



223877

Kathryn R. Barney
Admitted in Florida

Law Department
500 Water Street
Speed Code J-150
Jacksonville, FL 32202
Fax (904) 245-3892
Telephone (904) 359-1305
Email kathryn_barney@csx.com

October 30, 2008

Via LPS Next Day Air

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S W
Washington, D. C. 20423



RF: Docket No AB-55 (Sub-No 691X). *CSX Transportation, Inc — Abandonment Exemption—in Worcester County, Massachusetts*

Dear Acting Secretary Quinlan

Enclosed are the original and 10 copies of a Verified Notice of Exemption for abandonment in the above-entitled proceeding and the filing fee of \$3,700. Also enclosed is a computer diskette containing the Notice.

Please time and date stamp the additional copy of this letter and return it to me in the enclosed self-addressed, stamped envelope. Thank you for your assistance.

If you have any questions please call or email me.

Sincerely yours.

Kathryn R. Barney
Kathryn R. Barney

FEE RECEIVED
OCT 31 2008
SURFACE
TRANSPORTATION BOARD

Enclosures

ENTERED
Office of Proceedings
OCT 31 2008

FILED

OCT 31 2008

**SURFACE
TRANSPORTATION BOARD**

Part of
Public Re

BEFORE THE
SURFACE TRANSPORTATION BOARD



Docket No AB-55 (Sub-No. 691X)

CSX TRANSPORTATION, INC -ABANDONMENT EXEMPTION-
IN WORCESTER COUNTY, MA

VERIFIED NOTICE OF EXEMPTION

Kathryn R. Barney, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1305

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: October 31, 2008

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 691X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN WORCESTER COUNTY, MA

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon a 4.2 mile rail line on its Northeast Region, Albany Division, Fitchburg Subdivision, from Milepost QBU 0 0 (Fitchburg) to the end of track at Milepost QBU 4.2 (Leominster), a distance of 4.2 miles in Worcester County, Massachusetts¹ (the “Line”). No local or overhead rail traffic has moved over the Line during the past two years.

1. **Proposed consummation date** The proposed consummation date is December 20, 2008 (or such later date that is 50 calendar days from the date this Verified Notice of Exemption is received by the Board).

¹ By notice served and published in the Federal Register on May 30, 2002 (67 FR 37911), CSX Transportation, Inc. (“CSXT”) and New York Central Lines, LLC (“NYC”) were previously granted abandonment authority for the Line under STB Docket Numbers AB-565 (Sub No 10X) and AB-55 (Sub No 616X). On June 28, 2002, a decision and notice of interim trail use or abandonment (NITU) was served, reopening the proceeding and authorizing a 180-day period for the Cities of Leominster and Fitchburg (the “Cities”) to negotiate an interim trail use/rail banking agreement with NYC and CSXT for the entire Line. In subsequent decisions, the Board extended the period for trail negotiation until January 9, 2008 and the consummation date until March 10, 2008. CSXT, on its own behalf and as successor by merger with NYC, was unable to finalize an interim trail use/rail banking agreement with the Cities and is re-filing pursuant to 49 C.F.R. §1152(e)(2) because the abandonment authority has lapsed.

2. Certification required by 49 C.F.R. § 1152.50(b). See Exhibit A.

3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) *General*

(1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50

to abandon a 4.2 mile rail line on its Northeast Region, Albany Division,

Fitchburg Subdivision, from Milepost QBU 0.0 (Fitchburg) to the end of

track at Milepost QBU 4 2 (Leominster), a distance of 4.2 miles in Worcester

County, Massachusetts. There are no stations on the Line

(4) Map. See Exhibit B.

(7) Name, title, and address of representative of applicant to whom

correspondence should be sent. Kathryn R. Barney, CSX Transportation,

Inc., 500 Water Street, J-150, Jacksonville, Florida 32202, (904) 359-1305.

(8) List of all United States Postal Service ZIP Codes that the line proposed for abandonment traverses. The Line traverses ZIP Code 01420 and 01453.

(c) Rural and community impact. Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and 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.

CSXT believes that the properties proposed for abandonment may be suitable for other purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

4 The level of labor protection. The interests of railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in *Oregon Short Line R Co -- Abandonment -- Goshen*, 360 I.C.C. 91 (1979).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C (Certificate of Service; Certificate of Publication), Exhibit D (Certificate of Distribution of Environmental Report) and Exhibit E (Certificate of Distribution of Historical Report).

6. Environmental Report. See Exhibit D. Based on information in the possession of CSXT, 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 it.

7 Historic Report See Exhibit E.

Steven C. Armbrust, Esq
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Respectfully submitted,



Kathryn R. Barney, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1305

Attorneys for: CSX TRANSPORTATION,
INC

Dated: October 31, 2008

EXHIBIT A

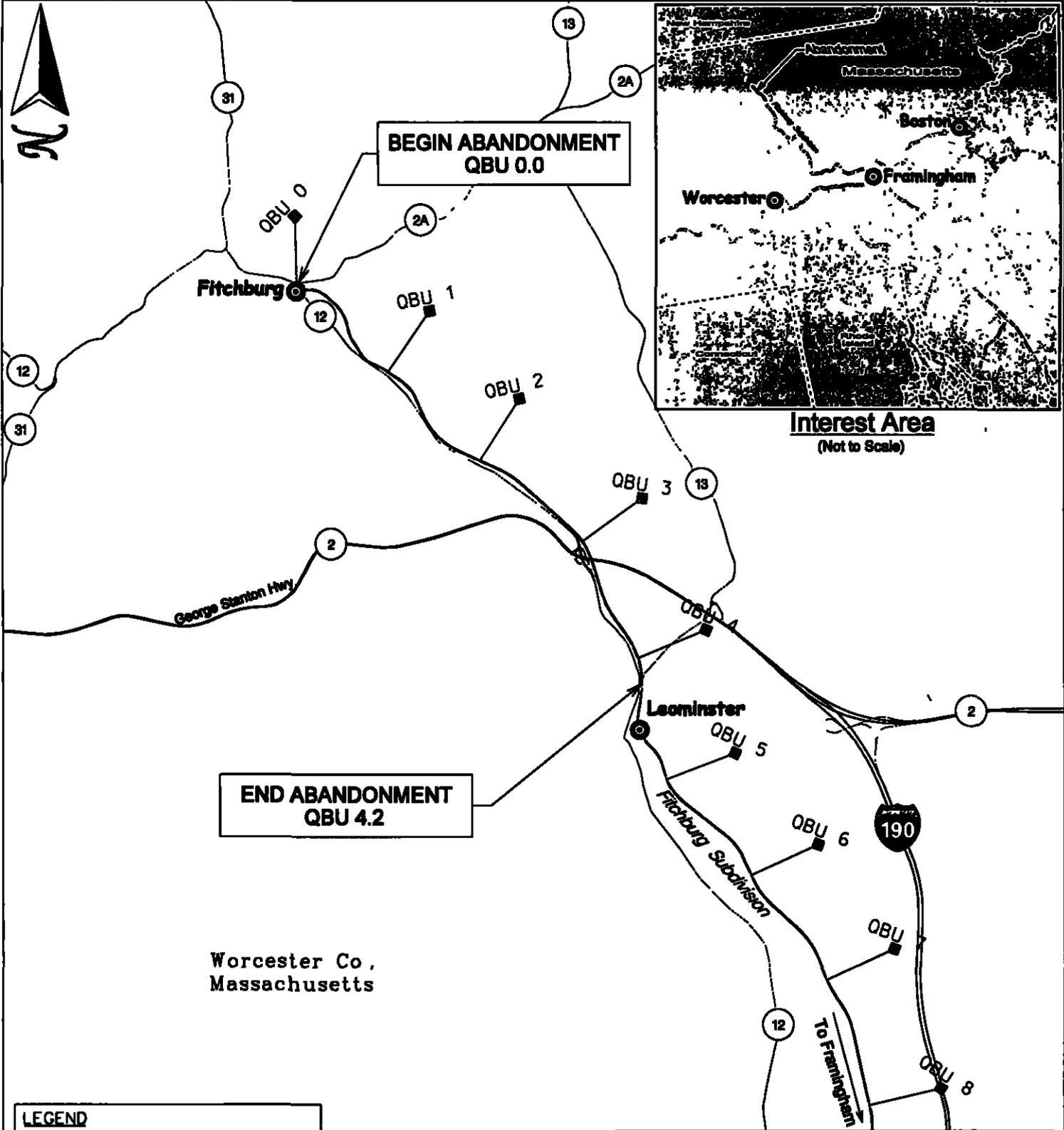
**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

[See attached]

EXHIBIT B

MAP

[See attached]



