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205156



April 9, 2002

Secretary
Surface Transportation Board
Washington, DC 20423-0001

Re: New York Central Lines, LLC Abandonment in Chelsea, MA, *ICC Docket Number AB-565 (Sub No. 7x)*
CSX Transportation, Inc., Proposed Discontinuance of Service, *ICC Docket #AB-55 (Sub No. 605X)*

Dear Secretary:

This request is filed on behalf of the City of Chelsea, which is a political subdivision of the Commonwealth of Massachusetts interested in transportation and natural resources, and is hereinafter referred to as "proponent."

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between the Chelsea/ Everett municipal line and the Chelsea River. See the attached map.

A. Request For Public Use Condition

Proponent asks 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 for public use on reasonable terms. Justification for this condition is as follows:
 - The right-of-way has been identified as the preferred route for a major regional transit line. The portion of the right-of-way between Eastern Avenue and the Chelsea/ Everett municipal line has been identified in the Major Investment Study (MIS) Final Report from the Massachusetts Bay Regional Transit Authority (the MBTA) and the FTA as the preferred route for the proposed Circumferential Transportation Improvements, known locally as the Urban Ring. The Urban Ring project calls for the construction of a transit route through Boston's inner suburbs to connect the radial arms of the region's mass transit system. The project will not only improve transit service in the City and the region, but will also provide much needed

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economic development opportunities in each of the six communities to be served by the new transit route, and will address serious economic and environmental justice issues in Chelsea. The MIS was approved in July 2001 and the project is now in the environmental permitting/review and preliminary design stage

- In addition to the development of the Urban Ring, the City of Chelsea is interested in the development of a portion of the right-of-way for a trail/passive recreation park. The City is only 1.8 square miles in size and is developed to a density is over 19,000 people per square mile. Open space and recreational opportunities in the City are not adequate to address the need of the residents. Additional recreational opportunities are needed. A portion of the right-of-way was identified in the City's 1994 Open Space and Recreation Plan identified a portion of the right-of-way as the site for the potential development of a linear park.

The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to begin negotiations with the carrier and to identify funding opportunities. To meet this deadline, the proponent will require the active participation of the carrier. The proponent is prepared to meet immediately with the carrier to begin the process.

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 requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Request For Interim Trail Use

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

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, the City of Chelsea is willing at the point that the City secures a long-term lease or fee interest in the right-of-way 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 and all taxes that may be levied or assessed against the right-of-way owned by New York Central Lines LLC and operated by CSX Transportation, Inc.

The property, known as the ConRail Line, extends from the Chelsea Everett municipal line near Second Street to the Chelsea River, a distance of approximately 2.17 miles in Suffolk County, Massachusetts. The right-of-way is part of a line of railroad proposed for

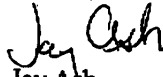
abandonment in STB Docket No. AB-565 (Sub-No.7X).

A map depicting the right-of-way is attached.

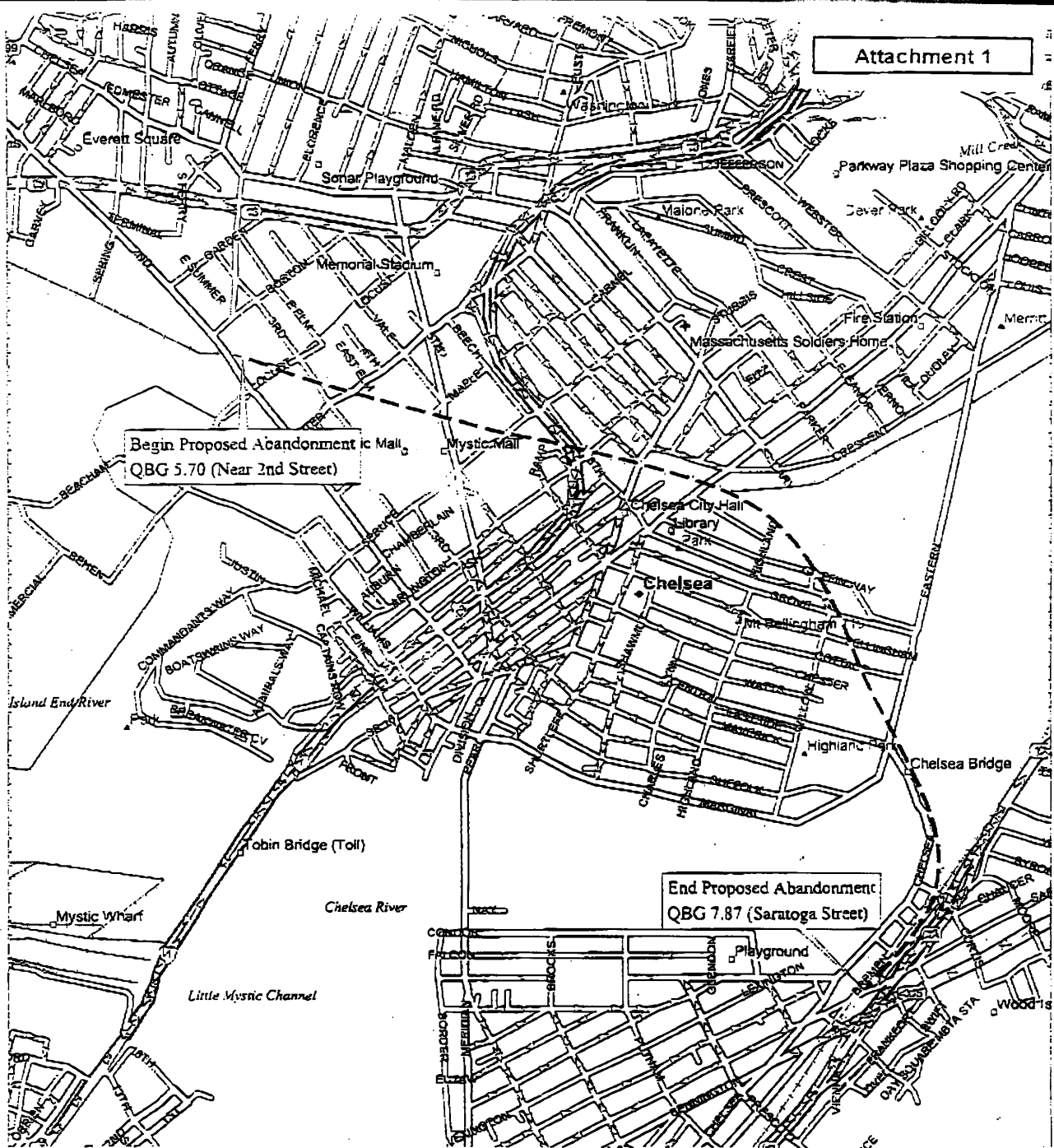
The City of Chelsea acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon New York Central Lines LLC, by U.S. Mail, postage pre-paid, first class, this 9th day of April, 2002.

Respectfully submitted on behalf of the City of Chelsea.


Jay Ash
City Manager

Cy: Dave Geraci, Project Manager, CSX Transportation, Inc.
Ned Keefe, Executive Director, Chelsea Department of Planning & Development
John DePriest, Director of Planning, Chelsea Department of Planning & Development



CSX Transportation

Chelsea, Suffolk County, Massachusetts

----- 2.17 Miles of Track proposed to be abandoned



City of Chelsea
Planning & Development
Ned Keefe, Executive Director
City Hall, Room 101, 500 Broadway
Chelsea, Massachusetts 02150



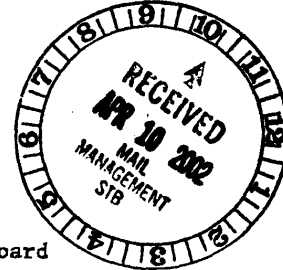
Fax Transmission

Date: April 9, 2002

To: Secretary, Surface Transportation Board

Fax: 202-565-9016

From: John DePriest, AICP



Message:

Attached please find a request for Public Use Condition and Interim Use Condition for Docket # AB-565 (Sub #7X) and Docket #AB-55 (Sub #605X). The original will follow by U.S. mail.

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Number of Pages including this page: Five (5)

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