



Steven C. Armbrust
Counsel
(Admitted in the State of New York only)

216962

FILED
JUL 7 - 2006
SURFACE
TRANSPORTATION BOARD

Law Department
500 Water Street
Speed Code J-150
Jacksonville, FL 32202
Fax (904) 245-3357
Telephone (904) 359-1229
Email: steven_armbrust@CSX.com

July 6, 2006

VIA DHL EXPRESS

Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20006

ENTERED
Office of Proceedings

JUL 7 - 2006

Part of
Public Record



**Re: STB Docket No. AB-55 (Sub-No. 670X)
CSX Transportation, Inc. - Abandonment
Exemption in Middlesex County, Massachusetts**

Dear Secretary Williams:

Enclosed for filing, please find the original and ten copies of CSX Transportation, Inc.'s Petition for Exemption in the above-captioned proceeding (the "Petition"). A check in the amount of \$5,300.00 to cover the filing fee is also enclosed.

In addition, enclosed are the original and ten copies of a draft Federal Register notice along with compact disks for each of (i) the entire Petition in .pdf, (ii) the textual submission of the Petition in Microsoft Word, (iii) the Federal Register notice in Microsoft Word and (iv) the spreadsheet that is attached to the Verified Statement attached to the Petition.

I would appreciate your acknowledgment of receipt of these documents by stamping the enclosed extra copy of this letter and returning it to me in the enclosed self-addressed stamped envelope.

Sincerely,

FEE RECEIVED

JUL 7 - 2006

SURFACE
TRANSPORTATION BOARD

Enclosures

Steven C. Armbrust

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (Sub-No. 670X)

FEE RECEIVED
JUL 7 - 2006
SURFACE
TRANSPORTATION BOARD

CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
IN MIDDLESEX COUNTY, MASSACHUSETTS

PETITION FOR EXEMPTION

FILED
JUL 7 - 2006
SURFACE
TRANSPORTATION BOARD

STEVEN C. ARMBRUST
500 Water Street – J150
Jacksonville, Florida 32202
(904) 359-1229

Counsel for:
CSX TRANSPORTATION, INC.

Dated: July 7, 2006

ENTERED
Office of Proceedings
JUL 7 - 2006
Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (SUB-NO. 670X)

CSX TRANSPORTATION, INC. --
ABANDONMENT EXEMPTION --
IN MIDDLESEX COUNTY, MASSACHUSETTS

PETITION FOR EXEMPTION

CSX Transportation, Inc. ("CSXT") petitions the Surface Transportation Board (the "Board") to exempt, under 49 U.S.C. § 10502, CSXT's abandonment of a 2.39-mile rail line from the prior approval requirements of 49 U.S.C. § 10903.

Proposed Transaction

CSXT proposes to abandon a line of railroad in its Northern Region, Albany Division, Boston Subdivision, from Milepost QBX 0.15 to the end of track at Milepost QBX 2.54, a distance of 2.39 miles known as the Saxonville Industrial Track, in Middlesex County, Massachusetts (hereinafter referred to as the "Line"). The Line traverses through United States Postal Service ZIP Codes 55230, 55229 and 55228, and there are no stations on the Line. Maps showing the trackage proposed for abandonment, as well as the location of the trackage in the State of Massachusetts, are

attached to this petition as Exhibit A. The Environmental Report required by 49 C.F.R. Section 1105.7 and the Historic Report required by 49 C.F.R. 1105.8 are attached as Exhibits B and C, respectively, to this petition for exemption. Attached as Exhibit D contains the Federal Register notice, Exhibit E contains the certificate of publication, Exhibit F contains the certificate of service and Exhibit G contains the Verified Statement of Ellen Preslar with respect to CSXT's revenues and costs related to the Line.

Based on information in our possession, the Line does not contain federally granted right-of-way. Any documentation in petitioner's possession concerning title will be made available promptly to those requesting it. The proposed consummation date will be August 29, 2006.

Lack of Traffic and Potential Future Use of the Line Supports Abandonment

The Line has had one shipper, Metro Freezer & Storage, LLC ("Metro Freezer"), which has now relocated. Although Metro Freezer has expressed an interest in possibly receiving shipments to this location as a trans-load facility sometime in the future, study has found the traffic to be operating at a deficit (see Exhibit G). Operations to and from the line have been difficult since the lead is located off of a heavily used freight and passenger line (both Amtrak and MBTA). Therefore, CSXT does not expect any rail oriented business to develop on the Line; there is no overhead traffic on the Line; and there is no demand for service on the Line.

Because the Line is no longer needed for operational purposes and CSXT is no longer generating any revenue from the Line, retention of the Line is no longer justified. Although, there has been significant interest from a rails-to-trails group regarding the Line, CSXT has not been advised of any opposition to the abandonment, and does not expect any such opposition.

Argument in Support of Abandonment

CSXT files this petition under 49 U.S.C. § 10502 for an exemption from the provisions of 49 U.S.C. § 10903, in order to abandon its now unused 2.39-mile line of railroad. Under 49 U.S.C. 10903, a rail line cannot be abandoned without the prior approval of the Board. However, under 49 U.S.C. 10502, the Board must exempt a rail transaction from regulation when it finds that:

- (1) application of the pertinent statutory provisions is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101; and
- (2) either the transaction is of limited scope or regulation is unnecessary to protect shippers from the abuse of market power.

In this case, the proposed abandonment falls squarely within the statutory standards requiring exemption.

The rail transportation policy set forth in 49 U.S.C. 10101 requires, as relevant here, that in exercising its regulatory authority, the Board will minimize the need for Federal regulatory control over the rail transportation system and, when regulation is necessary, render fair and expeditious regulatory decisions; reduce barriers to exit from the industry; foster sound economic conditions and encourage efficient management; ensure the operation of transportation facilities and equipment without detriment to the public health and safety; and promote a sound transportation system meeting the needs of the public and the national defense.

Exemption of the proposed abandonment serves all of these elements of the above rail transportation policy. Specifically, by minimizing the regulatory expense and time lag inherent in a full abandonment application, exemption will expedite regulatory decisions and reduce regulatory

barriers to exit. Exemption will also foster sound economic conditions and encourage efficient management. As earlier indicated, the only rail patron located on the line has relocated. Therefore, the Line is no longer needed for operational purposes and retention of the line is no longer justified, as the assets dedicated thereto can and should be used elsewhere. Furthermore, as discussed above, there has been significant interest from a rails-to-trails group regarding the Line. Finally, the proposed abandonment will relieve CSXT from the costs of owning and maintaining a line of railroad that will no longer be utilized.

Because there are no longer any rail transportation customers on the Line, it is clear that the proposed abandonment presents no opportunity for an abuse of market power. Further, the proposed abandonment is of limited scope, because it involves only 2.39 miles of trackage.

In short, full abandonment proceedings are unnecessary to carry out any of the relevant rail transportation policy elements of 49 U.S.C. 10101. No vital interest of shippers, competitors or communities will be adversely affected, and the abandonment exemption CSXT seeks here will free it from the burdens associated with ownership and maintenance of the line.

Environmental Report; Historic Report

The Environmental Report required by 49 C.F.R. Section 1105.7 and the Historic Report required by 49 C.F.R. 1105.8 are attached as Exhibits B and C, respectively, to this petition for exemption.

Federal Register Notice

The Federal Register Notice is attached as Exhibit D.

Labor Protection

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

Notices

All communications with respect to this petition should be directed to:

Steven C. Armbrust
Counsel
500 Water Street - J150
Jacksonville, Florida 32202
(904) 359-1229

The newspaper notice required by 49 C.F.R. 1105.12 was published in the Metrowest Daily News on July 6, 2006. An Affidavit of publication from the newspaper will be forwarded to the Board as soon as it is received by CSXT.

Conclusion

CSXT accordingly requests that the Board grant an exemption from the provisions of 49 U.S.C. 10903, with regard to the proposed abandonment of that portion of its Northern Region, Albany Division, Boston Subdivision, from Milepost QBX 0.15 to the end of track at Milepost QBX 2.54, a distance of 2.39 miles known as the Saxonville Industrial Track, in Middlesex County, Massachusetts.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven C. Armbrust", written over a horizontal line.

STEVEN C. ARMBRUST, ESQ.
500 Water Street
Jacksonville, Florida 32202

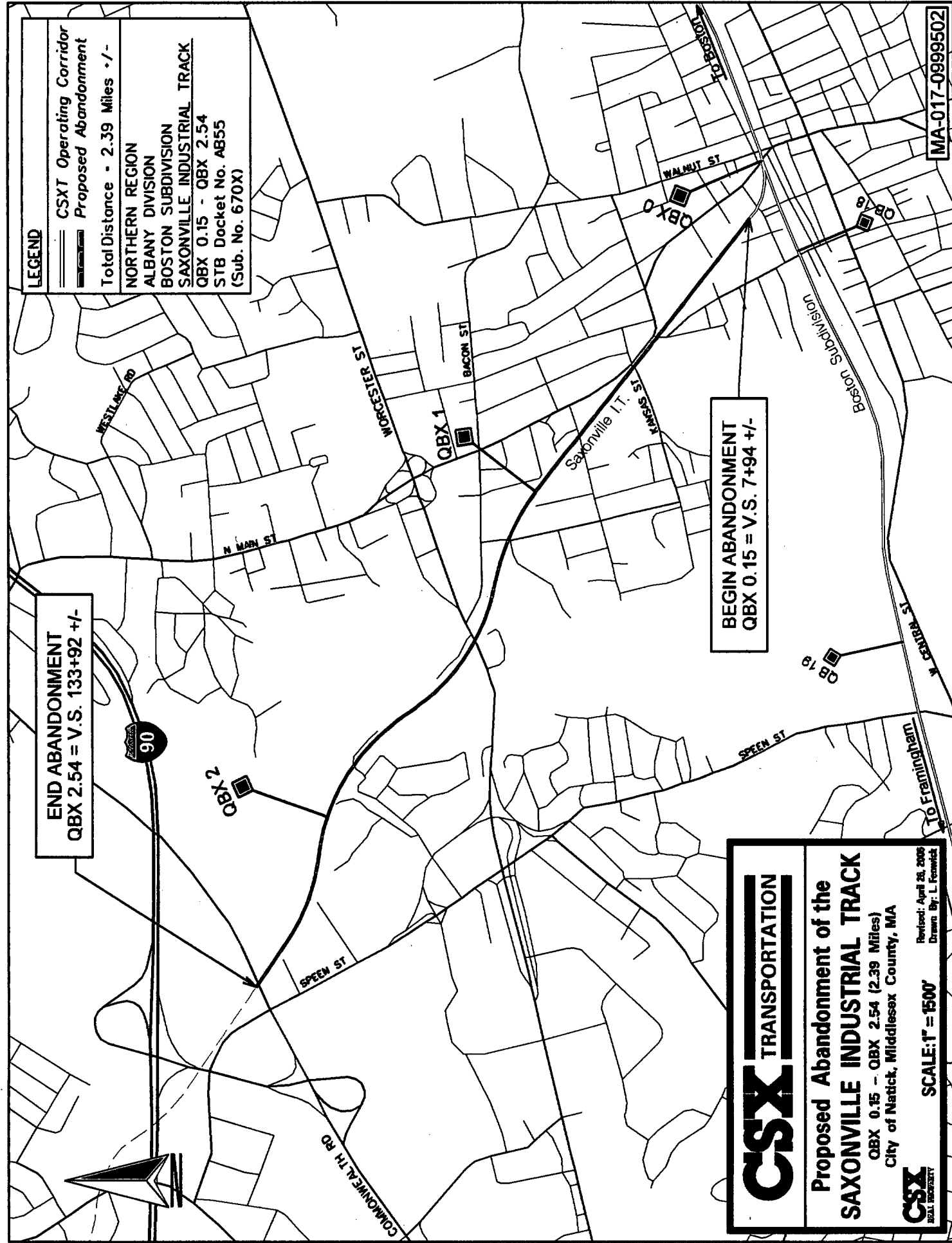
Counsel for
CSX Transportation, Inc.

Dated: July 7, 2006

EXHIBIT A

Maps

[Please see attached]



LEGEND
CSXT Operating Corridor
Proposed Abandonment
Total Distance - 2.39 Miles +/-
NORTHERN REGION
ALBANY DIVISION
BOSTON SUBDIVISION
SAXONVILLE INDUSTRIAL TRACK
QBX 0.15 - QBX 2.54
STB Docket No. AB55
(Sub. No. 670X)

END ABANDONMENT
QBX 2.54 = V.S. 133+92 +/-

BEGIN ABANDONMENT
QBX 0.15 = V.S. 7+94 +/-

CSX
TRANSPORTATION

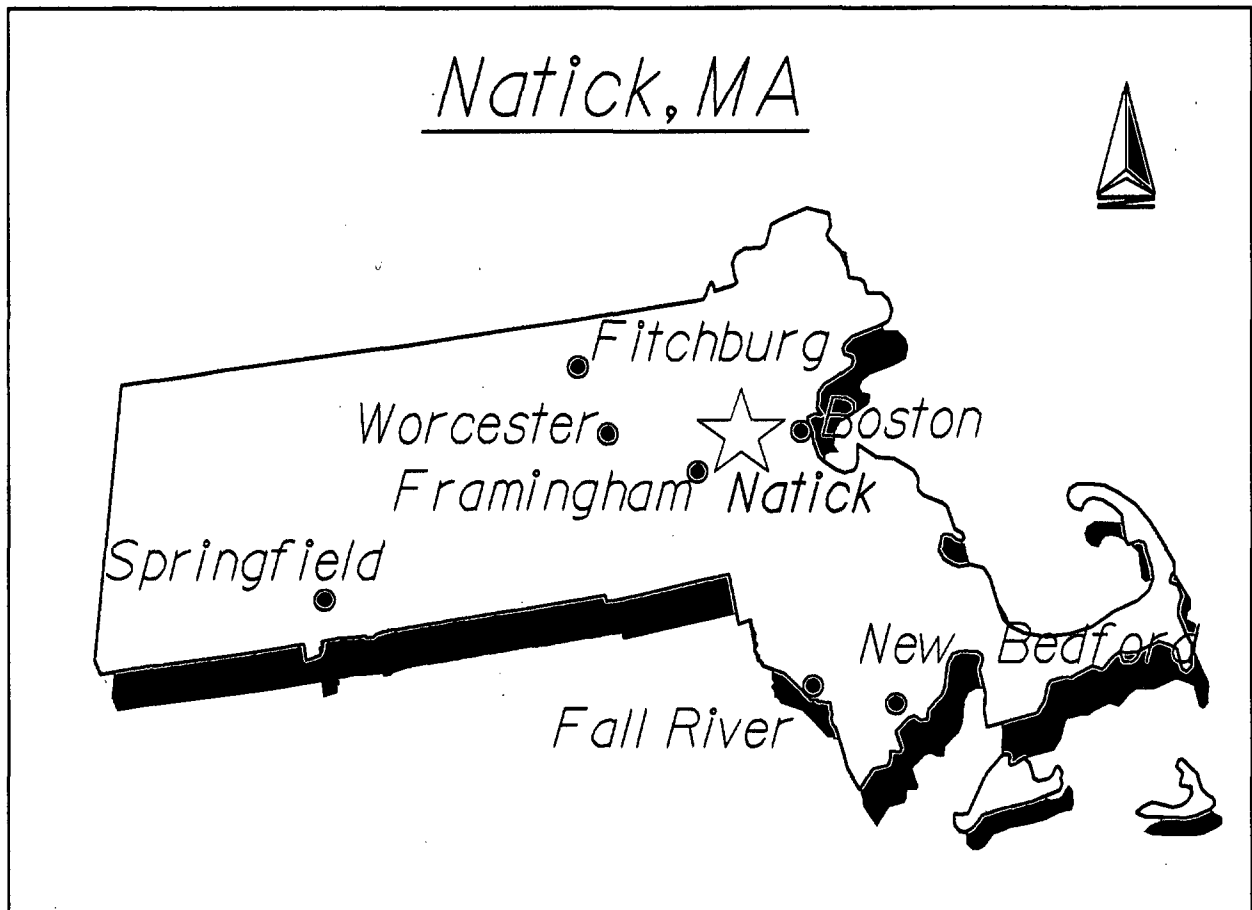
Proposed Abandonment of the
SAXONVILLE INDUSTRIAL TRACK
QBX 0.15 - QBX 2.54 (2.39 Miles)
City of Natick, Middlesex County, MA

REAL ESTATE

Revised: April 28, 2006
Drawn By: L. Fenwick

SCALE: 1" = 1500'

MA-017-0999502



AREA MAP

- Proposed Abandonment -
Saxonville Industrial Track
QBX 0.15 - QBX 2.54 - (2.39 Miles)
City of Natick, Middlesex County, Massachusetts
Docket No. AB-55 (Sub No. 670X)

NORTHERN REGION - ALBANY DIVISION - BOSTON SUBDIVISION - SAXONVILLE IND. TRK.