**END ABANDONMENT
QBU 4.2**

Worcester Co.,
Massachusetts

LEGEND

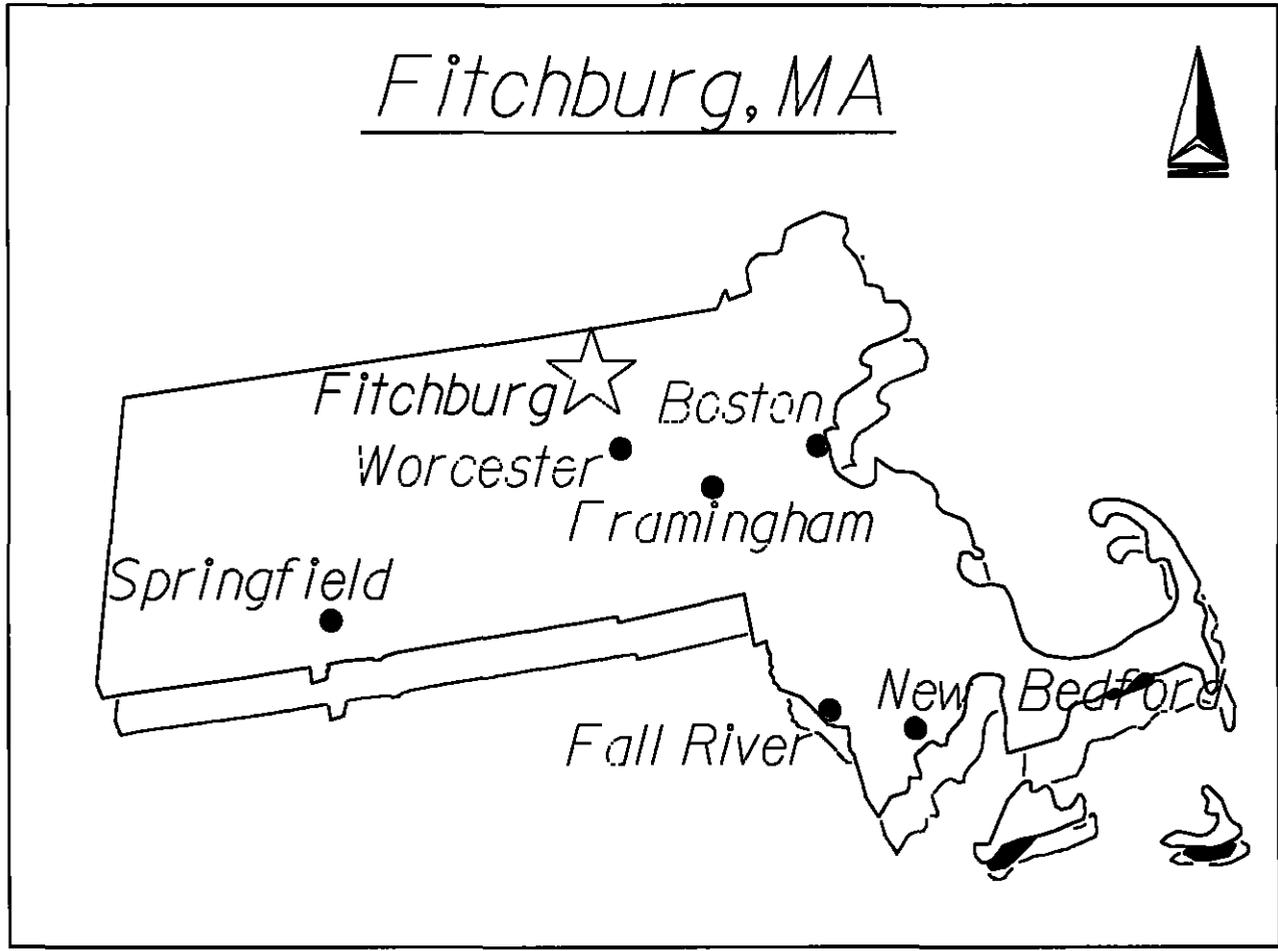
———— CSXT Operating Corridor
 - - - - - Proposed Abandonment
 Total Distance = 4.2 Miles +/-

NORTHERN REGION
 ALBANY DIVISION
 PART OF THE
 FITCHBURG SUBDIVISION
 QBU 0.0 - QBU 4.2
 STB Docket No AB55-691X

CSX TRANSPORTATION

**Proposed Abandonment of a
 Portion of the Fitchburg Subdivision**
 QBU 0.0 (Fitchburg) to QBU 4.2 (Leominster)
 a distance of 4.25 Miles +/-
 Worcester County, Massachusetts

CSX SCALE: 1" = 1 Mile Revised: Sept. 11, 2008
 Drawn By: L. Parnick



AREA MAP

**- Proposed Abandonment -
4.2 Miles of the Fitchburg Subdivision
QBU 0.0 (Fitchburg) to QBU 4.2 (Leominster)
Worcester County, Massachusetts
Docket No. AB-55 (Sub No. 691X)**

EXHIBIT C
CERTIFICATES OF SERVICE AND PUBLICATION
[See attached]

EXHIBIT C

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50 (d)(1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 691X) was mailed via DHL overnight express mail on October 17, 2008, to the following parties:

State Public Service Commission

Mr. Bernard Cohen, Secretary
Executive Office of Transportation
Commonwealth of Massachusetts
10 Park Plaza, Suite 3170
Boston, MA 02116

Military Surface Deployment and Distribution Command

SDDCTEA
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, VA 23606-2574

National Park Service

Mr. Rick Potts, Program Chief
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, NW (Org Code 2240)
Washington, DC 20240-0001

National Park Service

U.S. Department of Interior
National Park Service
1849 C Street, NW
Washington, D.C 20240-0001

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Auditors' Building
14th Street and Independence Avenue, S.W.
Washington, DC 20250


Kathryn R. Barney
October 30, 2008

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 691X) was advertised on October 23, 2008 in *The Fitchburg Sentinel and Enterprise*, a newspaper of general circulation in Worcester County, MA, as required by 49 C.F.R. § 1105.12.

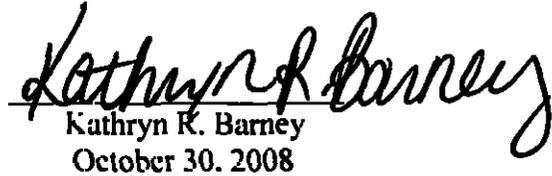

Kathryn R. Barney
October 30, 2008

EXHIBIT D
ENVIRONMENTAL REPORT
[See attached]

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC. FITCHBURG TO LEOMINSTER WORCESTER COUNTY, MASSACHUSETTS Docket AB-55 (Sub-No. 691X)

The following information is provided in accordance with 49 C.F.R. Section 1105.7:

(1) PROPOSED ACTION AND ALTERNATIVES

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

CSX Transportation, Inc. proposes to file an abandonment for 4.2 miles of rail line from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster), Worcester County, Massachusetts. There has been no originating traffic over this line in over ten years.

The above referenced 4.2-mile line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing. (See Attachments 1, 2 and 3)

Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. Operations and maintenance of this line will cease. The only alternative would be not to abandon and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources

Two maps which delineate the proposed project are attached. (See Attachments 4 and 5)

Further attached is a distribution list of all parties who have received a copy of this report. (See Attachment 6)

(2) TRANSPORTATION SYSTEM

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

There is no passenger or freight traffic on this line. Since there has not been any traffic on this line in over ten years, there will be no effect on existing regional or local transportation systems or patterns.

(3) LAND USE

- (I) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

Applicant submitted a copy of this Environmental Report on Date 1 to Mr. Glen Eaton, Executive Director of the Montachusett Regional Planning Commission, Mr. Larry Casassa, Deputy Director of the Fitchburg Community Development Department and Ms. Lisa Vallee, Economic Development Coordinator City of Leominster Office of Planning & Development seeking information regarding this statement. Comments have not been received to date. (See Attachments 7, 8 and 9)

However, during the previous abandonment filing Applicant was negotiating a Notice of Interim Trail Use (NITU) for the line segment with the respective Cities. (See Attachment 3)

Based on the fact that the line segment has not generated any traffic in over ten years and the potential to continue to negotiate the corridor for an NITU, Applicant does not feel that the proposed action is inconsistent with local and/or regional plans.

- (II) Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.**

Applicant submitted a copy of this has not received a response to its Environmental Report on Date 1 to the U.S. Department of Agriculture - National Resources Conservation Service in Holden, Massachusetts regarding this statement. Comments have not been received to date. (See Attachment 10)

However, during the previous abandonment filing, Applicant received a response dated April 25, 2002 stating "...the tract area would not be considered agriculture soil, but be considered as urban land." (See Attachment 11)

While some prime farmland may exist in the vicinity of this project, Applicant feels the simple removal of track material should not have an adverse impact.

- (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.**

The proposed project is not located within the State of Massachusetts Coastal Zone Management Program; therefore, consistency with the States Coastal Zone Management Program is not required for the proposed project.

- (iv) If the proposed action is an abandonment, state whether or not the right of way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

The properties proposed to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

(4) ENERGY

- (i) Describe the effect of the proposed action on transportation of energy resources.**

The proposed action will have no effect on the movement and/or recovery of energy resources.

- (ii) Describe the effect of the proposed action on recyclable commodities.**

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

- (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.**

The proposed action will not result in an increase or decrease in overall energy efficiency.

- (iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.**

There will be no diversion of rail traffic to motor carriage.

(5) AIR

- (i) **If the proposed action will result in either: (A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.**

The above thresholds will not be exceeded.

- (ii) **If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or (B) an increase in rail yard activity of at least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.**

The above thresholds will not be exceeded.

- (iii) **If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity, the frequency of service; safety practices (including any speed restriction); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.**

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

The above thresholds will not be exceeded.

(7) SAFETY

- (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).**

Applicant believes that the abandonment will have no effect on public health or safety.

- (ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.**

Not applicable.

- (iii) If there are any known hazardous waste sites or sites where there have been known hazardous material spills on the right of way, identify the location of those sites and the types of hazardous materials involved.**

Applicant's records do not indicate any known hazardous material spills or hazardous waste sites.

(8) BIOLOGICAL RESOURCES

- (i) Based on consultation with the U. S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

Applicant submitted a copy of this has not received a response to its Environmental Report on Date 1 to the U.S. Fish and Wildlife Department in Concord, New Hampshire regarding this statement. Comments have not been received to date. (See Attachment 12)

However, during the previous abandonment filing, Applicant received a response dated May 10, 2002 stating "...no federally-listed or proposed, endangered or threatened species under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project areas." (See Attachment 13)

- (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

Based upon Applicant's review of the area, the line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

(9) WATER

- (i) **Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

Applicant submitted a copy of this has not received a response to its Environmental Report on Date 1 to the Massachusetts Department of Environmental Protection in Boston regarding this statement. Comments have not been received to date. (See Attachment 14)

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

- (ii) **Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.**

Applicant submitted a copy of this has not received a response to its Environmental Report on Date 1 to the U.S. Army Corps of Engineers in Concord, Massachusetts regarding this statement. Comments have not been received to date. (See Attachment 15)

However, during the previous abandonment Applicant received a response dated April 30, 2002 from the U.S. Army Corps of Engineers in Concord, Massachusetts stating *"The Corps of Engineers has determined that no permit will be required for the proposed abandonment..."* (See Attachment 16)

Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. Applicant does not intend to disturb any of the underlying road-bed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.

