

CONRAIL®



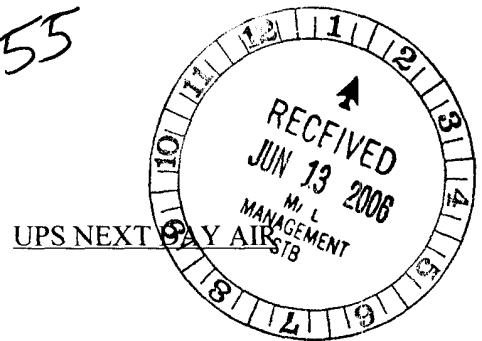
June 12, 2006

Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Room 700
Washington, DC 20423-0001

216755
ENTERED
Office of Proceedings

JUN 13 2006

Part of
Public Record



Re: STB No. AB 167 (Sub-No. 1185X)
Consolidated Rail Corporation -- Abandonment
Exemption -- in Mercer County, New Jersey

FILED

JUN 13 2006

**SURFACE
TRANSPORTATION BOARD**

Dear Mr. Williams:

Enclosed for filing with the Board are the original and ten copies of a Notice of Exemption in reference to the above-described abandonment, which are submitted pursuant to 49 C.F.R. §1152.50, together with the \$3,100 filing fee. Pursuant to 49 C.F.R. §1104.2, the original and all copies are paginated consecutively to assist with scanning. Because the textual submission is less than twenty pages in length, no electronic copies are included. See 49 C.F.R. §1104.3(b)(1).

Also enclosed is the requisite environmental and historic report in conformance with 49 C.F.R. §§1105.7 and 1105.8; copies of letters consulting governmental agencies and officials with regard to environmental and historical matters as specified in §§1105.7 and 1105.8; copies of the responses Conrail has received from those agencies; and copies of letters that were mailed pursuant to §§1152.50(d)(1) and 1105.7(b), (e)(1) giving advance notice of this filing as required by those sections.

Please time stamp the enclosed extra copy of this letter and return it to me in the enclosed self-addressed, stamped envelope.

Sincerely,


John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054
(856) 231-7206

Enclosures

cc: All Parties on Attached Service List

FEE RECEIVED

JUN 13 2006

TRANSPORTATION BOARD

SERVICE LIST

Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Room 700
Washington, DC 20423-0001

Bradley M. Campbell, Commissioner
State Historic Preservation Office
NJ Department of Environmental Protection
401 East State Street, P.O. Box 404
Trenton, NJ 08625-0404

Ruth Ehringer, Program Manager
NJ Dept. of Environmental Protection
Office of Coastal Planning & Program Coordination
401 East State Street, P.O. Box 418
Trenton, NJ 08625-0418

Kenneth C. Koschek, Supervising Environmental Specialist
NJ Department of Environmental Protection
Office of Permit Coordination & Environmental Review
401 East State Street
P.O. Box 423
Trenton, NJ 08625-0423

Brian M. Hughes, County Executive
Mercer County Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068

The District Engineer
U.S. Army Engineer District, New York
Jacob K. Javits Federal Building
26 Federal Plaza, Room 2109
New York, NY 10278-0090

U.S. Fish & Wildlife Service
Ecological Services
New Jersey Field Office
927 North Main Street, Building D
Pleasantville, NJ 08232

U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007-1866

Re: ES-05/NE 135

Richard Snay, Chief
Simon Monroe (N/NGS12)
Spatial Reference System Division
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282

U.S. Department of the Interior
National Park Service
Chief, Recreation Resources Assistance Division
1849 C Street, NW
Room 3129
Washington, DC 20240

Thomas M. Ryan, Chairman
Mercer County Planning Board
Mercer County Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068

State Conservationist
Natural Resources Conservation Service
220 Davidson Avenue, 4th Floor
Somerset, NJ 08873-4115

Bradley M. Campbell, Commissioner
NJ Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, NJ 08625-0402

New Jersey State Clearinghouse
State Review Process
Office of the Governor
P.O. Box 001
Trenton, NJ 08625-0001

Bob Korpanty
Department of Defense - MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

U.S. Department of the Interior
National Park Service
Chief, Land Resources Division
1849 C Street, NW
Room 3120
Washington, DC 20240

Dale Bosworth, Chief
USDA Forest Service
Sidney R. Yates Federal Building
1400 Independence Avenue, SW
Washington, DC 20250-0003

Kris Kolluri, Commissioner
New Jersey Department of Transportation
1035 Parkway Avenue
CN-600
Trenton, NJ 08625

D. C. Agrawal, Assistant Executive Director
Corporate Strategy, Policy, and Contracts
NJ TRANSIT
One Penn Plaza East
Newark, NJ 07105-2246

Donna M. Lewis, Planning Director
Mercer County Division of Planning
McDade Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068

Mary K. Caffrey, Township Administrator
Township of Washington
Mercer County Administration Office
1 Washington Boulevard, 2nd Floor, Suite 6
Robbinsville, NJ 08691

Regional Director
National Park Service – Northeast Region
U. S. Custom House
200 Chestnut Street, Fifth Floor
Philadelphia, PA 19106

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C. 20423

STB NO. AB 167 (SUB-NO. 1185X)

CONSOLIDATED RAIL CORPORATION – ABANDONMENT
EXEMPTION – IN MERCER COUNTY, NEW JERSEY

NOTICE OF EXEMPTION

1. Consolidated Rail Corporation (“Conrail”) hereby files its verified notice of exemption pursuant to 49 C.F.R. 1152.50 to abandon the line of railroad described below. A map showing the location of the line and more specifically describing the portion to be abandoned is attached hereto as Exhibit A.