EXHIBIT B

Environmental Report

[Please see attached]

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC.

DOCKET AB-55 (SUB-NO. 670X)

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.

CSXT proposes to abandon approximately 2.39 miles of its rail operation between from Railroad Milepost QBX 0.15 to the end of track at Railroad Milepost QBX 2.54, known as the Saxonville Industrial Track in Natick, Middlesex County, Massachusetts.

The above referenced 2.39-mile line has had one customer, Metro Freezer, who has relocated. Furthermore, CSX Real Estate has received interest in this line as a potential rails to trails.

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 operating loss and capital 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 1 and 2)

(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 CSXT passenger or freight traffic on this line. 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 received a response dated June 13, 2006 from Mr. Patrick Reffett of the Natick Community Development stating "...the abandonment of the subject ROW is *consistent* with our local land use plans." (See Attachment 3)

Further enclosed under Attachment 3 is a copy of a letter submitted by Mr. Reffett to the Surface Transportation Board (SEA) dated June 20, 2006 supporting Applicants proposed action.

Applicant has not received a response from Mr. Michael Gleba of the Executive Office of Transportation seeking information regarding this statement. (See Attachment 4)

Based on the fact that the line has generated minimal traffic and the shipper has relocated, Applicant believes the proposed action is not inconsistent with local land use 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 has not received a response to its inquiry dated May 17, 2006 to the U. S. Department of

Agriculture, Natural Resources Conservation Service for Middlesex County, seeking information regarding this statement. (See Attachment 5)

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.**

Applicant received a response dated June 14, 2006 from Mr. Truman Henson of the Massachusetts Coastal Zone Management stating *"The activities associated with this project fall outside the geographic boundaries of the Massachusetts Coastal Zone...therefore are not subject to federal consistency review by this office."* (See Attachment 6)

- (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 the 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 transportation 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 in excess of the above thresholds.

(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 a 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 a 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 result in an improvement to public health and safety by the elimination of four public road crossings.

- (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 hazardous waste sites or sites where there have been hazardous material spills on this line segment.

(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 received a response dated June 22, 2006 from Mr. Michael Amaral of the U. S. Department of the Interior, Fish and Wildlife Service in Concord, New Hampshire, stating "...no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area(s). Preparation of a Biological Assessment or further consultation with us...is not required." (See Attachment 7)

- (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 has not received a response to its inquiry dated May 17, 2006, to the Massachusetts Department of Environmental Protection in Boston, Massachusetts, requesting information regarding this statement. (See Attachment 8)

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 received a response dated June 2, 2006 from the U. S. Army Corps of Engineers in Concord, Massachusetts stating *"We have determined that a Department of the Army permit is not required for your proposed project."* (See Attachment 9)

Applicant is not aware of any designated wetlands or 100-year flood plains within the proposed project.

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. We do not intend to disturb any of the underlying roadbed 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. Based upon this course of action, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required.

- (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 received a response dated June 12, 2006 from Mr. David Webster, Chief, U.S. Environmental Protection Agency, Region 1 in Boston, Massachusetts stating *"EPA is unable to make a determination as to whether the proposed project requires a NPDES permit, as CSX Transportation has provided insufficient information to make this determination."* (See Attachment 10)

This letter was received prior to Mr. Webster receiving Applicants preliminary environmental report which was mailed June 7, 2006.

Applicant feels as though the preliminary environmental report provides a thorough explanation of Applicants intended salvage activities.

Although the preliminary environmental report was submitted on June 7, 2006, Applicant submitted a response to Mr. Webster's letter on June 16, 2006 outlining the scope of the intended salvage activities. The letter further states *"Based on the above outline of CSXT intended salvage plan, we do not feel as though one or more acre of soil will be disturbed. Given this information, I eagerly anticipate receiving a letter of "no effect" from your office."* (See Attachment 11)

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 anticipate any adverse environmental impacts in the project area as a result of this abandonment, however, if mitigation is necessary, Applicant will comply with State and Federal regulations and obtain any necessary permits required.

CSXT Abandonment External Distribution List
Saxonville Industrial Track, Natick, MA
AB 55 Sub No. 670X

Deputy Director of Railroads
Executive Office of Transportation
10 Park Plaza, 3rd Floor
Boston, MA 02116

Mr. Patrick Reffett,
City of Natick Community Development
Director
Town Hall
13 East Central Street
Natick, MA 01760

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

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

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

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

USDA – NRCS
451 West Street
Amherst, MA 01002

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

National Park Service
Northeast Region
U.S. Custom House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106

Massachusetts Coastal Zone
Management
251 Causeway Street, Suite 80
Boston, MA 02114-2119

National Geodetic Service (NOAA) at
'NGS.InfoCenter@noaa.gov' (via email)

Attachment 1

MA-017-0999502

LEGEND

CSXT Operating Corridor
 Proposed Abandonment

Total Distance - 2.39 Miles +/-

NORTHERN REGION
 ALBANY DIVISION
 BOSTON SUBDIVISION
 SAXONVILLE INDUSTRIAL TRACK
 QBX 0.15 - QBX 2.54
 STB Docket No. AB55
 (Sub. No. 670X)