- (III) **State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

Applicant submitted a copy of this has not received a response to its Environmental Report on Date 1 to the Environmental Protection Agency – Region 1 in Boston, Massachusetts regarding this statement. Comments have not been received to date. (See Attachment 17)

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

Based upon the course of action described in Section 9 (ii), Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

10. MITIGATION

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Applicant does not believe there will be any adverse environmental impacts in the project area as a result of this abandonment. However, Applicant will comply with reasonable State and Federal regulations and obtain any necessary permits required.

Attachment 1

32776

SERVICE DATE - MAY 30, 2002

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-565 (Sub-No 10X)]

New York Central Lines, LLC—Abandonment Exemption—in Worcester County, MA

[STB Docket No. AB-55 (Sub-No. 616X)]

CSX Transportation, Inc.—Discontinuance of Service Exemption—in Worcester County, MA

New York Central Lines, LLC (NYC) and CSX Transportation, Inc. (CSXT) have filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments and Discontinuances of Service for NYC to abandon and CSXT to discontinue service over approximately 4.2 miles of railroad between milepost QBU-0.0 and milepost QBU-4.2 from Fitchburg to Lcominster, in Worcester County, MA. The line traverses United States Postal Service Zip Codes 01420 and 01453.

NYC and CSXT have certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105 7 (environmental reports), 49 CFR 1105 8 (historic reports), 49 CFR 1105 11 (transmittal letter), 49 CFR 1105.12

(newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to these exemptions, any employee adversely affected by the abandonment or discontinuance shall be protected under Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, these exemptions will be effective on June 29, 2002, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by June 10, 2002. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 19, 2002, with. Surface Transportation Board, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Service Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each offer of financial assistance must be accompanied by the filing fee, which, as of April 8, 2002, is set at \$1,100. See 49 CFR 1002.2(f)(25).

A copy of any petition filed with the Board should be sent to applicants' representative: Natalic S Rosenberg, CSX Transportation, Inc., 500 Water Street J150, Jacksonville, FL 32202.

If the verified notice contains false or misleading information, the exemption is void ab initio.

NYC and CSXT have filed an environmental report which addresses the effects, if any, of the abandonment and discontinuance on the environment and historic resources. SEA will issue an environmental assessment (EA) by June 4, 2002. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1552. [TDD for the hearing impaired is available at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), NYC shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by NYC's filing of a notice of consummation by May 30, 2003, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at

"WWW.STB.DOT.GOV."

Decided: May 23, 2002.

By the Board, David M. Konschnik, Director, Office of Proceedings

Vernon A. Williams

Secretary

32793

SERVICE DATE - JUNE 4, 2002

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-565 (Sub. No. 10X)

**New York Central Lines, LLC - Abandonment Exemption -
In Worcester County, MA**

BACKGROUND

In this proceeding, New York Central Lines, LLC (NYC), and CSX Transportation, Inc. (CSXT), (collectively, applicants) jointly filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for NYC to abandon and CSXT to discontinue service over a line of railroad between Milepost QBU-0.0 and Milepost QBU-4.2 from Fitchburg to Leominster, a distance of approximately 4.2 miles, in Worcester County, Massachusetts. This case embraces STB Docket No. AB-55 (Sub. No. 616X), CSX Transportation, Inc. - Discontinuance of Service Exemption - in Worcester County, Massachusetts. A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, applicants will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

According to the applicants, there has been no local traffic on the line for two years. Applicants state that the proposed abandonment would result in the removal of the rail, cross-ties, and possibly the upper layer of ballast. The line is located within an urban setting and may be suitable for alternative public use.

ENVIRONMENTAL REVIEW

Applicants submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. Applicants served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. In the environmental report, applicants state that they plan to remove all of the rail, cross-ties, and possibly the upper layer of ballast. We have reviewed and investigated the record in this proceeding.

CONDITIONS

We recommend that no environmental conditions be placed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore, no change in operations), discontinuance of service without abandonment and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

If abandonment and salvage of the rail line does take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Surface Transportation Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Surface Transportation Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592 or mail inquiries to the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an original and two copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. Please refer to

Docket No. ~~AB-565 (Sub-No. 10X)~~ in all correspondence addressed to the Board. If you have questions regarding this environmental assessment, you should contact Dana White, the environmental contact for this case by phone at (202) 565-1552, fax at (202) 565-9000, or e-mail at whited@stb.dot.gov.

**Date made available to the public: June 4, 2002.
Comment due date: June 18, 2002 (15 days).**

By the Surface Transportation Board, Victoria Rutson, Chief, Section of Environmental Analysis.

**Vernon A. Williams
Secretary**

Attachment



32

Attachment 3

38219
DO

SERVICE DATE – JULY 30, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-565 (Sub-No. 10X)

**NEW YORK CENTRAL LINES, LLC-ABANDONMENT
EXEMPTION-IN WORCESTER COUNTY, MA**

Decided. July 26, 2007

New York Central Lines, LLC (NYC) and CSX Transportation, Inc. (CSXT) (collectively, applicants), filed a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments and Discontinuances of Service for NYC to abandon and CSXT to discontinue service over approximately 4.2 miles of railroad between milepost QBU-00 and milepost QBU-4 2 from Fitchburg to Leominster, in Worcester County, MA. Notice of the exemption was served and published in the Federal Register on May 30, 2002 (67 FR 37911).¹ On June 28, 2002, a decision and notice of interim trail use or abandonment (NITU) was served, reopening the proceeding and authorizing a 180-day period for the Cities of Leominster and Fitchburg (Cities) to negotiate an interim trail use/rail banking agreement with applicants for the entire line. At the request of CSXT, the negotiating period was extended several times; the latest extension, granted by decision served January 25, 2007, extended the negotiation deadline until July 13, 2007. The January 25 decision also extended the deadline for CSXT to file its notice of consummation until September 11, 2007.

On July 18, 2007, CSXT filed a request for an extension of the NITU negotiating period until January 9, 2008, stating that the applicants have not consummated the abandonment and have been unable to finalize negotiations with the Cities. CSXT also states that the even though the trail use negotiations have been ongoing for some time, the Trust for Public Land, is now involved as intermediary, and that at the last meeting it was agreed that the Cities would order a new appraisal in conformance with generally accepted appraisal methodology. Additionally, CSXT requests an extension of the consummation notice filing deadline until March 10, 2008.

Where, as here, the carrier has not consummated the abandonment at the end of the previously imposed negotiating period and is willing to continue trail use negotiations, the Board retains jurisdiction, and the NITU negotiating period may be extended. Under the circumstances, further extension of the negotiating period is warranted. See Birt v. STB, 90 F.3d 580, 588-90 (D.C. Cir. 1996); Grantwood Village v. Missouri Pac. R.R. Co., 95 F.3d 654, 659 (8th Cir. 1996). Accordingly, the NITU negotiation period will be extended to January 9, 2008.

¹ The notice issued May 30, 2002, embraced STB Docket No. AB-55 (Sub-No. 616X), CSX Transportation, Inc.-Discontinuance of Service Exemption-in Worcester County, MA.

and the consummation notice filing deadline will be extended to March 10, 2008. Given the time that has elapsed since abandonment authority was granted, however, the parties are urged to conclude their negotiations so that further extensions are not necessary.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

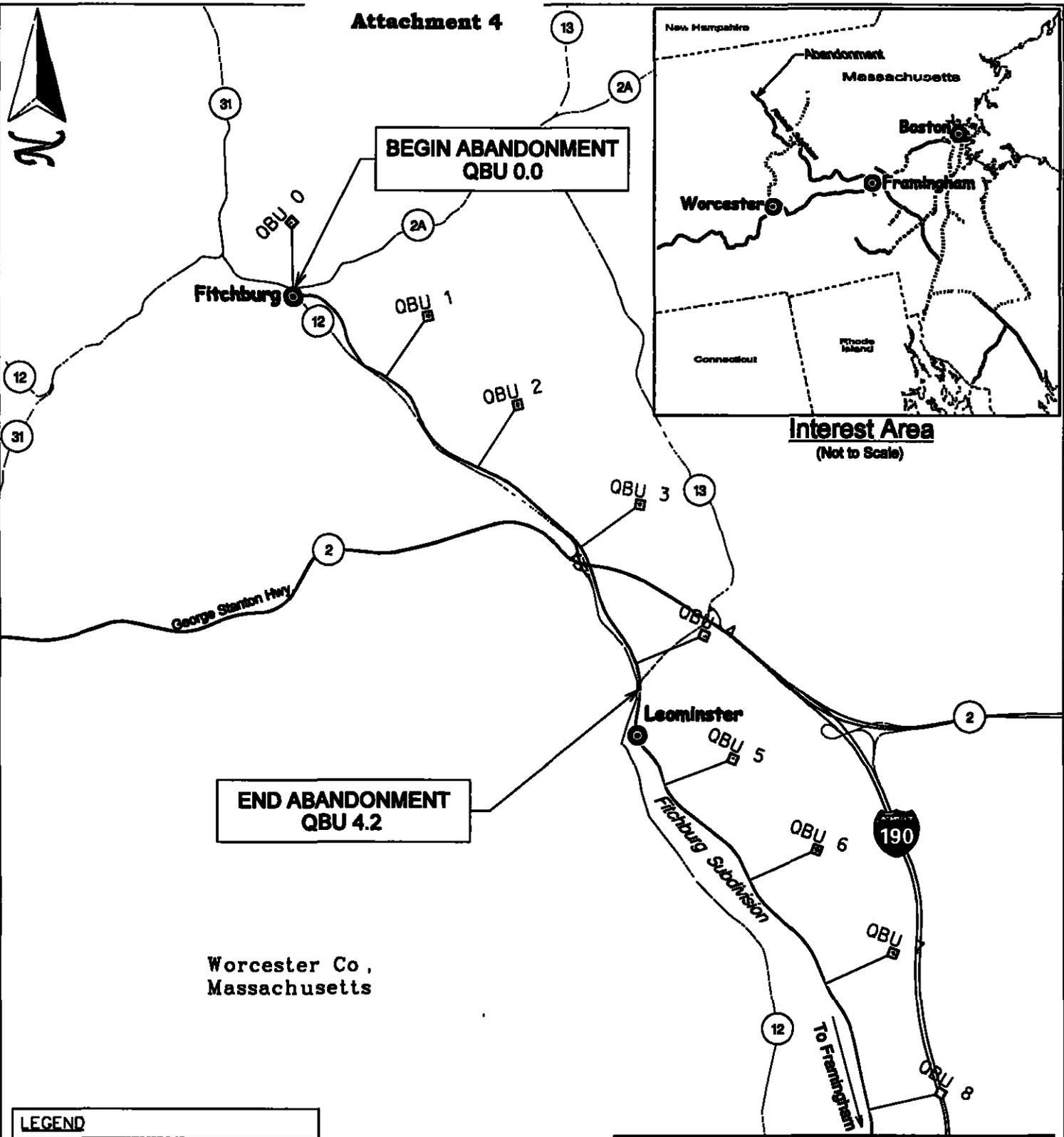
It is ordered:

1. CSXT's request for an extension of the negotiating period and its request for an extension of time to exercise the abandonment authority are granted.
2. The negotiating period under the NITU is extended to January 9, 2008.
3. The authority to abandon must be exercised on or before March 10, 2008.
4. This decision is effective on its date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary

Attachment 4



LEGEND

— CSXT Operating Corridor
 - - - Proposed Abandonment
 Total Distance - 4.2 Miles +/-

NORTHERN REGION
 ALBANY DIVISION
 PART OF THE
 FITCHBURG SUBDIVISION
 QBU 0.0 - QBU 4.2
 STB Docket No AB55-691X

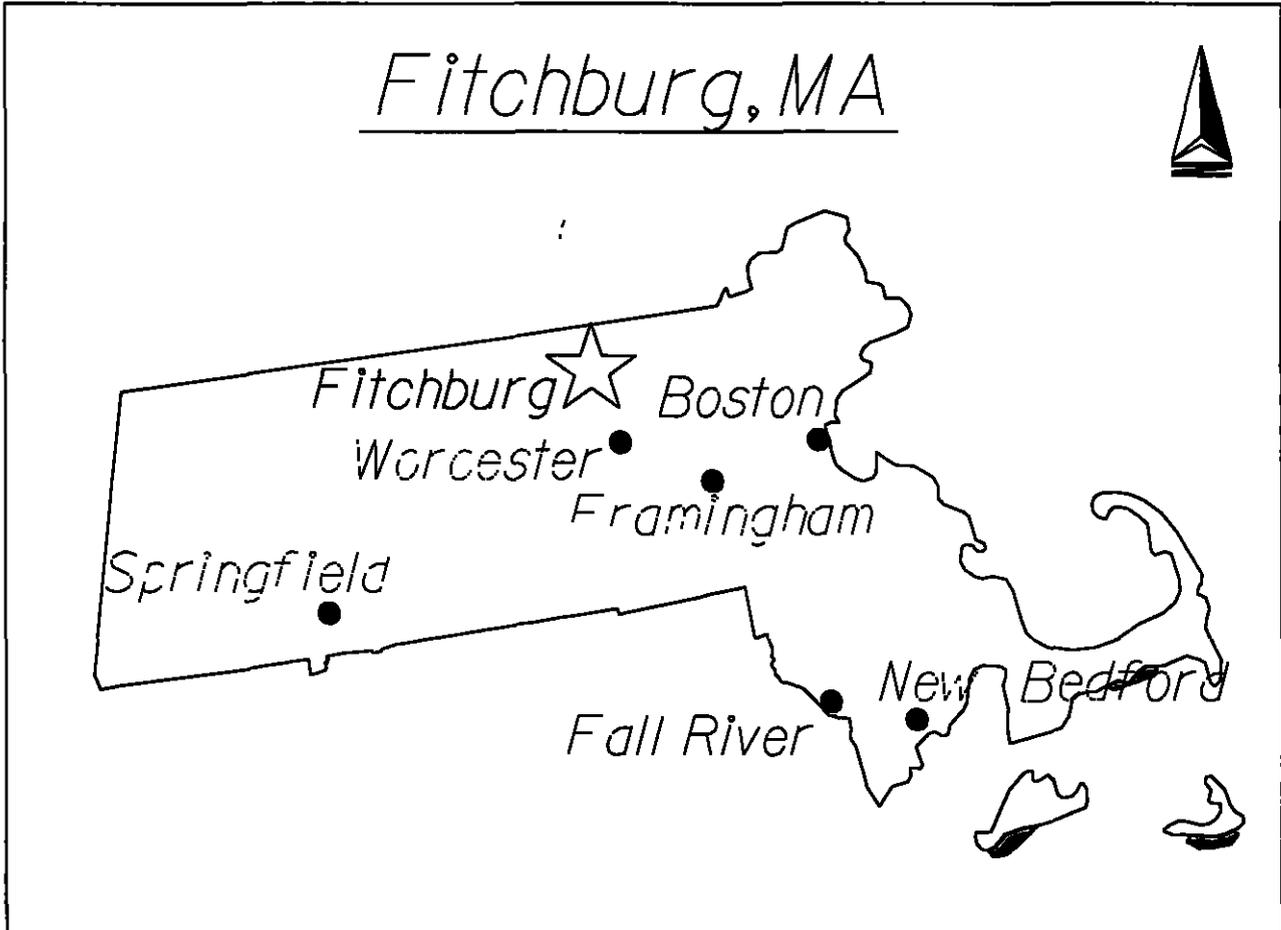
CSX TRANSPORTATION

Proposed Abandonment of a Portion of the Fitchburg Subdivision
 QBU 0.0 (Fitchburg) to QBU 4.2 (Leominster)
 a distance of 4.25 Miles +/-
 Worcester County, Massachusetts

CSX
and its affiliates

SCALE: 1" = 1 Mile

Revised: Sept. 11, 2008
 Drawn By: L. Fozzard



AREA MAP

**- Proposed Abandonment -
4.2 Miles of the Fitchburg Subdivision
QBU 0.0 (Fitchburg) to QBU 4.2 (Leominster)
Worcester County, Massachusetts
Docket No. AB-55 (Sub No. 691X)**

**CSXT Abandonment AB 55 Sub No. 691X
Fitchburg to Leominster, MA
Distribution List**

**Mr. Glen Eaton, Executive Director
Montachusett Regional Planning
Commission
R1427 Water Street
Fitchburg, MA 01420**

**Mr. Larry Casassa, Deputy Director
City of Fitchburg Community Development
Department
718 Main Street
Fitchburg, MA 01420**

**Ms. Lisa Vallee, Economic Development
Coordinator
City of Leominster Office of Planning &
Development
City Hall
25 West Street
Leominster, MA 01453**

**Environmental Protection Agency
New England - Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023**

**Massachusetts Dept. of Environmental
Protection
One Winter Street, 2nd Floor
Boston, MA 02108**

**U. S. Fish & Wildlife
New England Field Office
70 Commercial Street - Suite 300
Concord, NH 03301-5087**

**U. S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751**

**State Single Point of Contact
Economic Development Department
One Ashburton Place, Room 2101
Boston, MA 02108**

**USDA - NRCS
The Medical Arts Center Building
52 Boyden Road - Room 10
Holden, MA 01520 - 2587**

**Northeast Region
Regional Director
National Park Service
U. S. Custom House
200 Chestnut Street, Fifth Floor
Philadelphia, PA 19106**

**DOC/NOAA
National Geodetic Survey N/NGS23
(Via Email)**



Attachment 7

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 244-2226
E-Mail: dave_garaci@csx.com

Dave Garaci
Manager - Network Rationalization

September 29, 2008

Mr. Glen Eaton, Executive Director
Montachusett Regional Planning Commission
R1427 Water Street
Fitchburg, MA 01420

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 691X)

Dear Mr. Eaton:

Please be advised that on October 31, 2008, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

The above referenced line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by December 1, 2008, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423



Attachment 8

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 248-2228
E-Mail: dave_geracl@csx.com

Dave Geracl
Manager - Network Rationalization

September 29, 2008

Mr. Larry Casassa, Deputy Director
City of Fitchburg Community Development Department
718 Main Street
Fitchburg, MA 01420

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 691X)

Dear Mr. Casassa:

Please be advised that on October 31, 2008, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

The above referenced line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by December 1, 2008, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423



Attachment 9

800 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 248-2228
E-Mail: dave_geraci@csx.com

Dave Geraci
Manager - Network Rationalization

September 29, 2008

**Ms. Lisa Vallee, Economic Development Coordinator
City of Leominster Office of Planning & Development
City Hall
25 West Street
Leominster, MA 01453**

**RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 691X)**

Dear Ms. Vallee:

Please be advised that on October 31, 2008, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

The above referenced line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by December 1, 2008, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423



Attachment 10

500 Water Street – J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 244-2226
E-Mail: dave_geraci@csx.com

Dave Geraci
Manager –Network Rationalization

September 29, 2008

USDA – NRCS
The Medical Arts Center Building
52 Boyden Road – Room 10
Holden, MA 01520 – 2587

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 691X)

Dear NRCS:

Please be advised that on October 31, 2008, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

The above referenced line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by December 1, 2008, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423



Natural Resources Conservation Service
52 Boyden Road
Holden MA 01520-2587

Attachment 11

www.nrcs.usda.gov
phone 508-829-4477
fax 508-829-3721

April 25, 2002

CSX Transportation
David Geraci
Project Manager-North Region
Asset Management
500 Water Street – J200
Jacksonville, FL 32202

Dear Mr. Geraci

In reply to your letter of April 19, 2002, concerning the abandonment of service over 4.2 miles of tract from Fitchburg to Leominster. You were correct, the tract area would not be considered prime agriculture soil, but be considered as urban land. Land adjoining the rail line may be prime, but the tract right of way, would not.

Sincerely,

A handwritten signature in cursive script that reads "Ronald E. Thompson".

Ronald E. Thompson
District Conservationist

Dave Geraci
Manager - Network Rationalization

September 29, 2008

U. S. Fish & Wildlife Service
New England Field Office
70 Commercial Street - Suite 300
Concord, NH 03301-5087

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 691X)

Dear US Fish & Wildlife Service:

Please be advised that on October 31, 2008, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

The above referenced line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by December 1, 2008, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address.

