

Congress of the United States
Washington, DC 20515

302422

May 28, 2021

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

ENTERED
Office of Proceedings
May 28, 2021
Part of
Public Record

Dear Ms. Brown:

We write in response to the Surface Transportation Board's May 19, 2021 decision (Consolidated Rail Corporation – Abandonment Exemption – in Hudson County, NJ, AB 167 (Sub-No. 1189X) and discontinuances by CSX Transportation (CSX) and Norfolk Southern Railway Company (NS)), regarding the Harsimus Branch in the City of Jersey City. We respectfully urge you to fully consider Jersey City's equities in this matter.

Jersey City desires to preserve this line for rail and trail purposes. However, after Jersey City authorized eminent domain for this purpose, the railroads sold it to a developer. They did so without first obtaining this agency's required prior abandonment authorization, and thus purported to put the property outside agency authority prior to any compliance with section 106 of the National Historic Preservation Act. Jersey City informs us that Conrail recently and without explanation withdrew from settlement negotiations after signing a non-binding term sheet.

Preservation of the line for rail, trail and open space purposes has long been an important objective of Jersey City and allied non-profit organizations. If preserved, it would serve as an important and integral part of the East Coast Greenway and connect local parks and neighborhoods. We support all lawful efforts to facilitate preservation of this resource. We, therefore, encourage the Surface Transportation Board to consider the application of all lawful remedies consistent with this result.

Again, we respectfully urge you to keep these considerations in mind when reaching a final decision on this proceeding. Thank you in advance for your attention to this matter.

Sincerely,



Donald M. Payne, Jr.
Member of Congress



Albio Sires
Member of Congress