END ABANDONMENT
 QBX 2.54 = V.S. 133+92 +/-

BEGIN ABANDONMENT
 QBX 0.15 = V.S. 7+94 +/-

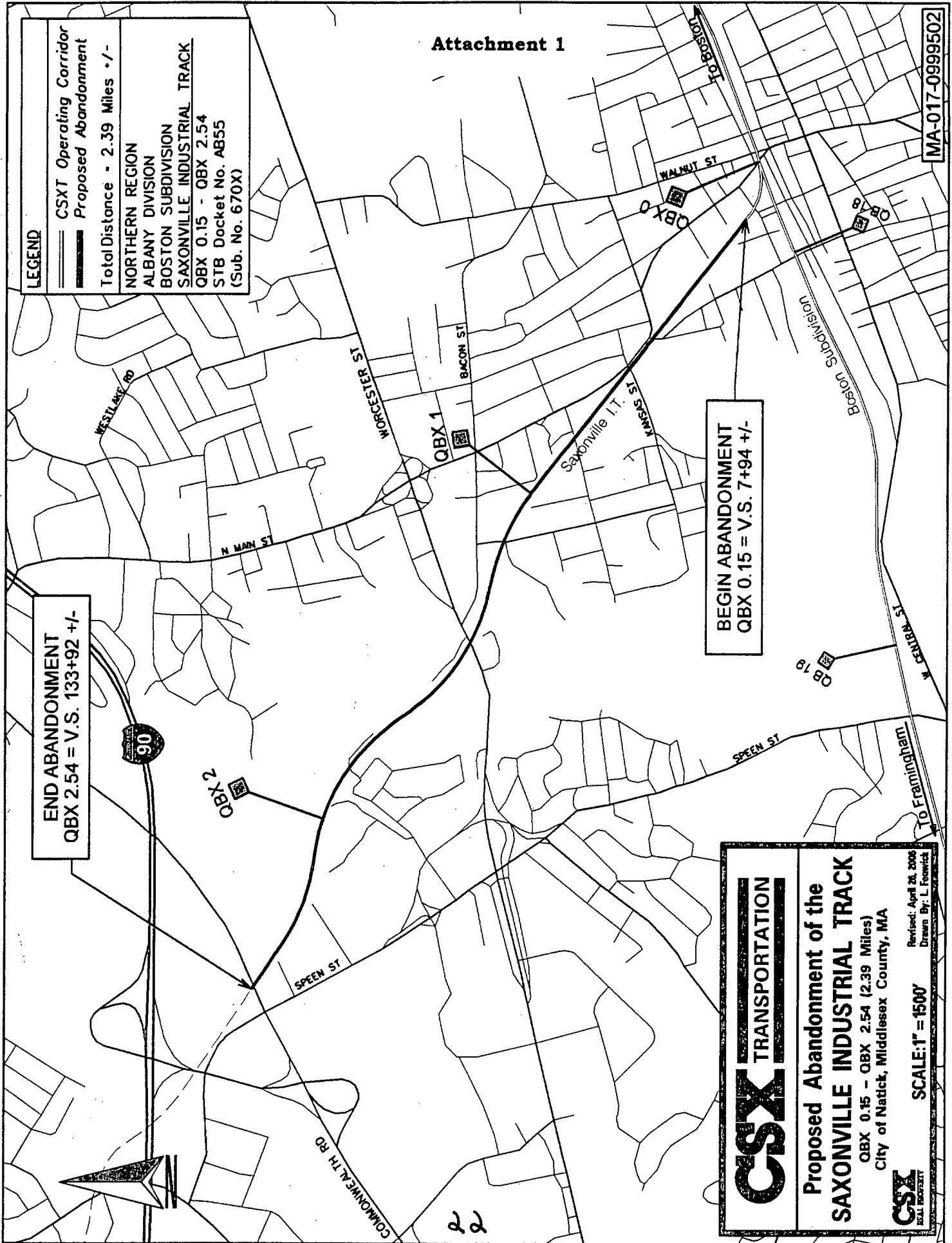
CSX
 TRANSPORTATION

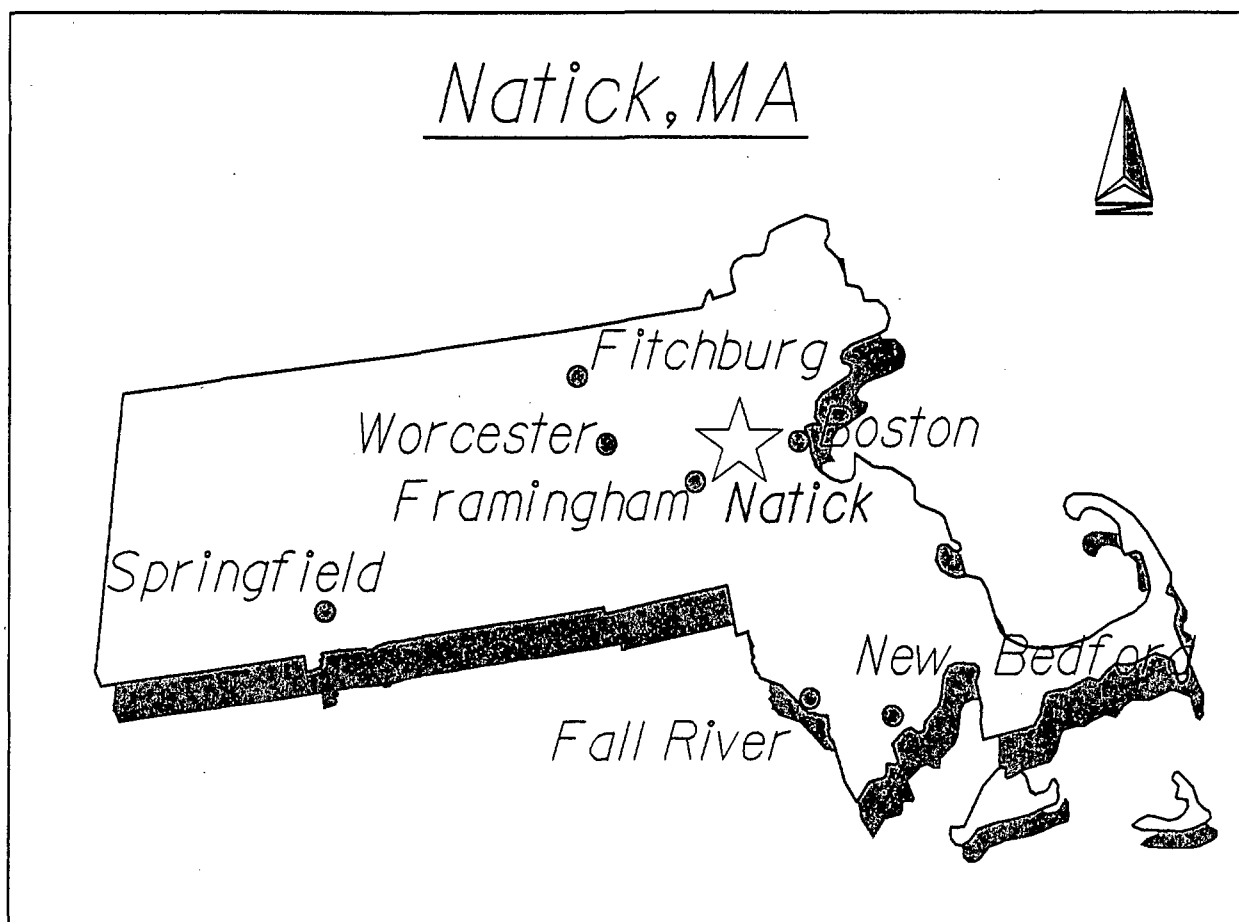
**Proposed Abandonment of the
 SAXONVILLE INDUSTRIAL TRACK**
 QBX 0.15 - QBX 2.54 (2.39 Miles)
 City of Natick, Middlesex County, MA

Revised: April 28, 2006
 Drawn By: L. Fowick

SCALE: 1" = 1500'

CSX
 RAIL PROPERTY

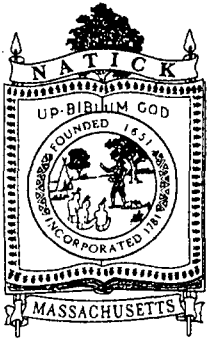




AREA MAP

- Proposed Abandonment -
Saxonville Industrial Track
QBX 0.15 - QBX 2.54 - (2.39 Miles)
City of Natick, Middlesex County, Massachusetts
Docket No. AB-55 (Sub No. 670X)

NORTHERN REGION - ALBANY DIVISION - BOSTON SUBDIVISION - SAXONVILLE IND. TRK.



Attachment 3

BUILDING

PLANNING

ZONING

CONSERVATION

COMMUNITY DEVELOPMENT

Dave Geraci, Manager Network Rationalization
CSX Transportation
500 Water Street
Jacksonville, FL 32202

June 13, 2006

Thank you for your memo of June 7, 2006 and the package you transmitted to me regarding the proposed CSX abandonment of the Saxonville Branch, located here in Natick, MA. I will review the package and the preliminary Environmental Report substance. I trust that this review will assist in our mutually desired purpose of abandonment of this non-used rail right of way.

Additionally, and in response to your letter of May 17, 2006, I would like to make you and others aware that the abandonment of the subject ROW *is consistent* with our local land use plans. Further, for many years the Town of Natick has been desirous of seeing the Saxonville Branch ROW converted to a trail project which would serve a variety of uses within the community. As formal evidence of this desire I have attached Goal #3 of the Natick Open Space Plan, adopted by the Natick Board of Selectmen in 2002 and which advocated for the acquisition of applicable open space for walking and bicycle trails for recreation and transportation (See attachment 1). More specifically it was directed as priority item #1 that the Town secure public access to the Natick portion of the Cochituate Rail Trail (meaning Saxonville Branch, or subject property).