Sincerely,



Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423



United States Department of the Interior



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

RE Abandonment and Discontinuance of Rail Line Service
Fitchburg to Leominster, Massachusetts

May 10, 2002

Dave Geraci
CSX Transportation
500 Water Street - J200
Jacksonville, FL 32202

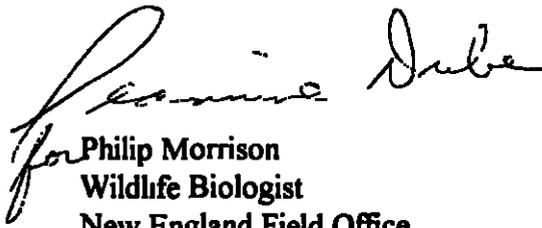
Dear Mr Geraci

This responds to your April 3, 2002 letter requesting information on the presence of federally-listed and proposed, endangered or threatened species in relation to the abandonment and discontinuance of service of a portion of rail line from Fitchburg to Leominster, Massachusetts. Our comments are provided in accordance with Section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U S C 1531-1543).

Based on information currently available to us, no federally-listed or proposed, threatened or endangered species under the jurisdiction of the U S Fish and Wildlife Service are known to occur in the project areas. Preparation of a Biological Assessment or further consultation with us under Section 7 of the Endangered Species Act is not required. Should project plans change, or additional information on listed or proposed species becomes available, this determination may be reconsidered.

Thank you for your cooperation. Please contact me at 603-223-2541 if we can be of further assistance.

Sincerely yours,


Philip Morrison
Wildlife Biologist
New England Field Office



Attachment 14

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 248-2228
E-Mail: dave_geraci@csx.com

Dave Geraci
Manager - Network Rationalization

September 29, 2008

Massachusetts Dept. of Environmental Protection
One Winter Street, 2nd Floor
Boston, MA 02108

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 691X)

Dear MDEP:

Please be advised that on October 31, 2008, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

The above referenced line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by December 1, 2008, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423



Attachment 15

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 248-2226
E-Mail: dave_geracl@csx.com

Dave Geracl
Manager -Network Rationalization

September 29, 2008

U. S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 691X)

Dear USACE:

Please be advised that on October 31, 2008, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

The above referenced line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by December 1, 2008, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
698 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

April 30, 2002

Regulatory Division
CENAE-R-200200947

Dave Geraci, Asset Management
CSX Transportation
500 Water Street - J200
Jacksonville, FL 32202

Dear Mr Geraci

We understand that New York Central Lines, LLC and CSX Transportation intend to abandon a 4.2-mile segment of railroad line between Fitchburg and Leominster, Worcester Co., Massachusetts (see enclosed map). The Corps of Engineers has determined that no permit will be required for the proposed abandonment and discontinuance of service, provided New York Central Lines and CSXT adhere to the work description outlined in your April 3, 2002 correspondence to us. However, future re-use of the property may require a permit from the Corps of Engineers.

Permits are required under Section 404 of the Clean Water Act for discharges of dredged or fill material into all waters of the United States, including navigable waters, inland rivers, lakes, streams, and wetlands, as well as excavation and grading within these waters/wetlands. On the coastline, our jurisdiction extends landward to the high tide line (HTL), i.e., the highest predictable tide, or to the landward limit of wetlands, whichever is more extensive. In interior waters, our jurisdiction extends landward to the ordinary high water mark (OHW), or to the landward limit of any wetlands, whichever is more extensive. Federal regulations define the term "wetlands" as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances, do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." (Federal Register, November 13, 1986, 33 CFR Part 328.3(b)). Wetlands generally include swamps, marshes, and bogs, however, forests and meadows that lack surface waters can also be wetlands.

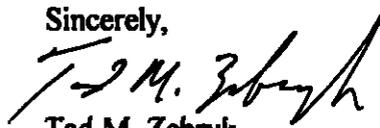
You do not need to submit an application to us if your project meets all the terms and conditions of "Category I" in the enclosed Federal permit known as the Massachusetts Programmatic General Permit (PGP). An application is required if your project is in Category II or Category III – Individual Permit (see PGP, Pages 13-15). If preparing an application, please use the enclosed application form (ENG Form 4345) and reference your existing file number 200200947. Samples of necessary plans are enclosed. When preparing plans, please ensure that all pertinent features and labeling are legible, and reproduced on 8.5" x 11" paper, we also require that you submit an abutters address list and an assessors map of the project area. Other necessary figures include depictions of existing site conditions, as well as detailed plans showing proposed access roads and construction areas with respect to boundaries of wetlands and limits of ordinary high water for surface tributaries. A wetland delineation done in accordance with the

1987 USACE Wetland Delineation Manual, or the Massachusetts DEP Environmental Protection Handbook dated March 1995 is required, as is verifiable delineation documentation. You are reminded that, according to General Requirement #5 of the Massachusetts PGP, "general permits shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project shall be treated together as constituting one single and complete project and/or all planned phases of a multi-phased project. This general permit shall not be used for any activity that is part of an overall project for which an individual permit is required."

Please note that performing work within our jurisdiction without a Corps of Engineers permit could result in substantial penalties. Finally, our Corps permit process does not supersede any other agency's jurisdiction. Therefore, if other Federal, State, and/or local agencies have jurisdiction over your proposed activity, you must receive all other applicable permits before you can begin work.

If you have any questions regarding this letter, please contact me at (978) 318-8298, or (800) 362-4367 within Massachusetts.

Sincerely,



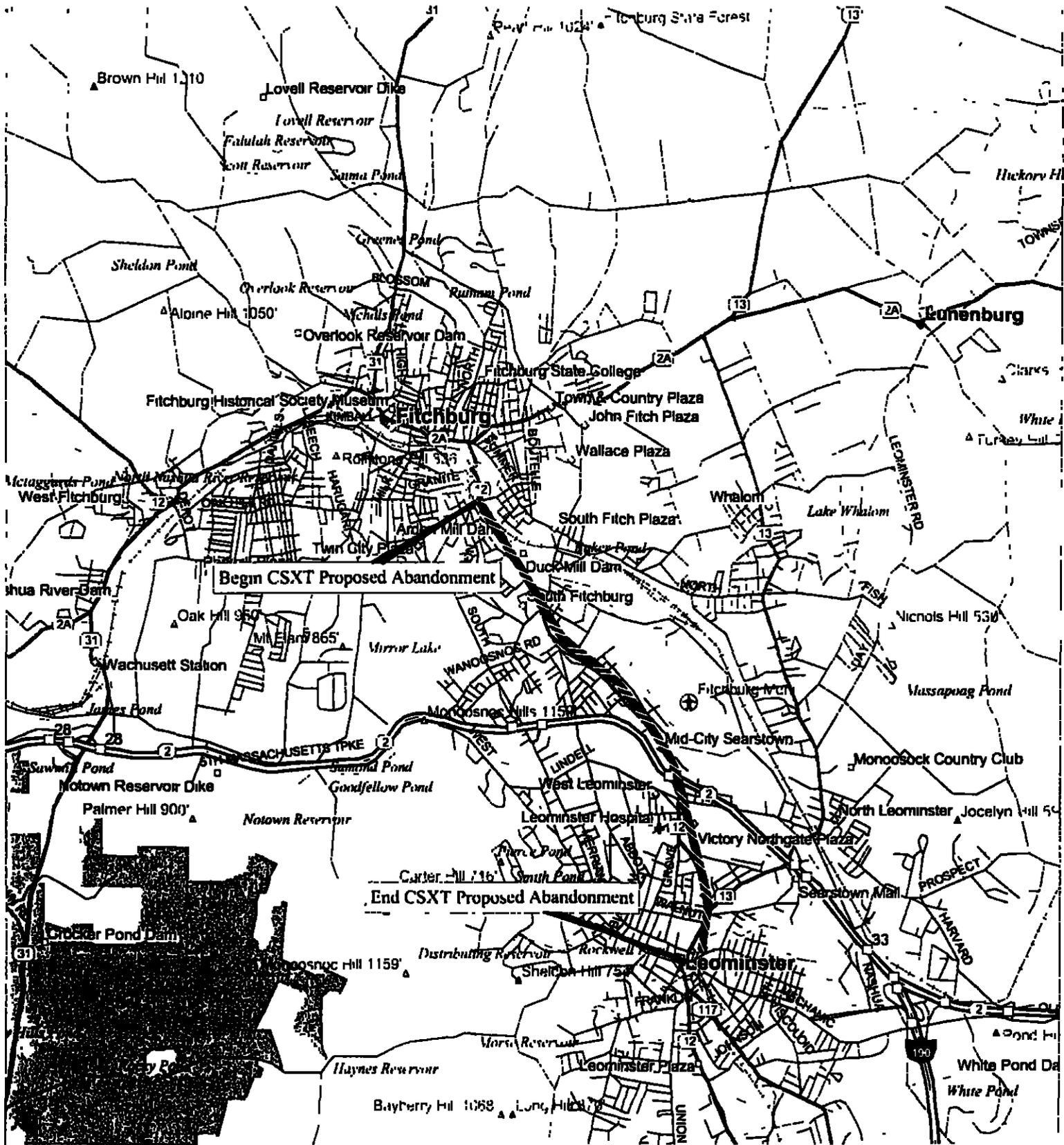
Tad M. Zebryk
Project Manager
Regulatory Division

Enclosure
Copies Furnished

DEP Central Regional Office
Division of Wetlands & Waterways
Department of Environmental Protection
627 Main Street
Worcester, MA 01608

Phil Morrison
U. S. Fish & Wildlife Service
70 Commercial Street, Suite 300
Concord, NH 03301-5087

John McCulloch
U. S. EPA Region I
1 Congress Street
Suite 1100-Mail Code CWQ
Boston, MA 02114-2023



CSX TRANSPORTATION, INC.