Name: Robbinsville Industrial Track

Location: Mercer County, New Jersey

Description of Track: A portion of the Robbinsville Industrial Track between railroad milepost 32.20± and railroad milepost 37.90± in the Cities of Hamilton Township and Washington Township, Mercer County, New Jersey, which traverses United States Postal Service Zip Codes 08620 and 08520

Length of Track: 5.7 miles±

2. Conrail certifies that (a) no local or overhead traffic has moved over the line for at least two years, (b) any overhead traffic that has or could move over the line can be rerouted, and (c) no formal complaint filed by a user of rail service on the line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending before the Board or any United States District Court or has been decided in favor of a complainant within the last two years.

3. The proposed consummation date of the abandonment is August 14, 2006.
4. The exact name of the applicant is Consolidated Rail Corporation
5. Conrail is a common carrier by railroad subject to Subtitle IV, Part A, of Title 49, United States Code, and is not a part of any other railroad system.
6. The relief Conrail seeks is abandonment of the above-described line.
7. Applicant's representative to whom correspondence relating to this matter should be addressed is John K. Enright, Associate General Counsel, Consolidated Rail Corporation, 1000 Howard Boulevard, 4th Floor, Mt. Laurel, NJ 08054, Telephone (856) 231-7206.
8. Conrail is aware of no alternative public purpose for which the property is suitable.
9. Conrail acknowledges that the Board must require provisions for protection of the interests of employees as a condition of any abandonment and that it may not in the exercise of its exemption authority relieve a rail carrier from an obligation to protect the interests of employees. See 49 U.S.C. 10903(b)(2) and 10502(g), as amended. Conrail believes that the appropriate level of labor protection to be imposed is that contained in the conditions set forth in Oregon Short Line Railroad Company – Abandonment – Goshen, 360 I.C.C. 91 (1979).
10. Attached hereto as Exhibit B is an Environmental and Historic Report in conformance with 49 C.F.R. 1105.7 and 1105.8.
11. The undersigned counsel for Conrail certifies that (a) the notice requirements of 49 C.F.R. 1152.50(d)(1) have been complied with by the sending on May 9, 2006 of letters to the agencies and entities specified in 49 C.F.R. 1152.50(d)(1)

(copies of which are attached hereto); (b) the requirements of 49 C.F.R. 1105.7(b) and 49 C.F.R. 1105.11 have been fulfilled by the sending on March 28, 2006 of letters to the specified governmental agencies (copies of which are attached hereto), and the sending on May 9, 2006 of copies of the Environmental and Historic Report containing the information required in 49 C.F.R. 1105.7(e)(1) to the specified governmental agencies; (c) the requirements of 49 C.F.R. 1105.8(c) have been met by the sending on May 9, 2006 of a copy of the Environmental and Historic Report to the New Jersey State Historic Preservation Office; and (d) the requirements of 49 C.F.R. 1105.12 have been fulfilled by the publishing of a notice on May 11, 2006 in The Times, a newspaper of general circulation in Mercer County, New Jersey. An Affidavit of Publication and a copy of the text of this notice are attached hereto as Exhibit C.



JOHN K. ENRIGHT

Associate General Counsel
Consolidated Rail Corporation
1000 Howard Boulevard – 4th Floor
Mt. Laurel, NJ 08054
(856) 231-7206

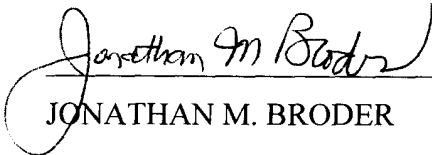
Attorney for Consolidated Rail Corporation

DATE: June 12, 2006

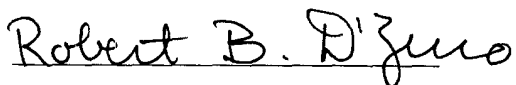
VERIFICATION

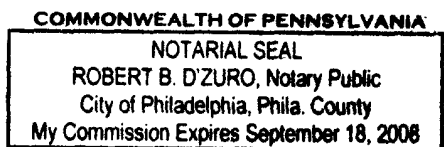
COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF PHILADELPHIA :