I trust this information is helpful to you. As committed above, I will review the Environmental Report as submitted and comment as appropriate. Should you have questions please notify me at your convenience.

Best Regards,

Patrick Reffett
Community Development Director

cc: Phil Lemnios, Town Administrator
Natick Bicycle and Pedestrian Advisory Committee
Mike Gleba, MA EOT

Town of Natick

Open Space
and
Recreation Plan
2002

Prepared by:

Natick Open Space Advisory Committee

Goal 3: Provide a system of walking and bicycle trails that connect our open spaces and provide a way to travel throughout the town

Objective 3-A Acquire land or secure easements to provide continuous walking and bicycling trails, to be used both for recreation and transportation, and for wildlife migration corridors



- (1) Secure public access to the Natick portion of the Cochituate Rail Trail (2003)
- (2) Develop trails to South Natick: John Eliot Trail and Daniel Takawambpait Trail (2003)
- (3) Ensure public access for use of the Sudbury Aqueduct (2003)
- (4) Acquire missing links for existing trails (2002)
- (5) Continue to develop additional trails (2003-2007)

Objective 3-B Develop and mark these trails

- (1) Designate responsibility for trails (2002)
- (2) Develop new trails (2003-2007)
- (3) Mark trails using standardized system (2003-2007)

Goal 4: Ensure that playing fields and other recreational facilities support the needs of the population

Objective 4-A Develop additional fields and play lots on existing town-owned land, where appropriate, including:

- (1) Oak Street Gravel pit (2003-2005)
- (2) Unused high school land (2004-2005)
- (3) Small town-owned parcels to fill need for play lots (2003-2007)
- (4) Redesign and develop existing town recreation fields for better community use (2003-2005)

Objective 4-B Acquire or secure use of land appropriate for playing fields

- (1) Look into land owned by private, public, or nonprofit entities that could be used by Natick residents as playing fields through a partnership arrangement, including National Guard facility and J.J. Lane Park on Speen Street (2002-2004)
- (2) Consider purchasing additional land for playing fields (2003-2007)
- (3) Support the Department of Recreation and Parks to develop and improve newly acquired fields and facilities (2003-2007)



COMMUNITY DEVELOPMENT

BUILDING

PLANNING

ZONING

CONSERVATION

Section of Environmental Analysis (SEA)
Surface Transportation Board
Washington, DC 20423

Re: Docket No. AB-55 (Sub. No. 670X)

June 20, 2006

Dear Sirs:

On behalf of the Town of Natick, MA, in which the above cited right of way subject abandonment is located, I am contacting the Board in my official capacity as Community Development Director. I received the notice from CSX regarding this proposed abandonment within a correspondence dated June 7, 2006 which was copied to you.

I have a few comments which I trust will be of assistance as the Section (SEA) reviews the preliminary Environmental Report which was submitted by David Geraci at CSX. My comments regarding this document are as follows:

(1) Proposed Action and Alternatives – I am confirming that the town of Natick and the general public is greatly interested in the conversion of the Saxonville Branch as a rails to trails project. The Town has sought this conversion for many years and a future trail project would favorably expand the existing trail system within our community and region.

(3)(i) Land Use – Consistent with (1) above, I am confirming that the town of Natick and the general public is greatly interested in the conversion of the Saxonville Branch as a rails to trails project. Further, the Town within its official Open Space Plan, adopted by the Town in 2002, recommended acquisition of the Saxonville Branch for trail purposes. This abandonment would be consistent with this local land use planning undertaken by the Community.

(3)(iv) The Right of way is suitable for alternative public use as a rail trail and potentially other public purpose projects, either transportation or open space in nature.

~~**(3)(iii) Biological Resources**~~ – A portion of the Saxonville Branch is within the general boundaries of the Cochituate State Park, owned by the Commonwealth of Massachusetts and maintained as a State Park by the Massachusetts Division of Conservation and Recreation (DCR). Further, Cochituate Lake is immediately bordering the ROW in a

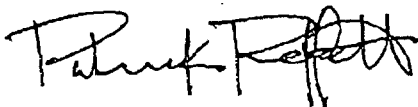
sizeable section of the ROW. This proximity makes the future trail use that much more viable and desired.

(10) I am aware of no adverse actions which would be created by this abandonment that might cause the need for mitigation.

Attachment 1 – At the southeasterly end of the ROW as depicted on Attachment 1, a section of the ROW exists which is not shown to be within the area of abandonment yet this omission may have a detrimental affect on other future uses of the to-be-abandoned ROW. Who is, or will be the owner of this remaining section of Saxonville ROW? Also, why is this section not to be abandoned as part of the larger abandonment?

In closing, thank you very much for your consideration of our local comments. I trust they will be helpful as part of your deliberations. Please feel free to contact me at (508)647-7450 at your convenience should you need further clarification or local input.

Sincerely,



Patrick Reffett
Community Development Director

Cc: Phil Lemnios, Town Administrator
Mike Gleba, MA EOT
David Geraci, CSX

Attachment 4



500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1088
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 17, 2006

Mr. Michael Gleba,
Manager of Rail
Executive Office of Transportation
10 Park Plaza, 3rd Floor
Boston, MA 02116

Dear Mr. Gleba:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost QBX 0.15 to the end of track at Railroad Milepost QBX 2.54, a distance of 2.39 miles known as the Saxonville Industrial Track in Natick, Middlesex County, Massachusetts as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3)(i) require that we develop a response to the following statement:

"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."

I would appreciate your advice as to the existence of a long-range comprehensive planning map for Middlesex County and the line's relationship to such planning.

Enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Geraci", with a long horizontal line extending to the right.

Attachment

Attachment 5

CSX
TRANSPORTATION
Dave Geraci
Manager - Network Rationalization

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

May 17, 2006

USDA - NRCS
451 West Street
Amherst, MA 01002

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost QBX 0.15 to the end of track at Railroad Milepost QBX 2.54, a distance of 2.39 miles known as the Saxonville Industrial Track in Natick, Middlesex County, Massachusetts as depicted on the attached map.

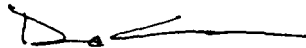
This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3)(ii) require that we develop a response to the following statement:

"Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land."

Please advise if any of the land contiguous to CSXT's line in the project area is classified as prime agriculture land.

Enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,



Attachment



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
OFFICE OF COASTAL ZONE MANAGEMENT
251 Causeway Street, Suite 800, Boston, MA 02114-2136
(617) 626-1200 FAX: (617) 626-1240

Attachment 6

June 14, 2006

Dave Geraci
CSX Transportation
600 Water Street – J200
Jacksonville, FL 32202

RE: CSX Transportation, Inc.; Natick.

Dear Mr. Geraci:

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

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

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

Sincerely,

Truman Henson
Project Review Coordinator

TH/pb

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





United States Department of the Interior

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



June 22, 2006

Reference: Project Location
 Rail line abandonment Natick, MA
 (AB 55, Sub 670X)

Dave Geraci
CSX Transportation
500 Water St. 0 J200
Jacksonville, FL 32202

Dear Mr. Geraci:

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

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

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

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

Sincerely yours,

Michael J. Amaral
Endangered Species Specialist
New England Field Office



Dave Geraci
Manager - Network Rationalization

600 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 369-1088
FAX: (904) 369-1111
E-Mail: Dave_Geraci@CSX.com

May 17, 2006

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

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost QBX 0.15 to the end of track at Railroad Milepost QBX 2.54, a distance of 2.39 miles known as the Saxonville Industrial Track in Natick, Middlesex County, Massachusetts as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that we develop a response to the following statements:

(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."

(iii) State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail 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. We do not intend to disturb any of the underlying roadbeds 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. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, we would appreciate receiving your concurrence with CSXT's position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

Enclosed, please find a distribution list of all parties that have been copied of the proposed action. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to be "D. Geraci", written over a horizontal line.



REPLY TO:
ATTENTION OF:

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

June 2, 2006

Regulatory Division
CENAE-R-PEA
File No. NAE-2006-1755

Attachment 9

Mr. Dave Geraci
CSX Transportation, Inc.
500 Water Street – J200
Jacksonville, Florida 32202

Dear Mr. Geraci:

We have determined that a Department of the Army permit is not required for your proposed project. Our determination is based on the information described in your letter of May 17, 2006 and on the enclosed plan entitled "Proposed Abandonment of the SAXONVILLE INDUSTRIAL TRACK," on 1 sheet, dated "April 26, 2006." The work involves abandonment and removal of 2.39 miles of existing track. It is located near and crosses Lake Cochituate in Natick, Massachusetts.

Our regulatory jurisdiction encompasses all work in or affecting navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 and the discharge of dredged or fill material into all waters of the United States, including adjacent wetlands, as well as the excavation and grading within those waters, under Section 404 of the Clean Water Act. Since your proposal does not include any of the aforementioned activities, a Department of the Army permit is not required.

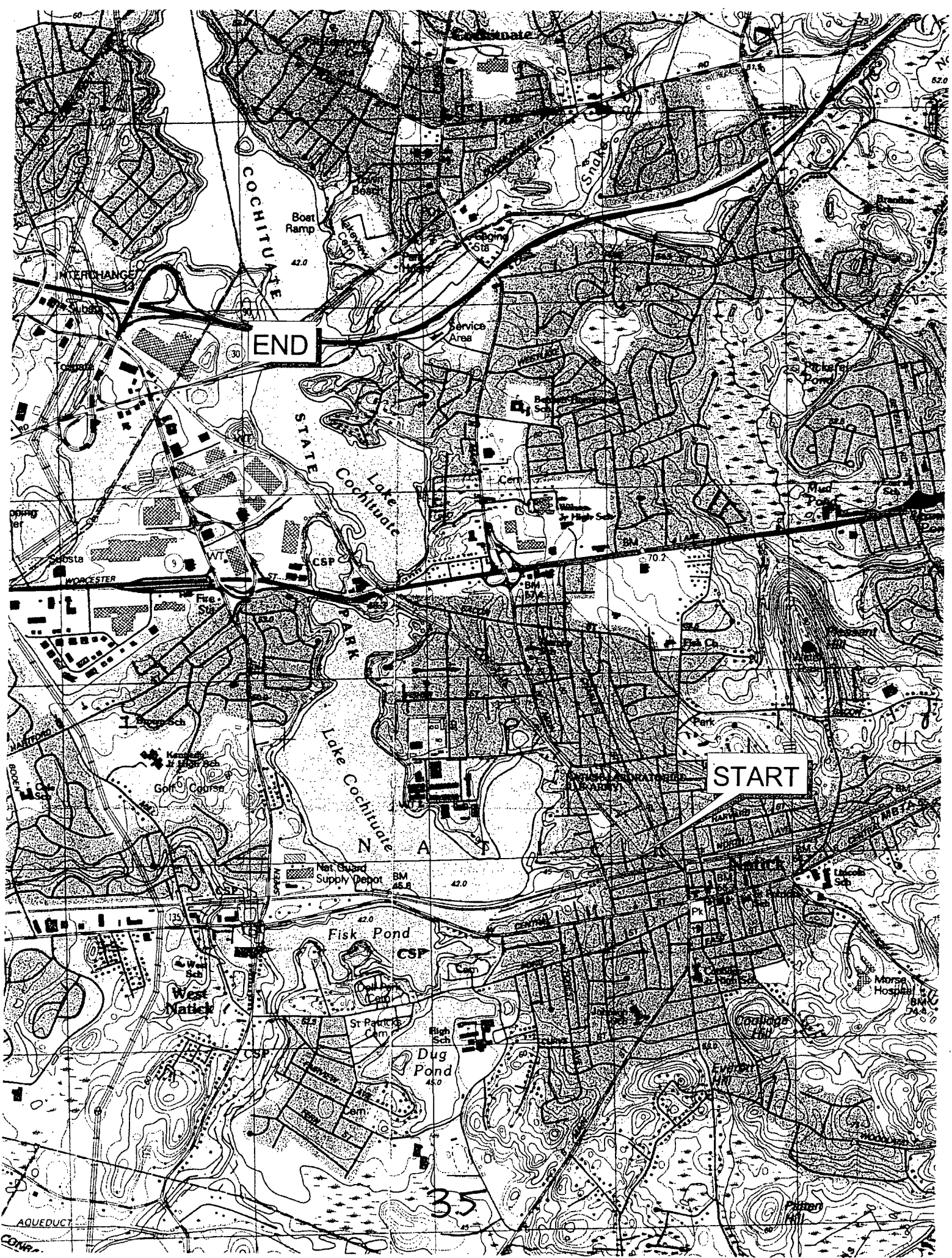
Our Corps of Engineers permit process does not supersede any other agency's jurisdiction. Therefore, if other Federal, State, and/or local agencies have jurisdiction over your proposed activity, you must receive all other applicable permits before you can begin work. Please note that performing work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

If you have any questions regarding this letter, please contact Alan Anacheke-Nasemann, of my staff, at 978-318-8214.

Sincerely,

Karen K. Adams
Chief, Permits & Enforcement Branch
Regulatory Division

Attachments



LEGEND

CSXT Operating Corridor
 Proposed Abandonment
 Total Distance - 2.39 Miles +/-
 NORTHERN REGION
 ALBANY DIVISION
 BOSTON SUBDIVISION
 SAXONVILLE INDUSTRIAL TRACK
 QBX 0.15 - QBX 2.54
 STB Docket No. AB55
 (Sub. No. 670X)

END ABANDONMENT
 QBX 2.54 = V.S. 133+92 +/-

BEGIN ABANDONMENT
 QBX 0.15 = V.S. 7+94 +/-



TRANSPORTATION

**Proposed Abandonment of the
 SAXONVILLE INDUSTRIAL TRACK**
 QBX 0.15 - QBX 2.54 (2.39 Miles)
 City of Natick, Middlesex County, MA

Revised: April 28, 2006
 Drawn By: L. Fawcett

SCALE: 1" = 1500'

MA-017-0999502



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

Attachment 10

June 12, 2006

Dave Geraci, Manager – Network Rationalization
CSX Transportation
Asset Management (J200)
500 Water Street
Jacksonville, FL 32202

Dear Mr. Geraci:

We have received your letter dated May 17, 2006 concerning the proposed abandonment of the Saxonville Industrial Track from Railroad Milepost QBX 0.15 to the end of track at Railroad Milepost QBX 2.54 in Natick, Middlesex County, Massachusetts.

EPA is not the "State water quality official" referred to in 49 CFR § 1105.7(e)(9)(i). The regulation refers to the Massachusetts Department of Environmental Protection (MassDEP). Therefore, CSX Transportation must consult MassDEP in order to determine whether the proposed action is consistent with water quality standards.

EPA is the permitting authority for Section 402 of the Clean Water Act (CWA). The CWA prohibits the discharge of pollutants to waters of the United States without an NPDES permit unless such a discharge is otherwise authorized by the Act. The terms of coverage are found in 40 CFR § 122.1. Specifically, § 122.1(b)(1) states:

The NPDES program requires permits for the discharge of "pollutants" from any "point source" into "waters of the United States." The terms "pollutant", "point source" and "waters of the United States" are defined at Sec. 122.2.

EPA is unable to make a determination as to whether the proposed project requires a NPDES permit, as CSX Transportation has provided insufficient information to make this determination. More information is required to determine whether there is a need for an individual permit, and/or the Construction General Permit. Information on application procedures as well as guidance for which activities are covered under the Construction General Permit (construction sites disturbing 1 or more acres of soil) can be found at <http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>.

If you have further questions regarding the determination I can be reached at (617) 918-1791.