Fitchburg, Worcester County, Massachusetts

4.2 Miles of line to be abandoned



Attachment 17

600 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 246-2229
E-Mail: dave_geraci@csx.com

Dave Geraci
Manager - Network Rationalization

September 29, 2008

**Environmental Protection Agency
New England - Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023**

**RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 691X)**

Dear EPA Region 1:

Please be advised that on October 31, 2008, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

The above referenced line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by December 1, 2008, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423

**ENVIRONMENTAL REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Environmental Report in Docket No. AB-55 (Sub-No. 691X) was mailed via first class mail on September 29, 2008 to the following parties:

Mr. Glen Eaton, Executive Director
Montachusett Regional Planning Commission
R1427 Water Street
Fitchburg, MA 01420

Mr. Larry Casassa, Deputy Director
City of Fitchburg Community Development Department
718 Main Street
Fitchburg, MA 01420

Ms. Lisa Vallee, Economic Development Coordinator
City of Leominster Office of Planning & Development
City Hall
25 West Street
Leominster, MA 01453

Environmental Protection Agency
New England - Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Massachusetts Dept. of Environmental Protection
One Winter Street, 2nd Floor
Boston, MA 02108

U. S. Fish & Wildlife
New England Field Office
70 Commercial Street – Suite 300
Concord, NH 03301-5087

U. S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

State Single Point of Contact
Economic Development Department
One Ashburton Place, Room 2101
Boston, MA 02108

USDA – NRCS
The Medical Arts Center Building
52 Boyden Road – Room 10
Holden, MA 01520 – 2587

Northeast Region
Regional Director
National Park Service
U. S. Custom House
200 Chestnut Street, Fifth Floor
Philadelphia, PA 19106

DOC/NOAA
National Geodetic Survey N/NGS23
(via email at NGS.InfoCenter@noaa.gov)


Kathryn R. Barney
October 30, 2008

EXHIBIT E
HISTORIC REPORT
[See attached]

HISTORIC REPORT

CSX Transportation, Inc. Fitchburg to Leominster Worcester County, Massachusetts STB Docket AB-55 (Sub-No. 691X)

1105.7(e)(1)

PROPOSED ACTION AND ALTERNATIVES. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable detailed map and drawings clearly delineating the project.

CSX Transportation, Inc. proposes to file an abandonment for 4.2 miles of rail line from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster), Worcester County, Massachusetts. There has been no originating traffic over this line in over ten years.

The above referenced 4.2-mile line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits the Surface Transportation Board requires that CSXT must resubmit the filing.

Further, Ms. Ann M. Lattinville of the Massachusetts Historic Commission reviewed this abandonment and found the project unlikely to affect significant historic or archaeological resources. (See Attachment 1)

Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. Operations and maintenance of this line will cease. The only alternative would be not to abandon and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources

Two maps which delineate the proposed project are attached. (See Attachments 2 and 3)

1105.8(d)

- (1) **A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.**

Attached is a copy of the Fitchburg quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey prepared by the U. S. Department of Interior Geological Survey. The line to be abandoned has been identified by a heavy black and white dashed line. (See Attachment 4)

There is one CSXT-owned structure that is 50 years old or older that may be eligible for listing in the National Register that are part of the proposed action.

- (2) **A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

This right of way varies in width between 16 feet to 55 feet from the centerline of track. The right of way runs from Fitchburg to Leominster.

- (3) **Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

Photographs of the bridge were submitted under separate cover on May 15, 2002. A copy of that correspondence (and pictures) has been attached. (See Attachment 5)

- (4) **The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

Bridge No. 33.70, 114-foot thru plate girder, built in 1950.

- (5) **A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:**

The property for this rail line was acquired between the years of 1848 and 1914 by three railroads.

The Fitchburg & Worcester Railroad Company (F&W), incorporated in the state of Massachusetts on April 16, 1846. Through a series of mergers the F&W became part of the Boston, Clinton and Fitchburg & New Bedford Railroad Company (BCF&NB) on June 30, 1869.

The Boston, Clinton, Fitchburg & New Bedford Railroad Company (BCF&NB) incorporated in the state of Massachusetts on February 11, 1873. Merged with Old Colony Railroad Company (OCRRC) on March 6, 1883.

The Old Colony Railroad (OC) was incorporated in the state of Massachusetts on May 27, 1872 and in the state of Rhode Island in 1872. Through a series of mergers, the Old Colony was eventually acquired by the New York Central Railroad (NYC).

The New York Central Railroad was formed in 1853 by the consolidation of many small New York state railroads. By 1930, having absorbed other large railroads, the New York Central was one of the leading railroads connecting the Eastern seaboard with mid-western cities. In 1968, the Penn Central Company was formed by merger of the New York Central Railroad and the Pennsylvania Railroad. By the early 1970s the Penn Central was bankrupt; and in 1976 the U. S. Government created Conrail from Penn Central and five other failed eastern railroads.

In 1999, CSX Corporation, CSX Transportation's (CSXT) parent company, and Norfolk Southern Corporation (NS) jointly acquired control of Conrail Inc., and its wholly owned subsidiary, Consolidated Rail Corporation (Conrail). As a result of that acquisition, certain assets of Conrail have been assigned to New York Central Lines, LLC (NYC), a wholly owned subsidiary of Conrail, to be exclusively operated by CSXT pursuant to an operating agreement. The line proposed for abandonment and discontinuance of service is included among the property being operated by CSXT pursuant to the NYC operating agreement.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

- (6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:**

Valuation maps and Bridge drawings are available through CSX Transportation in the Chief Engineers office, Jacksonville, Florida.

- (7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):**

A review of our records indicates there is one CSXT-owned structure over 50 years old on this line segment that may be eligible for listing in the National Register.

We do not know of any significance or uniqueness to this structure that would warrant your consideration, since to our knowledge, they are not associated with any event that has made a contribution to the broad patterns of history; or were not associated with lives of persons significant to our past; do not embody the distinctive characteristics of a type, period or method of construction; and do not represent a significant and distinguishable entity whose components may lack individual distinction and have not or may not be likely to yield information important in prehistory or history.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

- (8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.

RECEIVED

APR 19 2002

500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 359-1086
Fax (904) 359-1111

E-Mail Dave_Geraci@CSX.com



Dave Geraci
Project Manager - Asset Management

MASS. HIST. COMM

After review of MHC files and the materials
April 15, 2002 submitted, it has been determined that
this project is unlikely to affect significant
historic or archaeological resources.

Ann M Lattinville 5.28.02
Ann M Lattinville Date

Director of Architectural Review

Massachusetts Historical Commission

XC Fitchburg Historical Commission

State Historic Preservation Officer
Executive Director
Massachusetts Historical Commission
Massachusetts Archives Facility
220 Morrissey Boulevard
Boston, MA 02125

Re: MA 307 - NYC Proposed Abandonment and CSXT Discontinuance of Service,
Northeast Region, Albany Division, Fitchburg Subdivision, Milepost QBU 0.0
to Milepost QBU 4.2, a distance of 4.2 miles from Fitchburg to Leominster,
Worcester County, Massachusetts.
Docket AB-565 (Sub-No. 10X)
Docket AB-55 (Sub-No. 616X)

Dear Sir/Madam:

Please disregard the previous historic documents and letter dated April 12, 2002 regarding this abandonment/discontinuance of service from this office. Due to a data error, the information you have received regarding bridges located on this portion of the rail line is erroneous. Enclosed you will find an entirely new package containing the corrected information.

Be advised that New York Central Lines, LLC and CSX Transportation, Inc. anticipates filing for abandonment and discontinuance of service, respectively, of approximately 4.2 miles of its rail line between Fitchburg and Leominster, Worcester County, Massachusetts, as shown in the attached historic report.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above, proposed abandonment.

I will appreciate receiving your letter confirming that this project will have no impact upon cultural resources. If you have questions, please feel free to call me.

