERTIFIED

Below is your advertisement from THE BOSTON GLOBE, beginning 05/12/2007 and ending 05/12/2007, appearing 1 time(s) in the Classification, LEGAL NOTICES

Thank you!  
Boston Globe Advertising

#### NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

The Boston and Maine Corporation and the Springfield Terminal Railway Company give notice that on or about May 18 2007 it intends to file with the Surface Transportation Board Washington DC 20423 a notice of exemption under 49 C.F.R. 1152 Subpart F "Exempt Abandonments permitting the abandonment and discontinuance of service over approximately 1.47 mile portion of track known as the Georgetown Branch between milepost 4.66 and milepost 6.13 (the Line.) The Line is located in Essex County Massachusetts and traverses through United States Postal Service zip Code 01830. The proceeding will be docketed as No. AB-32 (Sub No. 53a) and No. AB-35 (Sub No. 5a).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA) Surface Transportation Board Washington DC 20423 or by calling that office at 202 927 6211.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions public use conditions or rail banking/trails use also can be filed with the Board. An original and ten (10) copies of any pleading that raises matters other than environmental issues (such as trail use public use and offers of financial assistance) must be filed directly with the Board's Office of the Secretary 1925 K Street N.W. Washington DC 20423 (See 49 C.F.R. 1104.10) and 1104.3(a)) and one copy must be served on applicants representative (See 49 C.F.R. 1104.12(a)). Questions regarding offers of financial assistance public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202 565 1592. Copies of any comments or request for conditions should be served on:

Jeffrey C. Royer  
Staff Attorney  
Boston & Maine Corporation  
Springfield Terminal Railway Company  
Iron Horse Park  
North Billerica MA 01862

# TO GLOBE NEWSPAPER CO., INC.

For Advertising in the *BOSTON GLOBE*

*Boston and Maine Corporation  
Iron Horse Park  
North Billerica, MA 01862*

## LEGAL NOTICE

### NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

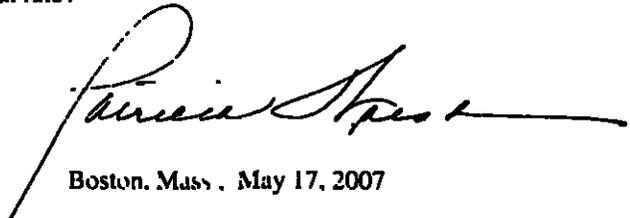
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Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and ten (10) copies of any pleading that raises matters other than environmental issues (such as trail use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423 (See 49 C.F.R. 1104.1(a) and 1104.3(a)) and one copy must be served on applicant's representative (See 49 C.F.R. 1104.12(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202 545-1592. Copies of any comments or request for conditions should be served on:

Jeffrey C. Royer  
Staff Attorney  
Boston & Maine Corporation  
Springfield Terminal Railway Company  
Iron Horse Park  
North Billerica, MA 01862

I, *Patricia Walsh*, hereby certify that I am *Classified Sales Representative* of the Globe Newspaper Co., publishers of the Boston Globe, that the above advertisement has been inserted in said newspaper 1x Time, Saturday, May 12, 2007 and that it is charged at the usual rates

  
Boston, Mass., May 17, 2007

Personally appeared before me and made oath that the above statement subscribed to by him is true  
Suffolk ss

  
Notary Public  
My Commission Expires *Jan. 3, 2008*