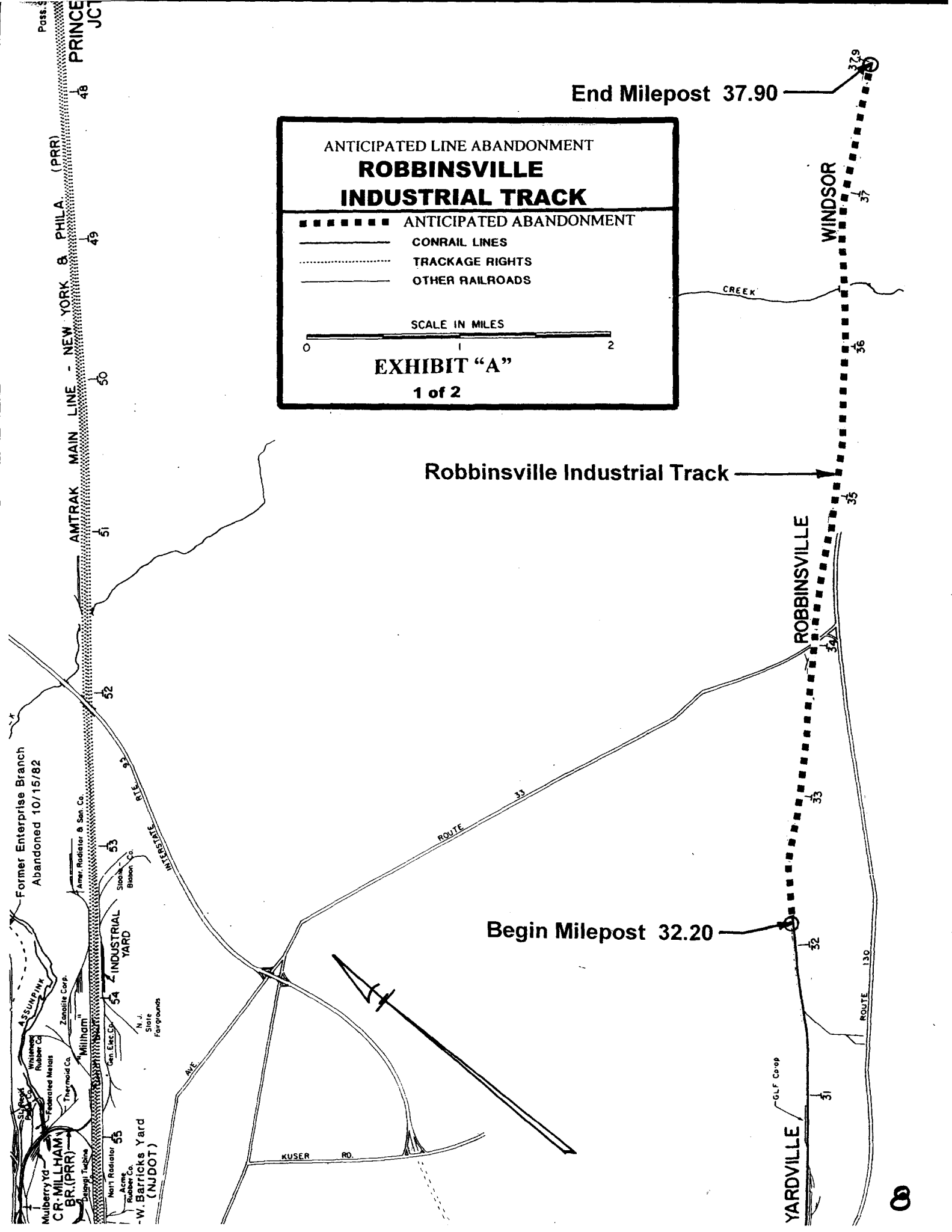
Jonathan M. Broder, being duly sworn, makes oath and says that he is Vice President – General Counsel and Corporate Secretary of Consolidated Rail Corporation, that he has been authorized by proper corporate action of Consolidated Rail Corporation to verify and file with the Surface Transportation Board the foregoing Notice of Exemption; that he has general knowledge of the facts and matters relied upon in such Notice; and that all representations set forth therein are true and correct to the best of his knowledge, information and belief.

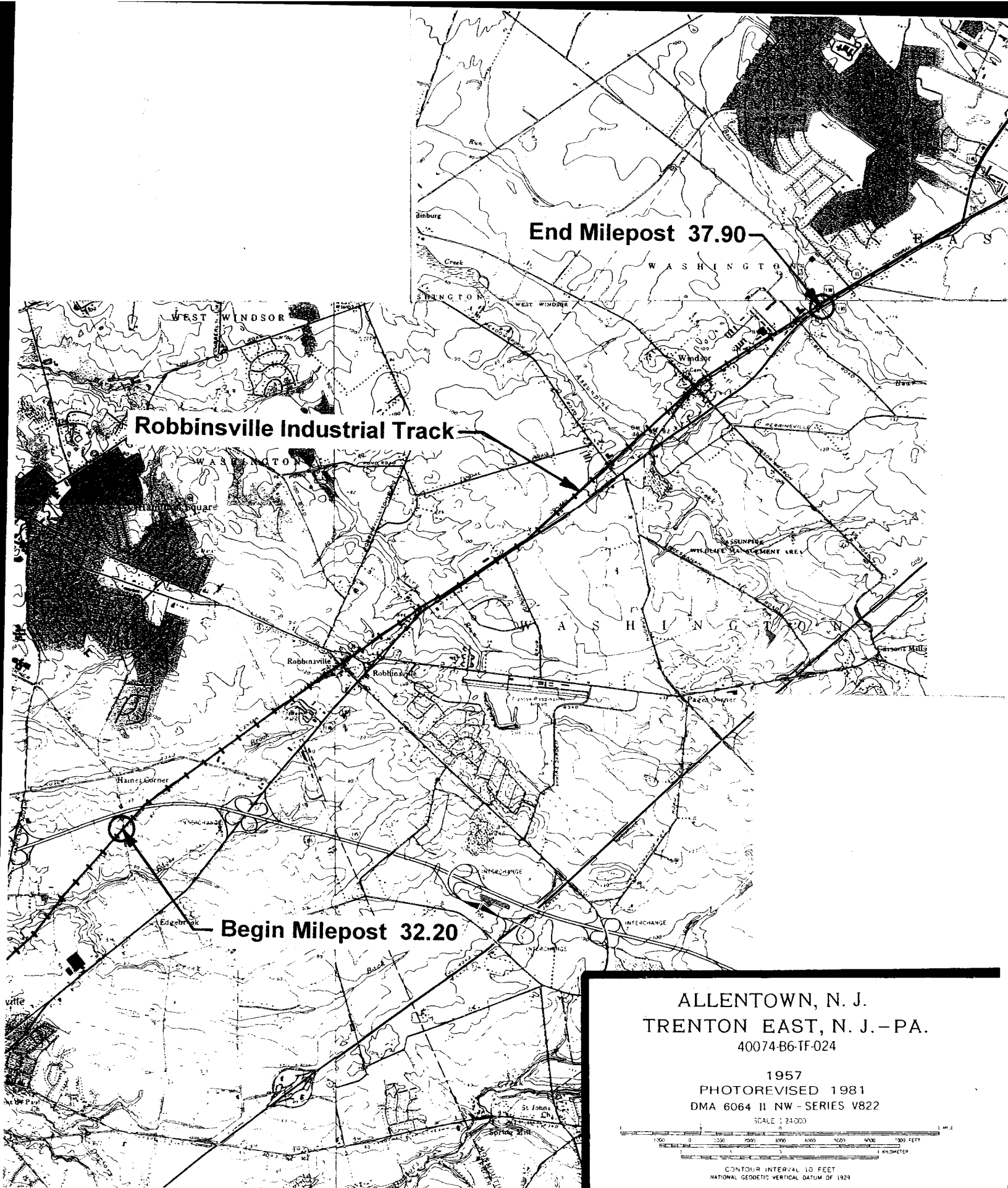

JONATHAN M. BRODER

Sworn To and Subscribed
Before Me This 12th Day
Of June, 2006


Notary Public

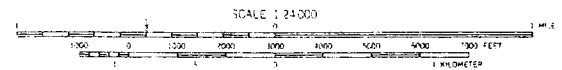






ALLENTOWN, N. J.
TRENTON EAST, N. J.-PA.
40074-B6-TF-024

1957
PHOTOREVISED 1981
DMA 6064 II NW - SERIES V822



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

EXHIBIT "A"