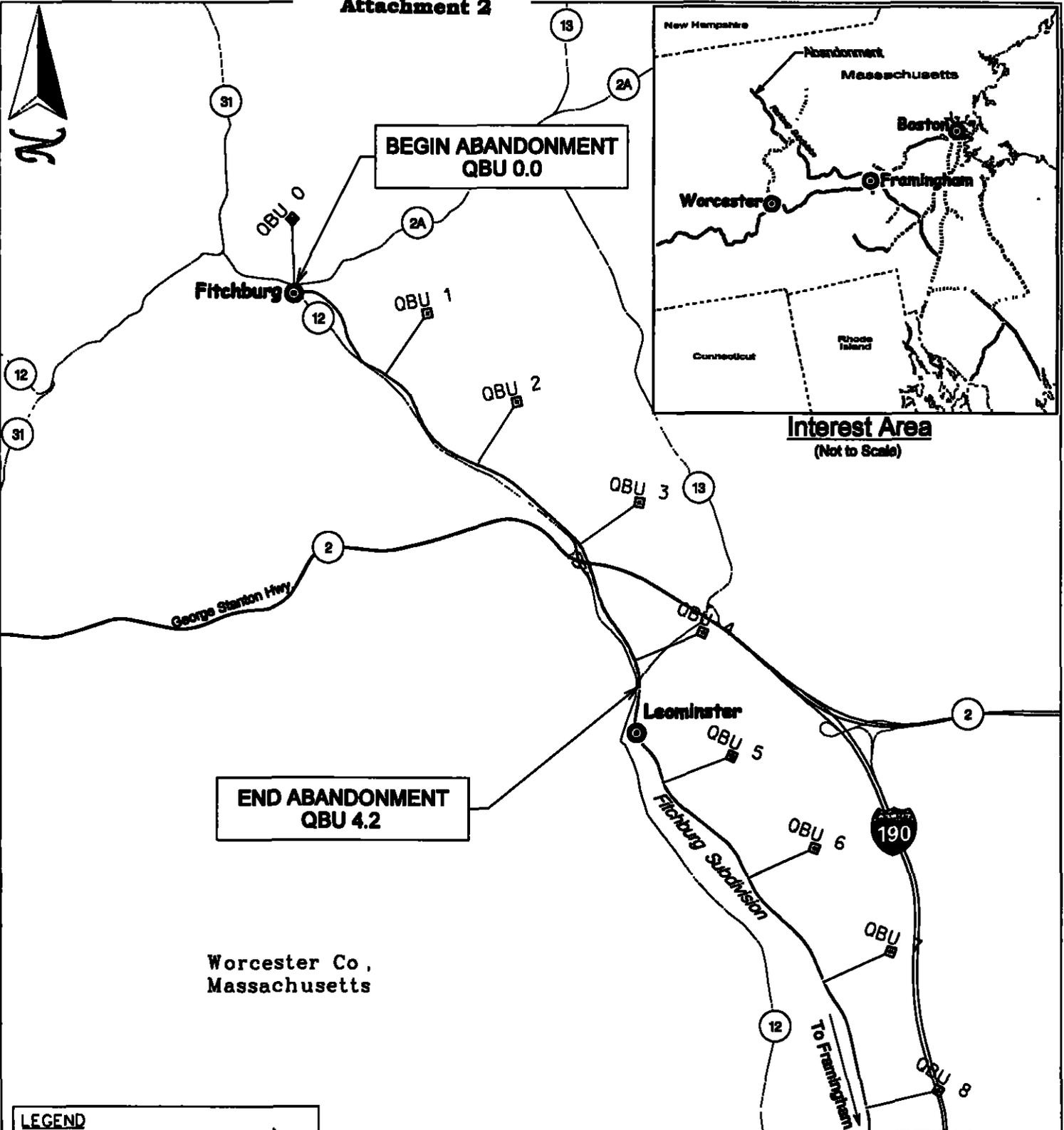
Sincerely,

Attachments

Copy:
Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW - Suite 534
Washington, DC 20423-0001

Ms. N. S. Rosenberg, Counsel, CSXT, 500 Water St. - J150, Jacksonville, FL 32202

Attachment 2



LEGEND

— CSXT Operating Corridor
 - - - Proposed Abandonment
 Total Distance = 4.2 Miles +/-

NORTHERN REGION
 ALBANY DIVISION
 PART OF THE
 FITCHBURG SUBDIVISION
 QBU 0.0 - QBU 4.2
 STB Docket No AB55-691X

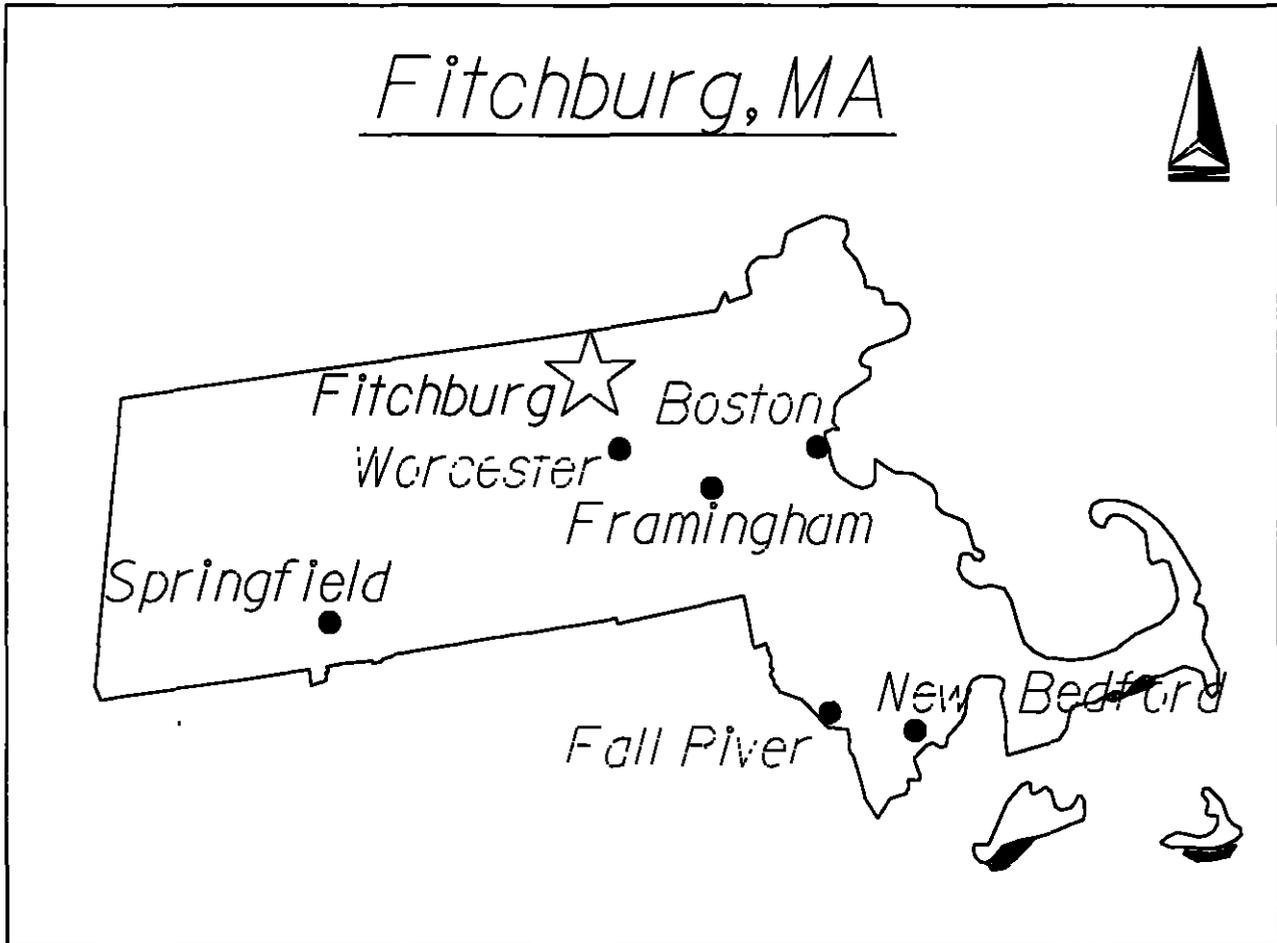
CSX TRANSPORTATION

Proposed Abandonment of a Portion of the Fitchburg Subdivision
 QBU 0.0 (Fitchburg) to QBU 4.2 (Leominster)
 a distance of 4.26 Miles +/-
 Worcester County, Massachusetts

CSX
 TRANSPORTATION

SCALE: 1" = 1 Mile

Revised: Sept. 11, 2008
 Drawn By: L. Farnick



AREA MAP

**- Proposed Abandonment -
4.2 Miles of the Fitchburg Subdivision
QBU 0.0 (Fitchburg) to QBU 4.2 (Leominster)
Worcester County, Massachusetts
Docket No. AB-55 (Sub No. 691X)**



TRANSPORTATION

Dave Geraci

Project Manager - Asset Management

Attachment 5

500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 359-1086
Fax (904) 359-1111
E-Mail Dave_Geraci@CSX.com

May 15, 2002

State Historic Preservation Officer
Executive Director
Massachusetts Historical Commission
Massachusetts Archives Facility
220 Morrissey Boulevard
Boston, MA 02125

Re: MA 307 - NYC Proposed Abandonment and CSXT Discontinuance of Service, Northeast Region, Albany Division, Fitchburg Subdivision, Milepost QBU 0.0 to Milepost QBU 4.2, a distance of 4.2 miles from Fitchburg to Leominster, Worcester County, Massachusetts.
Docket AB-565 (Sub-No. 10X)
Docket AB-55 (Sub-No. 616X)

Dear Sir/Madam.

Enclosed please find original color photographs showing bridge number 33.70 in regards to the proposed abandonment listed above. The bridge, as described in the "Historic Report", sent to your office by letter dated April 15, 2002 is a 114-foot, through plate girder built in 1950 This bridge traverses Route 2 in West Leominster, Worcester County, Massachusetts.

If you have questions, please feel free to call me.

Sincerely,

Attachments

Copy:
Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW - Suite 534
Washington, DC 20423-0001

Ms N. S. Rosenberg, Counsel, CSXT, 500 Water St.-J150, Jacksonville, FL 32202



Photos Looking North

Bridge No. 33.70 (Over Route 2) Milepost QBU 3.07

114-Foot Thru Plate Girder, built in 1950

West Leominster, Worcester County, Massachusetts

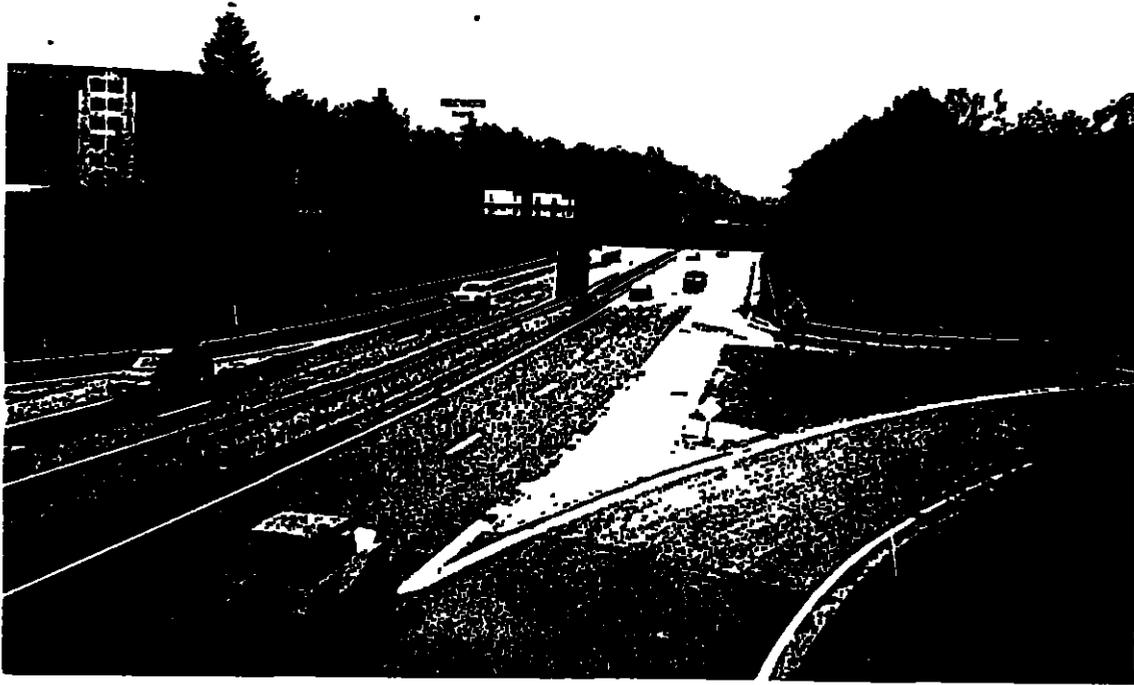


Photos Looking South

Bridge No. 33.70 (Over Route 2) Milepost QBU 3.07

114-Foot Thru Plate Girder, built in 1950

West Leominster, Worcester County, Massachusetts

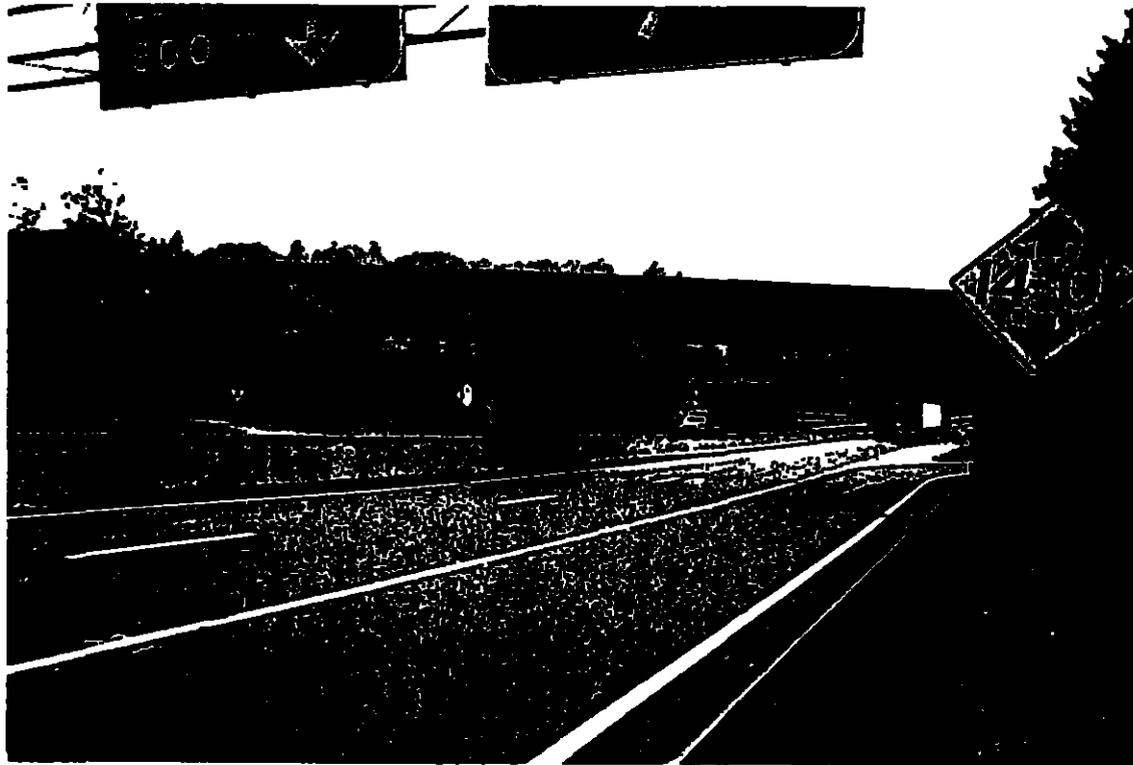
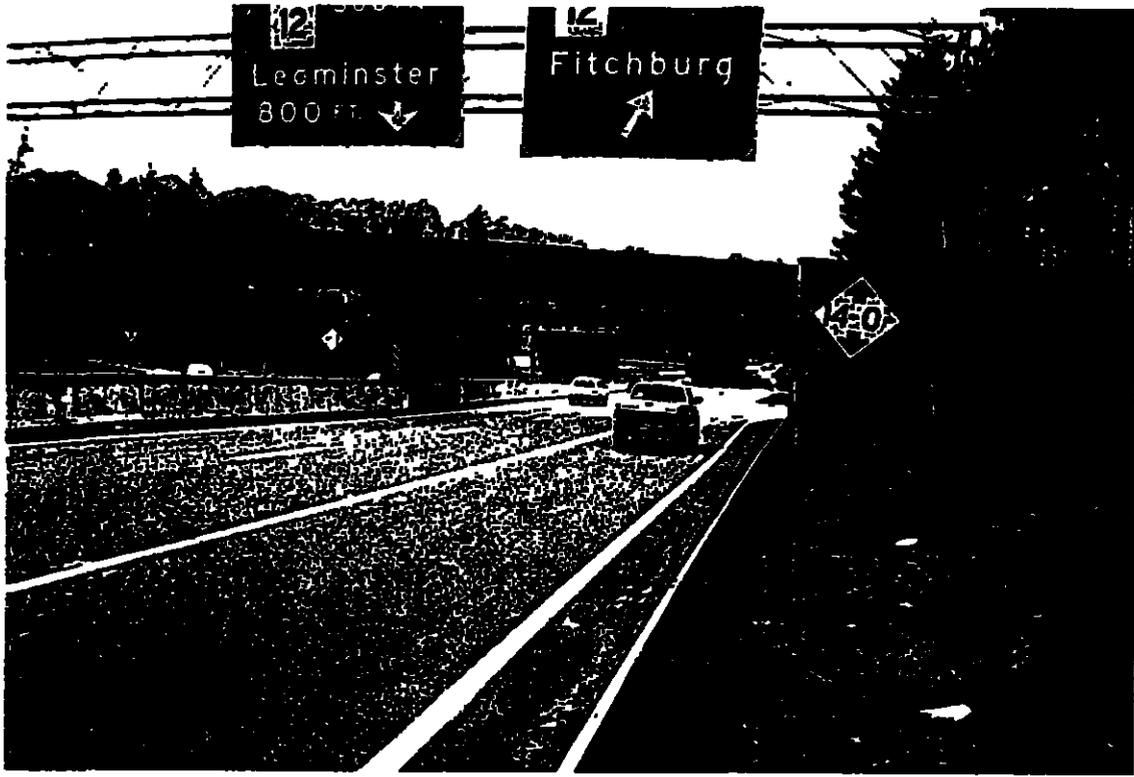


Photos Looking East

Bridge No. 33.70 (Over Route 2) Milepost QBU 3.07

114-Foot Thru Plate Girder, built in 1950

West Leominster, Worcester County, Massachusetts



Photos Looking West

Bridge No. 33.70 (Over Route 2) Milepost QBU 3.07

114-Foot Thru Plate Girder, built in 1950

West Leominster, Worcester County, Massachusetts



500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 633-1068
Fax (904) 245-2228
E-Mail dave_garaci@csx.com

Dave Garaci
Manager - Network Rationalization

September 12, 2008

Ms. Brona Simon, SHPO & Executive Director
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Re: CSXT Proposed Abandonment, Worcester County
STB Docket AB-55 (Sub-No. 691X)

Dear Ms. Simon:

Be advised that CSX Transportation, Inc. anticipates filing for abandonment of approximately 4.2 miles of its rail line between Fitchburg and Leominster, Worcester County, Massachusetts, as shown in the attached historic report.

The above referenced 4.2-mile line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Further, Ms. Ann M. Lattinville reviewed this abandonment on May 28, 2002 and determined "...this project is unlikely to affect significant historic or archaeological resources." (See Attached)

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above, proposed abandonment.

I would appreciate receiving an updated letter from your office confirming that this project will have no impact upon cultural resources. If you have questions, please feel free to call me.

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423
Mr. Steve Armbrust, CSXT, 500 Water St. - J150, Jacksonville, FL 32202



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Tel. (904) 833-1088
Fax (904) 245-2228
E-Mail dave_geraci@csx.com

September 12, 2008

RECEIVED

Ms. Brona Simon, SHPO & Executive Director
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

SEP 19 2008

MASS. HIST COMM

Re: CSXT Proposed Abandonment, Worcester County
STB Docket AB-55 (Sub-No. 691X)

30762

Dear Ms. Simon:

Be advised that CSX Transportation, Inc. anticipates filing for abandonment of approximately 4.2 miles of its rail line between Fitchburg and Leominster, Worcester County, Massachusetts, as shown in the attached historic report.

The above referenced 4.2-mile line was approved for abandonment by the Surface Transportation Board under Docket Numbers AB 565 Sub No. 10X and AB 55 Sub No. 616X in 2002. However, due to expiration of the Notice of Interim Trail Use (NITU) and consummation time limits, the Surface Transportation Board requires that CSXT must resubmit the filing.

Further, Ms. Ann M. Lattinville reviewed this abandonment on May 28, 2002 and determined "...this project is unlikely to affect significant historic or archaeological resources." (See Attached)

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above, proposed abandonment.

I would appreciate receiving an updated letter from your office confirming that this project will have no impact upon cultural resources. If you have questions, please feel free to call me

Sincerely,

Attachments

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423
Mr. Steve Armbrust, CSXT, 500 Water St. - J150, Jacksonville, FL 32202

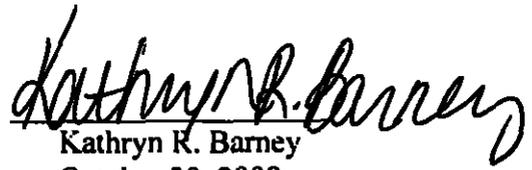
After review of MHC files and the materials you submitted, it has been determined that this project is unlikely to affect significant historic or archaeological resources.

Ann M. Lattinville
Director Architectural Review
Massachusetts Historical Commission
9/23/08
Date

**HISTORIC REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-55 (Sub-No. 691X) was mailed via first class mail on September 12, 2008, to the following parties:

Ms. Brona Simon, SHPO & Executive Director
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125


Kathryn R. Barney
October 30, 2008