Sincerely,

David M. Webster, Chief
Industrial Permits Branch

37

CC: Glenn Haas, MA DEP

Toll Free • 1-888-372-7341

Internet Address (URL) • <http://www.epa.gov/region1>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)



Dave Geraci
Project Manager – Network Rationalization

Attachment 11

500 Water Street – J200
Jacksonville, FL 32202
Phone: (904) 359-1086
Fax: (904) 359-1111
Email: Dave_Geraci@CSX.com

June 16, 2006

Mr. David Webster, Chief
U.S. EPA Region 1
1 Congress Street – Suite 1100
Boston, MA 02114-2023

Re: CSXT proposed abandonment AB 55 Sub No. 670X

Dear Mr. Webster:

Thank you for your letter dated June 12, 2006. Please be advised that CSXT requested comment from Massachusetts Department of Environmental Protection (MassDEP) at the same time information was requested from your office. To date, CSXT is still awaiting a response from our letter dated May 17, 2006 and our letter and preliminary environmental report dated June 7, 2006.

With regards to the proposed scope of the intended salvage activity, this information is covered in the preliminary environmental report submitted to your office June 7, 2006. As stated in the environmental report:

"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. We do not intend to disturb any of the underlying roadbed 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. Based upon this course of action, Applicant does not believe a permit under Section 404 (or in this case 402) of the Clean Water Act will be required."

Based on the above outline of CSXT intended salvage plan, we do not feel as though one or more acre of soil will be disturbed. Given this information, I eagerly anticipate receiving a letter of "no effect" from you office.

Please do not hesitate to call me should you have any questions.

Sincerely,

Attachment

Cc: Surface Transportation Board – SEA, 1925 K Street NW, Suite 534, Washington, DC 20423

CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R 1105.11

In accordance with 49 C.F.R. § 1105.7(b), I hereby certify that on June 7, 2006, a copy of the Environmental Report was served upon the below listed parties, by first-class mail, postage prepaid:

Deputy Director of Railroads
Executive Office of Transportation
10 Park Plaza, 3rd Floor
Boston, MA 02116

Mr. Patrick Reffett,
City of Natick Community Development Director
Town Hall
13 East Central Street
Natick, MA 01760

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

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

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

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

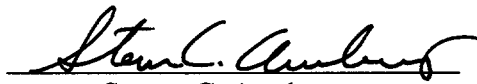
USDA – NRCS
451 West Street
Amherst, MA 01002

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

National Park Service
Northeast Region
U.S. Custom House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106

Massachusetts Coastal Zone Management
251 Causeway Street, Suite 80
Boston, MA 02114-2119

National Geodetic Service (NOAA) at 'NGS.InfoCenter@noaa.gov' (via email)

A handwritten signature in black ink, appearing to read "Steven C. Armbrust", is written over a horizontal line.

Steven C. Armbrust
July 5, 2006

EXHIBIT C

Historical Report

[Please see attached]



Dave Geraci
Manager - Network Rationalization

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

May 25, 2006

Ms. Brona Simon
Deputy State Historic Preservation Officer
Massachusetts Archives Facility
220 Morrissey Blvd.
Boston, MA 02125

RE: CSX Transportation, Inc.
Proposed Line Abandonment
Middlesex County, Massachusetts
Docket AB-55 (Sub-No. 657X)

Dear Ms. Simon:

Please be advised that on July 7, 2006, CSX Transportation, Inc. (CSXT) expect to file with the Surface Transportation Board ("Board") a Petition for Exemption seeking authority to abandon and discontinue service, respectively, over approximately 2.39 miles of railroad from Railroad Milepost QBX 0.15 to the end of track at Railroad Milepost QBX 2.54, known as the Saxonville Industrial Track in Natick, Middlesex County, Massachusetts.

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 - SEA, 1925 K Street NW - Suite 534, Washington, DC 20423
Mr. Steven Armbrust, Counsel, CSXT, 500 Water St.-J150, Jacksonville, FL 32202



Dave Geraci
Manager - Network Rationalization

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

2

May 25, 2006

RECEIVED

JUN 01 2006

MASS. HIST. COMM

RC. 39915

Ms. Brona Simon
Deputy State Historic Preservation Officer
Massachusetts Archives Facility
220 Morrissey Blvd.
Boston, MA 02125

RE: CSX Transportation, Inc.
Proposed Line Abandonment
Middlesex County, Massachusetts
Docket AB-55 (Sub-No. 657X)

Dear Ms. Simon:

Please be advised that on July 7, 2006, CSX Transportation, Inc. (CSXT) expect to file with the Surface Transportation Board ("Board") a Petition for Exemption seeking authority to abandon and discontinue service, respectively, over approximately 2.39 miles of railroad from Railroad Milepost QBX 0.15 to the end of track at Railroad Milepost QBX 2.54, known as the Saxonville Industrial Track in Natick, Middlesex County, Massachusetts.

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.

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.

Sincerely,

MHC RC. 39915

Edward LeBell
Senior Archaeologist
Massachusetts Historical Commission

Date

26 June 2006

Surface Transportation Board - SEA, 1925 K Street NW - Suite 534, Washington, DC 20423
Mr. Steven Armbrust, Counsel, CSXT, 500 Water St.-J150, Jacksonville, FL 32202

HISTORIC REPORT

CSX TRANSPORTATION, INC.
(Saxonville Industrial Track, Natick, Middlesex County, Massachusetts)
DOCKET AB-55 (SUB-NO. 670X)

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.

CSXT proposes to abandon approximately 2.39 miles of its rail operation between from Railroad Milepost QBX 0.15 to the end of track at Railroad Milepost QBX 2.54, known as the Saxonville Industrial Track in Natick, Middlesex County, Massachusetts.

The above referenced 2.39-mile line has had one customer, Metro Freezer, who has relocated. Furthermore, CSX Real Estate has received interest in this line as a potential rails to trails.

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 operating loss and capital 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 1 and 2)

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 Framingham 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 diagonal line. (See Attachment 3)

There are no CSXT-owned structures that are 50 years old or older that are 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:**

The right of way varies between 30 and 50 feet from the centerline of track. The line runs through a very well developed urban area that includes residential and business developments.

- (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:**

Not applicable.

- (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:**

Not applicable.

- (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:**

This property was acquired in 1845 by the Boston & Albany Railroad (BA). The BA was formed by a series of mergers in 1833. On December 1, 1867, the Boston & Albany consolidated with Boston & Worcester Railroad Company, who subsequently leased the property to the New York Central Railroad Company for operating purposes.

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.

- (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:**

Not applicable.

- (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 are no CSXT-owned structures over 50 years old on this line segment that are may be eligible for listing in the National Register.

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.

[illegible]

Projection is UTM Zone 19 NAD83 Datum



 $M = -15.46$

 $G = -1.59$

CERTIFICATE OF SERVICE

In accordance with 49 C.F.R. 1105.8(c), I hereby certify that on May 25, 2006, a copy of the Historic Report was served upon the below listed party, by first-class mail, postage prepaid:

Ms. Brona Simon
Deputy State Historic Preservation Officer
Massachusetts Archives Facility
220 Morrissey Blvd.
Boston, MA 02125

A handwritten signature in black ink, appearing to read "Steven C. Armbrust", is written over a horizontal line.

Steven C. Armbrust

July 5, 2006

EXHIBIT D

FEDERAL REGISTER NOTICE

STB No. AB 55 (Sub-No.670X)

Notice of Petition for Exemption to Abandon

On July 7, 2006 CSX Transportation, Inc. (CSXT) filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment of a line of railroad known as the Saxonville Industrial Track extending from railroad milepost QBX 0.15 to the end of track at Milepost QBX 2.54, in the Northern Region, Albany Division, Boston Subdivision, in Middlesex County, Massachusetts, which traverses through 55230, 55229 and 55228 United States Postal Service ZIP Codes, a distance of 2.39 miles, in Middlesex County, Massachusetts. There are no stations impacted by the proposed transaction.. 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.

The interest of railroad employees will be protected by interests of railroad employees of CSXT who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions as stated in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption. All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

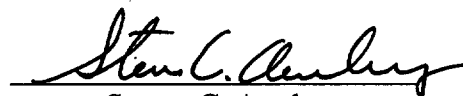
Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis. An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

EXHIBIT E

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 670X) was advertised on July 6, 2006 in Metrowest Daily News, a newspaper of general circulation in Middlesex County, Massachusetts, as required by 49 C.F.R. § 1105.12.

