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SERVICE DATE – LATE RELEASE MAY 23, 2007

SURFACE TRANSPORTATION BOARD

DECISION

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

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

Decided: May 23, 2007

By decision and notice of interim trail use or abandonment (NITU) served on October 25, 2006, the Board granted the petition for exemption filed by CSX Transportation, Inc. (CSXT) for abandonment of a 2.39-mile line known as the Saxonville Industrial Track, running between milepost QBX 0.15 and the end of the line at milepost QBX 2.54, in Middlesex County, MA. The exemption was subject to public use, environmental, and standard employee protective conditions, as well as a trail use condition authorizing a 180-day period for the Town of Natick, MA (Town), to negotiate an interim trail use/rail banking agreement with CSXT for the right-of-way involved in this proceeding. The trail use negotiating period is scheduled to expire on May 23, 2007.

By letter filed on May 9, 2007, the Town requests an extension of the negotiating period for 180 days. The Town notes that, although it and CSXT have not reached an agreement regarding the right-of-way, the parties wish to continue negotiations. On May 17, 2007, CSXT filed a response in which it agrees with the Town's request.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended. An extension of the negotiating period will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d).¹ Accordingly, the NITU negotiating period will be extended until November 19, 2007.

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

¹ See Rail Abandonments—Supplemental Trails Act Procedures, 4 I.C.C.2d 152, 157-58 (1987).

It is ordered:

1. The request to extend the NITU negotiating period is granted.
2. The negotiating period under the NITU is extended to November 19, 2007.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary