

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

Andrea Ferster, General Counsel
Rails-to-Trails Conservancy
The Duke Ellington Building
2121 Ward Court, NW
5th Floor
Washington DC 20037

May 29, 2009

**Re: Invitation to be a Consulting Party in the Section 106 Process
STB Docket No. AB-167 (Sub-No. 1189X), Consolidated Rail
Corporation – Abandonment Exemption - in Hudson County,
New Jersey**

Dear Ms. Ferster:

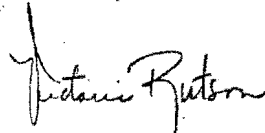
The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of Consolidated Rail Corporation's (Conrail) planned abandonment of an approximately 1.36-mile rail line in Hudson County, New Jersey. The line, also known as the Harsimus Branch, is located between Milepost 0.00 and Milepost 1.36 in Jersey City. The Board's approval of the abandonment is considered an undertaking under Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) (NHPA) and, therefore, is covered under its provisions.

SEA is the office within the Board responsible for ensuring the agency's compliance with the National Environmental Policy Act and the NHPA. Accordingly, pursuant to the Advisory Council on Historic Preservation's (ACHP) regulations for implementing the section 106 process of the NHPA, SEA has initiated the consultation process and will be working with the New Jersey State Historic Preservation Office (SHPO), ACHP, Conrail, and other concerned or affected parties as needed throughout the Section 106 process. As noted in the March 23, 2009 Environmental Assessment, the steps of the Section 106 process include: identification of historic resources within the Area of Potential Effect, assessment of any adverse effects to such resources, and possible development of a Memorandum of Agreement, to avoid or minimize any adverse effects that the proposed abandonment might have on historic resources.

SEA has identified your agency or organization as a potential consulting party pursuant to 36 CFR Part 800, and we are writing to invite you to participate as a consulting party in the Section 106 process. Consulting parties participate throughout the Section 106 process and work with all involved parties to try to resolve any historic preservation issues. However, the concurrence of consulting parties in the final outcome of the Section 106 process is not required.

Please inform us by June 15, 2009 if you would like to participate in the Section 106 process for this proceeding. In addition, due to the large number of interested parties in this proceeding, we request that you provide us with the name of one contact for your agency or organization, as well as an e-mail address that communications may be sent to in the future. If you have any questions or require additional information regarding the role of consulting parties in the Section 106 process, please do not hesitate to contact Ken Blodgett at (202) 245-0305 or Kenneth.Blodgett@stb.dot.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Chief
Section of Environmental Analysis

cc: Daniel D. Saunders, New Jersey SHPO
John M. Fowler, ACHP
John K. Enright, Conrail