A handwritten signature in black ink, appearing to read "Steven C. Armbrust", written over a horizontal line.

Steven C. Armbrust

July 6, 2006

EXHIBIT F

Pursuant to 49 C.F.R. § 1152.60 (d), the undersigned hereby certifies that the Petition for Exemption of the proposed abandonment in Docket No. AB-55 (Sub-No. 670X) was mailed via first class mail on June 23, 2006, to the following parties:

State Public Service Commission

John Cogliano
Secretary of Transportation
Commonwealth of Massachusetts
The Executive Office of Transportation
10 Park Plaza, Suite 3170
Boston, MA 02116

Military Surface Deployment and Distribution Command Transportation Engineering Agency

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

National Park Service

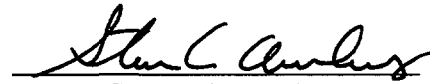
Mr. D. Thomas Ross
Assistant Director
U.S. Department of Interior
National Park Service (Org code 2220)
Recreation and Conservation
1849 C Street, N.W.
Washington, D.C. 20240-0001

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1201 Eye St., N.W.
Washington, DC 20005

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, D.C. 20250

A handwritten signature in black ink, appearing to read "Steven C. Armbrust", written over a horizontal line.

Steven C. Armbrust

July 5, 2006

EXHIBIT G

Verified Statement

[Please see attached]

VERIFIED STATEMENT OF ELLEN M. PRESLAR

I am Ellen M. Preslar, Manager Regulatory Costing in the Network Rationalization department, CSX Transportation, Inc. In this job, I am responsible for the preparation of cost analyses, including those required for abandonments under 49 CFR Subpart D. I have prepared the attached revenue and cost statement in accordance with my understanding of the rules in 49 CFR Subpart D.

VERIFICATION

I, Ellen M. Preslar, verify under penalty of perjury under the laws of the United States that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed July 5, 2006

Ellen M. Preslar
Ellen M. Preslar

CSX Transportation, Inc.
Line Segment: Saxonville Industrial Track, Natick, MA

	Base Year (Yr 2005)	Forecast Year (Begin 07/01/06)	Projected Subsidy Year (End 06/30/07)
Carloads:	86	0	0
<u>Revenues Attributable</u>			
1. Freight Originated &/or Terminated On Branch	\$ 156,934	\$ -	\$ -
2. Bridge Traffic	-	-	-
3. All Other Revenue and Income	-	-	-
4. Total Revenues Attributable (Lines 1 thru 3)	\$ 156,934	\$ -	\$ -
<u>Avoidable Costs</u>			
5. Total On-Branch Costs (Lines 5a thru 5k)	\$ 44,035	\$ 2,000	\$ 2,000
a. Maintenance of Way and Structures	10,000	2,000	2,000
b. Maintenance of Equipment - Locomotives	2,529	-	-
c. Transportation	17,567	-	-
d. Joint Facilities	-	-	-
e. Deadheading, Taxi and Hotel	-	-	-
f. Overhead Movement	-	-	-
g. Freight Car Costs (o/t Return on Freight Cars)	8,466	-	-
h. Return on Value - Locomotives	5,473	-	-
i. Return on Value - Freight Cars	-	-	-
j. Revenue Taxes	-	-	-
k. Property Taxes	-	-	-
6. Total Off-Branch Costs (Lines 6a and 6b)	\$ 187,475	\$ -	\$ -
a. Off-Branch Costs (o/t Return on Freight Cars)	187,475	-	-
b. Return on Value - Freight Cars	-	-	-
7. Total Avoidable Costs (Lines 5 and 6)	\$ 231,510	\$ 2,000	\$ 2,000
<u>Subsidization Costs</u>			
8. Rehabilitation	xxxx	xxxx	\$ -
9. Administration Costs	xxxx	xxxx	-
10. Casualty Reserve Account	xxxx	xxxx	-
11. Total Subsidization Costs (Lines 8 thru 10)	xxxx	xxxx	\$ -
<u>Return on Value</u>			
12. Valuation of Property (Lines 12a thru 12c)	xxxx	\$ 89,114	\$ 89,114
a. Working Capital	xxxx	82	82
b. Income Tax Consequences	xxxx	(54,568)	(54,568)
c. Net Liquidation Value	xxxx	143,600	143,600
13. Nominal Rate of Return	xxxx	14.9%	14.9%
14. Nominal Return on Value (Line 12 * Line 13)	xxxx	13,278	13,278
15. Holding Gain (Loss)	xxxx	4,595	4,595
16. Total Return on Value (Line 14 less Line 15)	xxxx	\$ 8,683	\$ 8,683
17. Avoidable Loss from Operations (Line 7 less Line 4)	\$ 74,576	\$ 2,000	\$ 2,000
18. Estimated Forecast Year Loss from Operations (Lines 7 and 16 less Line 4)		\$ 10,683	
19. Estimated Subsidy Year Loss from Operations (Lines 7, 11 and 16 less Line 4)			\$ 10,683

CSX Transportation, Inc.

Line Segment: Saxonville Industrial Track, Natick, MA

Notes to Exhibit 1:

	Base Year	The year 2005 has been used for the base year. The traffic received by the only customer on the line segment was concluded at the end of the base year period. No traffic has moved, or is anticipated to move, subsequent to that period.
Line 1	Freight Revenues	Base year = total CSXT waybill revenues; Forecast year or Subsidy year = no traffic.
Line 5	Avoidable On-branch Costs	Costs for base year are based on year 2005 unit costs. Statistics used for calculation of on-branch costs are based on actual number of trips that would be affected by crew start or overtime savings. Estimate of average on-branch service time is based on train speed limits plus estimated service time; one local locomotive and 2-man crew.
Line 5a	Maintenance of Way & Structures	Annual maintenance and inspection costs at \$5K per mile (2 miles).
Lines 5g & 5i	On-branch Car Costs	Standard on-branch car cost calculation using year 2005 unit costs.
Line 6	Off-branch Costs	CSXT 2004 URCS indexed to the appropriate periods.
Line 12	Valuation of Property	The net liquidation value is based on two miles at average valuations of land at \$21,800 per mile and track at \$50,000 per mile. Income tax consequences are calculated at 38% on the NLV, assuming 100% scrap or sale value. CSXT expects the actual land value to be significantly higher, based on sales of adjacent properties.

SAXONVILLE INDUSTRIAL TRACK, NATICK, MA
TRAFFIC HISTORY*

Originating / Terminating	STCC 7	Revenue STCC Description	2003		2004		2005		Y-T-D 2006	
			Carloads	Net Tons	Carloads	Net Tons	Carloads	Net Tons	Carloads	Net Tons
Originating	2036190	FRESH FROZEN FISH, NEC,	8	485	9	539				
	2094237	FISH OR FISH SCRAP,	8	472	3	174				
Total - Originating			16	957	12	713				
Terminating	0122310	CHERRIES, FRESH			1	70				
	0129310	STRAWBERRIES, FRESH	1	64						
	0912190	FISH, NEC, FRESH, FROZEN	32	2,311	25	1,968	40	3,021		
	2036190	FRESH FROZEN FISH, NEC,	17	1,322	11	817	18	1,341		
	2037110	COCOANUT, FRESH, COLD	1	64	3	191	6	384		
	2037130	FRUIT, FRESH, COLD PACK	33	2,015	22	1,186	21	1,197		
	2037135	CITRUS FRUIT PULP, FROZEN			6	413				
	2038116	FOOD, COOKED, CURED,	1	64						
	2094237	FISH OR FISH SCRAP,	2	128						
	2012910	MEATS, NEC, FRESH FROZEN,					1	64		
Total - Terminating			87	5,968	68	4,645	86	6,007		
Grand Total			103	6,925	80	5,358	86	6,007	0	0

* Only customer on Saxonville IT = Metro Freezer & Storage LLC
Last waybilling for this customer occurred at year-end 2005.