2 of 2

EXHIBIT B

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C. 20423

STB NO. AB 167 (SUB-NO. 1185X)

CONSOLIDATED RAIL CORPORATION – ABANDONMENT EXEMPTION – IN
MERCER COUNTY, NEW JERSEY

NOTICE OF EXEMPTION

ENVIRONMENTAL AND HISTORIC REPORT

Consolidated Rail Corporation ("Conrail") submits this Environmental and Historic Report in accordance with 49 C.F.R. §§ 1105.7 & 1105.8. Conrail has fulfilled the requirements of sections 1105.7 and 1105.8 that it consult specified public agencies by sending letters to such agencies and requesting comments on the effect of this action on the environment and on matters of historic preservation concern. Copies of the letters and all responses Conrail has received to date are attached to this Report. Any responses received in the future will be promptly furnished to the Board.

ENVIRONMENTAL

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.

1. The proposed action is abandonment of a portion of a line of railroad known as the Robbinsville Industrial Track, from approximately milepost 32.20± to approximately milepost 37.90±, in the cities of Hamilton Township and Washington Township, Mercer County, New Jersey, traversing United States Postal Service Zip Codes 08620 and 08520 (the "Line"). Conrail expects to file a Notice of Exemption to abandon this line on or about June 12, 2006. As the subject line has been out of service for more than two years, no commodities are transported on the line and no changes in current operations or maintenance practices will result from the proposed action. Conrail has no plans to dispose of the structures on the line; track, track material, and crossties are planned for removal. The only reasonable alternative is that of no action. A detailed map is attached as Exhibit "A".

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.

2. The subject line is out of service and is used for no freight or passenger service. Consequently, the proposed abandonment will have no effect upon regional or local transportation systems and patterns and will cause no diversion of passengers or freight to other transportation systems or modes.

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 the existing land use plans. Describe any inconsistencies. (ii) Based on consultation with the U.S. Soil Conservation Service,

state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9. (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. 10905 and explain why.

3. (i) Conrail is aware of no inconsistencies of the proposed action with existing land use plans. The Director of the Mercer County Executive and the Mercer County Division of Planning have been consulted in this regard. In its response dated April 20, 2006, the Mercer County Planning Division stated "Mercer County supports the abandonment of the portion of railroad known as the Robbinsville Industrial track. It is consistent with the County master plan. We are also interested in acquiring some portions as a 'rails-to-trails' component of our open space program." The Township of Washington ("Township") has also been consulted in this regard, and in its response dated April 17, 2006, the Township stated that "Conrail's plan to abandon the Robbinsville Industrial Track comes as welcome news in Washington Township, Mercer County....Washington Township supports Conrail's decision and pledges to work cooperatively on the transfer and/or sale of property to adjacent owners." The Township expressed two concerns in its response. First, that certain areas of track the Township identified be removed as soon as feasible and that Conrail work with the Township to have said area regraded, and second, that Conrail work with the Township to determine which areas of the proposed abandonment should revert to trails and which should be added to parcels for commercial development. Conrail hereby confirms that it will remove the area of track identified by the Township as soon as feasible once the Board grants authority to abandon the subject line, and that it will discuss with County and Township officials rails-to-trails issues. The National Geodetic Survey ("NGS") has also been consulted in this regard. In its e-mail response dated May 2, 2006, this agency stated "[a]pproximately 14 geodetic survey marks may be located in the area described. If the marks will be disturbed by the abandonment, NGS requests 90-day advance notice to attempt their formal relocation." Conrail does not anticipate that any geodetic survey marks will be disturbed by the proposed abandonment. In the event that any such geodetic survey marks have to be disturbed, Conrail will provide the requested 90-day notice to NGS.

(ii) The United States Soil Conservation Service, now renamed the Natural Resources Conservation Service ("NRCS"), has been consulted in this regard. Conrail wrote to this agency on March 28, 2006 to request that it comment on the proposed abandonment. Upon receipt of any response, Conrail will forward same to the Board.

(iii) The New Jersey Department of Environmental Protection ("NJDEP") - Office of Permit Coordination and Environmental Review, has been consulted in this regard. Conrail wrote to this agency on March 28, 2006 to request that it comment on the proposed abandonment. Upon receipt of any response, Conrail will forward same to the Board. The NJDEP - Office of Coastal Planning and Program Coordination, has also been consulted in this regard. Conrail wrote to this agency on March 28, 2006 to request that it comment on the proposed abandonment. Upon receipt of any response, Conrail will forward same to the Board.

(iv) Conrail is not aware of an alternative public use under 49 U.S.C. 10905 for which the right-of-way is suitable.

4. Energy. (i) Describe the effect of the proposed action on transportation of energy resources. (ii) Describe the effect of the proposed action on recyclable commodities. (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why. (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.

4. Because the subject line is out of service and has handled no local or overhead traffic during the last two years, the proposed abandonment will not affect transportation of energy resources or recyclable commodities, will not result in an increase or decrease in overall energy efficiency, and will cause no traffic diversion from rail to motor carriage.

5. Air. (i) If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (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 percent (measured by carload activity), or (C)

An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5) (i)(A) will apply. (ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act, and will result in either: (A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, (B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. (iii) If transportation of ozone depleting material is contemplated, identify the materials and quantity, the frequency of service, safety practices, the applicant's safety record 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.

5. Because the subject line is out of service and has handled no traffic within the past two years, the proposed abandonment will cause no increase or decrease in rail or motor carrier traffic and will have no impact upon air quality. The proposed action will not affect the transportation of ozone depleting material.

6. Noise. If any of the thresholds identified in Item (5) are surpassed, will the proposed action 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 affected area, and quantify the noise increase for these receptors if the thresholds are surpassed.

6. Inapplicable because none of the thresholds identified in Item (5) is surpassed.

7. Safety. (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade 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. (iii) If there are any known hazardous

waste site or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

7. (i) Because the subject line is out of service and has handled no traffic within the past two years, public health and safety will not be affected by the proposed action.

(ii) No hazardous materials will be transported as a result of the proposed abandonment.

(iii) Conrail is aware of no hazardous waste sites or hazardous materials spills on the right-of-way.

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. (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

8. (i) Conrail is aware of no endangered species or area designated as a critical habitat likely to be adversely affected by the proposed abandonment. The United States Fish and Wildlife Service has been consulted in this regard. In its response dated April 7, 2006, this agency stated "[e]xcept for an occasional transient bald eagle (*Haliaeetus leucocephalus*), no other federally listed or proposed endangered or threatened flora or fauna under Service jurisdiction are known to occur within the vicinity of the proposed project site. Therefore, no further consultation pursuant to Section 7 of the Endangered Species Act is required by the Service." The National Park Service has also been consulted in this regard. Conrail wrote to this agency on March 28, 2006, to request that it comment on the proposed abandonment. Any comment received from the Park Service will be promptly forwarded to the Board.

(ii) Conrail is aware of no wildlife sanctuary or refuge or National or State park or forest likely to be adversely affected by the proposed abandonment. The United States Fish and Wildlife Service, in its response of April 7, 2006, identified no such areas within the vicinity of the line. The National Park Service has also been consulted in this regard. Conrail wrote to this agency on March 28, 2006, to request that

it comment on the proposed abandonment. Upon receipt of any response, Conrail will forward same to the Board.

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 (usually applicable only in the context of rail line construction application and abandonments that will require in-stream salvage operations), and describe any inconsistencies. (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 and whether any designated wetlands or 100-year flood plains will be affected, and describe any effects. (iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.

9. (i) No in-stream salvage operations will be required, and Conrail is aware of no inconsistency of the proposed action with applicable federal, state, and local water quality standards. The New Jersey Department of Environmental Protection ("NJDEP") has been consulted in this regard. Conrail wrote to this agency on March 28, 2006 to request that it comment on the proposed abandonment. Upon receipt of any response, Conrail will forward same to the Board.

(ii) The proposed abandonment contemplates only removal of the rail, track material, and cross ties, and no clearing, grading, or alteration of the topography will result from the abandonment. No dredging or discharge of dredge or fill materials into navigable waters will be involved, and therefore no permits will be required under Section 404 of the Clean Water Act (33 U.S.C. 1344). The proposed abandonment will have no effect upon designated wetlands or 100-year flood plains. The U.S. Army Corps of Engineers ("Corps") has been consulted in this regard. Conrail wrote to this agency on March 28, 2006 to request that it comment on the proposed abandonment. Upon receipt of any response, Conrail will forward same to the Board.

(iii) The abandonment will not result in the discharge of any pollutant which would require a permit under Section 402 of the Clean Water Act (33 U.S.C. 1342). The question of permitting in New Jersey under Section 402 has been delegated to the NJDEP. Conrail wrote to this agency on March 28, 2006, to request that it comment on the proposed abandonment. Upon receipt of any response, Conrail will forward same to the Board. The U.S. Environmental Protection Agency has also been consulted in this

regard. Conrail wrote to this agency on March 28, 2006, to request that it comment on the proposed abandonment. Upon receipt of any response, Conrail will forward same to the Board.

10. Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

10. Inapplicable, in that there are no adverse environmental impacts.

HISTORIC

Pursuant to 49 C.F.R. § 1105.8, Conrail provides the following report on specified historic matters.

Proposed Action and Alternatives.

The proposed action and alternatives are described in Item 1 of the Environmental section of this report.

1. Map. Attach 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.

1. A map of the subject line is attached as Exhibit "A".

2. Description of Right-of-Way. A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area.

2. The right-of-way proposed for abandonment is located in cities of Hamilton Township and Washington Township, Mercer County, New Jersey, traversing United States Postal Service Zip Codes 08620 and 08520. It extends from approximately milepost 32.20± to milepost 37.90±. The right-of-way varies between 50 and 100 feet wide throughout the line. The topography of the surrounding area is flat, as shown on the topographic map as Exhibit "A". The track is located in a suburban residential/industrial area.

3. Photographs. Good quality photographs of railroad structures on the property that are 50 years old or older and of the immediately surrounding area.

3. Inapplicable, as there are no railroad structures or bridges located along this line segment.

4. Construction Dates. The date(s) of construction of the structure(s), and the date(s) and extent of any major alteration, to the extent such information is known.

4. Inapplicable, as there are no railroad structures or bridges located along this line segment.

5. Carrier Operations. 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.

5. The subject line was used for rail freight operations. However, the line is out of service and has handled no traffic within the past two years. Accordingly, no change in operations is contemplated as a result of the proposed action.

6. Summary of Documents. 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.

6. Inapplicable, as there are no railroad structures or bridges located along this line segment.

7. Opinion regarding historical matters. 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 consultation with the State Historic Preservation Office, local historical societies or universities).

7. Since Conrail served the Environmental and Historic Report to the required agencies on May 9, 2006, Conrail has received a copy of the May 25, 2006 letter from the New Jersey Department of Environmental Protection – Office of Permit Coordination to the STB's Section of Environmental Analysis offering the comments of

the NJDEP's Historic Preservation Office ("HPO") (attachments referenced in the HPO's letter are voluminous and have already been provided by the HPO to the STB's Section of Environmental Analysis and are therefore not attached to this Report; Conrail will provide copies of said attachments to any party upon request). The HPO indicates that the Line is located within the Camden and Amboy Railroad Historic District ("C&ARHD") which is eligible for listing in the National Register of Historic Places ("NRHP") and that "the adverse effects of the proposed abandonment of five miles of the surviving Camden and Amboy Railroad Historic District must be evaluated and acknowledged within a cumulative adverse effects (impacts) context." Conrail understands that the C&ARHD has been impacted by other actions and circumstances over the last several years as identified in the HPO's response, such as the River Line light rail system and certain bridge projects. Conrail does not believe that those other events should preclude the abandonment of the Line and the removal of any and all rails and ties on the Line. Indeed, the "Memorandum of Agreement Between the Federal Highway Administration and the New Jersey State Historic Preservation Officer Regarding the Route 33 Bridge" over the Line that is attached to the HPO's response states on page 3, Item 2: "The NJDOT shall maintain the physical, functional, operational, and visual integrity of the Camden and Amboy Railroad Main Line Historic District. Within the project limits the existing railroad grade and tracks shall remain unbroken and unobstructed, unless the rail line receives approval for official abandonment from the Surface Transportation Board" (emphasis added). Accordingly, removal of the rails and ties is contemplated by the HPO or is at least viewed as not inconsistent with the historic district at issue. Further, the Line occupies 5.7 miles of a rail corridor that has not been contiguous for several years. For example, as the HPO noted in its response, a 1.25 mile segment of the corridor was abandoned in 1965 and the rails and ties were removed. There are no historic structures or facilities on the Line. The rails and ties are of a fairly recent vintage and also hold no historic value. Further it should be noted that a portion of the Line abuts Route 130 and is an impediment to properties bordering said highway in those areas. Another section of the Line traverses the proposed Windsor Historic District and perhaps a trail would be a suitable use of the corridor at that location, with markers noting that a portion of the Camden and Amboy

Railroad system once occupied the trail. Other portions of the Line abut commercial businesses and, therefore, preserving the Line in such locations would not serve any historic or aesthetic purpose. In sum, Conrail urges the Board not to place as an historic condition preservation of the entire Line, especially since the diversity of topography and zoning surrounding the Line argues against any blanket historic condition. Conrail is also of the opinion that there is not a likelihood of archeological resources or any other previously unknown historic properties on the subject Line. The bases for this opinion are the absence of any document in Conrail's possession indicating that there is a likelihood that archeological resources or historic properties (other than the above-discussed C&ARHD) exist on the Line, and on-site inspection of the subject Line conducted by Conrail field engineers in April 2005 and again in March 2006.

8. Description of certain matters. A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental condition (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy condition or the presence of toxic wastes), and the surrounding terrain.

8. Based on readily available information in its possession, Conrail is aware of no prior subsurface ground disturbance or fill or environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources. The New Jersey State Historic Preservation Office has been consulted in this regard, and in its response dated May 25, 2006, the HPO did not identify any conditions that might affect the archeological recovery of resources and the surrounding terrain.



COUNTY OF MERCER

DIVISION OF PLANNING

McDade Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068
Phone (609) 989-6545 Fax (609) 989-6546

BRIAN M. HUGHES

County Executive

KELVIN S. GANGES

Chief of Staff

DONNA M. LEWIS

Director

ANDREW MAIR

County Administrator

April 20, 2006

John K. Enright, Esq.
Associate General Counsel
Conrail
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Dear Mr. Enright:

Mercer County supports the abandonment of the portion of railroad known as the Robbinsville Industrial Track. It is consistent with the County master plan.

We are also interested in acquiring some portions as a "rails to trails" component of our open space program. Our specific interest is the segment in Washington Township between Bear Brook and the Assunpink Creek. In the coming weeks, we will analyze the entire segment to determine if there are other pieces appropriate for open space preservation.

Kindly contact me at 609-989-6545 when it is appropriate to discuss acquisition.

It was a pleasure speaking with you after all these years!

Sincerely,

A handwritten signature in cursive script, appearing to read "Donna".

Donna M. Lewis
Planning Director

DML:dlf

THE TOWNSHIP OF WASHINGTON

MERCER COUNTY

ADMINISTRATION OFFICE

1 Washington Boulevard, 2nd Floor, Suite 6

Robbinsville, New Jersey 08691

Telephone (609)918-0002 Fax (609)918-1442

Mayor

David Fried

Council President

Sonja R. Walter

Council Vice President

Larry Schneider

Township Council

David L. Boyne

Ronda C. Hyams

William Lesniak

Township Administrator

Mary K. Caffrey

Township Clerk

Michele Auletta

April 17, 2006

Mr. John K. Enright
Associate General Counsel, Conrail
1000 Howard Boulevard, 4th floor
Mount Laurel, N.J. 08054

RE: Robbinsville Industrial Track
STB No. 167 (Sub-No.1185X)

Dear Mr. Enright,

Conrail's plan to abandon the Robbinsville Industrial Track comes as welcome news in Washington Township, Mercer County. The rail line has long been an impediment to economic development along the southbound side of U.S. Route 130, a main artery through our township.

Washington Township supports Conrail's decision and pledges to work cooperatively on the transfer and/or sale of property to adjacent owners. As we discussed, Washington Township plans to pursue an area in need of redevelopment designation for portions of Route 130, and Conrail will be contacted during that process. It would be beneficial if any property along the rail line in the redevelopment area were transferred directly to a redeveloper, rather than a third party.

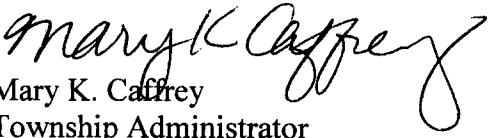
The township has two immediate concerns. First, the township has received numerous complaints from residents in the Village of Windsor regarding standing water, overgrown brush and mosquitoes due to lack of maintenance on the rail line. For health reasons, the township requests that this area of track be removed as soon as feasible, and that the township work with Conrail to have this area regraded. If abandonment is to be delayed for any reason, the township requests assistance in making improvements to address health concerns.

Second, there has been some discussion of pursuing a "rails to trails" program in Washington Township. While some portions of the Robbinsville Industrial Track

would function well as trails, other areas that adjoin Route 130 are clearly not appropriate for this use. The township would like to work with Conrail to determine which areas should revert to trails and which should be added to parcels for commercial development.

I look forward to working with you as the abandonment application proceeds.

Sincerely,


Mary K. Caffrey
Township Administrator

CC: Mayor David Fried
Township Council
Planning Board
Mark Roselli, Esq., Township Attorney
Jonathan Gross, Economic Development Coordinator
Donna Lewis, Mercer County Director of Planning

D'Zuro, Robert

From: Enright, John
Sent: Tuesday, May 02, 2006 1:02 PM
To: D'Zuro, Robert
Subject: FW: [Fwd: [Fwd: NGS Response, STB docket AB-167 (SUB NO. 1185X)]]

-----Original Message-----

From: Simon Monroe [mailto:Simon.Monroe@noaa.gov]
Sent: Tuesday, May 02, 2006 12:10 PM
To: Enright, John
Cc: Surface Transportation Board; National Society of Professional Surveyors; Warren.Payton@noaa.gov; Gilbert Mitchell
Subject: [Fwd: [Fwd: NGS Response, STB docket AB-167 (SUB NO. 1185X)]]

Thank you for sharing your railroad abandonment environmental report for Robbinsville, Mercer County, NEW JERSEY.

Approximately 14 geodetic survey marks may be located in the area described. If marks will be disturbed by the abandonment, NGS requests 90-day advance notice to attempt their formal relocation. These marks are described on the attached file. Additional advice is provided at <http://geodesy.noaa.gov/marks/railroads/>

|Dist|PID...|H V|Vert_Source|Approx.|Approx..|Stab|Designation

|----|-----| - |-----|-----|-----|----|-----

|....|KV1131|. 1|88/ADJUSTED|N401317|W0743648|D...|L 74

|....|KV1132|. 1|88/ADJUSTED|N401241|W0743733|C...|M 74

|....|KV5902|B 1|88/ADJUSTED|N401252|W0743634|B...|ROBBINSVILLE PRIMARY
PAIR 1

|....|KV1129|. 1|88/ADJUSTED|N401419|W0743457|B...|J 74

|....|KV3531|. 3|29/RESET...|N401419|W0743457|D...|J 74 RESET 1978

|....|KV1130|1 1|88/ADJUSTED|N401352|W0743545|C...|K 74

|....|KV6931|1 .|88/GPS OBS.|N401524|W0743302|C...|11 N 2

|....|KV1127|. 1|88/ADJUSTED|N401525|W0743258|B...|F 74

|....|KV1128|. 1|88/ADJUSTED|N401457|W0743400|D...|H 74

|....|KV6934|1 .|88/GPS OBS.|N401539|W0743205|C...|11 R 2

|....|KV5495|2 .|88/H LEVEL.|N401616|W0743204|C...|156

|....|KV1125|. 1|88/ADJUSTED|N401638|W0743205|B...|D 74

|....|KV5497|2 3|88/LEVELING|N401616|W0743202|C...|NJ 156 ECC

|....|KV6947|1 .|88/GPS OBS.|N401615|W0743202|D...|NJ 156 ECC RM 1



United States Department of the Interior
FISH AND WILDLIFE SERVICE



New Jersey Field Office
Ecological Service
927 North Main Street, Building D
Pleasantville, New Jersey 08232
Tel: 609-646-9310
Fax: 609-646-0352
<http://njfieldoffice.fws.gov>

IN REPLY REFER TO:
ES-05/NE 135

Conrail

APR 07 2006

Mt. Laurel, NJ

Attn: John K. Enright

Fax number: _____

Threatened and endangered species review for:

Project identification: Robbinsville Industrial Track abandonment

MP 32.20 - MP 37.90 STB No. 167

Township: Hamilton
Washington County: Mercer, New Jersey

The U.S. Fish and Wildlife Service (Service) has reviewed the above-referenced proposed project pursuant to Section 7 of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA) to ensure the protection of federally listed endangered and threatened species. The following comments do not address all Service concerns for fish and wildlife resources and do not preclude separate review and comment by the Service as afforded by other applicable environmental legislation.

Except for an occasional transient bald eagle (*Haliaeetus leucocephalus*), no other federally listed or proposed endangered or threatened flora or fauna under Service jurisdiction are known to occur within the vicinity of the proposed project site. Therefore, no further consultation pursuant to Section 7 of the Endangered Species Act is required by the Service. This determination is based on the best available information. If additional information on federally listed species becomes available, or if project plans change, this determination may be reconsidered.

Please refer to this office's web site at <http://www.fws.gov/northeast/njfieldoffice/Endangered/eslist.htm> for a current list of federally listed species or candidate species in New Jersey. Candidate species are species under consideration by the Service for federal listing. Although candidate species receive no substantive or procedural protection under the ESA, the Service encourages you to consider candidate species in project planning. The above web site also provides contacts for obtaining the most up-to-date information on federal candidate species and State-listed plant species in New Jersey from the New Jersey Natural Heritage Program and information on State-listed wildlife species from the New Jersey Endangered and Nongame Species Program. If information from either of these sources reveals the presence of any federal candidate species within your project area, the Service should be contacted at the above address immediately to ensure that these species are not adversely affected by project activities.

Authorizing Supervisor: _____



JON S. CORZINE
Governor

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Environmental Regulation
Office of Permit Coordination and Environmental Review
401 East State Street
P.O. Box 423
Trenton, New Jersey 08625-0423
Phone: (609) 292-3600 Fax: (609) 777-1330

LISA P. JACKSON
Commissioner

May 25, 2006

Section of Environmental Analysis
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

Re: **Docket No. AB 167 (Sub-No. 1185X)**
Consolidated Rail Corporation – Abandonment
Exemption in Mercer County, New Jersey

Dear Sir:

The Office of Permit Coordination and Environmental Review of the New Jersey Department of Environmental Protection (NJDEP) has completed its review of the Consolidated Rail Corporation's Notice of Exemption with the Surface Transportation Board seeking authority to abandon a portion of a railroad line. The railroad line is known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.9 in the cities of Hamilton Township and Washington Township, Mercer County, New Jersey. We offer the following comments from the NJDEP's Historic Preservation Office (HPO) for your consideration.

The Robbinsville Industrial Track, currently owned by Conrail, is a segment of the original Camden and Amboy (subsequently Pennsylvania) Railroad right of way, the first railroad constructed in New Jersey. Consultation pursuant to Section 106 of the National Historic Preservation Act, dating as far back as 1975, has acknowledged and emphasized the **state and national significance** of the former Camden and Amboy Railroad right of way. This consultation has also acknowledged that the **Camden and Amboy Railroad Historic District (C&ARHD)**, extending from the Raritan River at South Amboy, Middlesex County to the City of Camden, Camden County, **is eligible for listing in the National Register of Historic Places (NRHP)**. The period of significance of this historic district is from 1831 to 1965, when an approximately 1.25 mile section of the railroad in the Borough of Hightstown and the Township of East Windsor was officially abandoned and the tracks were removed. The

significance of the Camden and Amboy Railroad Historic District has been recognized in the documentation prepared for numerous previously reviewed New Jersey Transit (and Federal Transit Administration) and New Jersey Department of Transportation (and Federal Highway Administration) projects and United States Army Corps of Engineers and United States Coast Guard permits.

The historic significance of the Camden and Amboy Railroad in the Washington Township and Hamilton Township area was extensively described in the ***Cultural Resource Survey for U.S. Route 130 and N.J. Route 33 (Hamilton, Washington, and East Windsor Townships)*** prepared for the Federal Highway Administration in 1983 (selected portions attached). The historic significance of the entire Camden and Amboy Railroad right of way was very specifically highlighted with the July 2001 completion of the New Jersey Department of Transportation funded historic corridor management study entitled: ***Camden and Amboy Railroad Historic Districts Study, Volume 1 and Volume 2***. The goal of the study was to establish a framework for future cultural resource management and preservation of the Camden and Amboy Railroad Historic District.

The ***Study*** included a ***Mitigation Strategies*** section that noted that the railroad was "...a resource of national significance that linked two major metropolitan areas of nineteenth century America - New York and Philadelphia - as well as a significant technological accomplishment..."

The ***Camden and Amboy Railroad Historic Districts Study*** surveyed the railroad right of way and identified railroad and railroad related buildings, structures, and objects that are associated with and contribute to the historic character, significance, and integrity of the Camden and Amboy Railroad Historic District. The portion of the study relating to the Robbinsville Industrial Track is attached. A number of significant bridges and buildings are identified and described.

The recent consultation among the Federal Highway Administration (FHWA), New Jersey Department of Transportation (NJDOT), and the Historic Preservation Office for the replacement of the Route 33 Bridge over the Robbinsville Industrial Track in Washington Township produced an NJDOT commitment to construct an at-grade crossing (roadway at the level of the existing railroad tracks) and to "maintain the physical, functional, operational, and visual integrity of the Camden and Amboy [Pennsylvania] Railroad Historic District." The NJDOT pledged that within the project limits the existing Robbinsville Industrial Track railroad grade and tracks would remain unbroken and unobstructed. The letters associated with this decision are attached.

Another state funded transportation project affecting the Robbinsville Industrial Track segment of the Camden and Amboy Railroad Historic District has been designed to avoid adverse effects to the historic district. For the crossing of

the Robbinsville Industrial Track by the Route 33 Bypass of the Washington Town Center, the NJDOT, as another tangible example of implementing the goals and recommendations of the ***Camden and Amboy Railroad Historic Districts Study***, also committed to designing and constructing a roadway that would:

- maintain the unbroken and unobstructed linear character of the railroad, the right of way, and the historic district;
- maintain the existing railroad grade and cross the railroad at the vertical elevation of the top of the existing railhead; and
- ensure that the existing railroad track shall remain functionally operational (whether currently in service or not).

A copy of the consultation letter for this project is enclosed to fully document the inter-agency effort to preserve the physical, functional, operational, and visual integrity of the historic railroad right of way.

The following four Memoranda of Agreements (copy attached) document the previous commitment of federal and State agencies to preserve the historic character and integrity of the railroad right of way and avoid, minimize and mitigate adverse effects to the Camden and Amboy Railroad Historic District:

- Route 33 Bridge over Conrail Robbinsville Industrial Track (Washington Township, Mercer County);
- Southern New Jersey Light Rail Transit System (Mercer, Burlington, and Camden Counties);
- South Amboy Ferry Terminal (South Amboy, Middlesex County); and
- Conrail Bridge over Ernston Road (Sayreville, Middlesex County).

Finally, the **Windsor Historic District** (Washington Township, Mercer County) nomination form (copy attached) for the National Register of Historic Places also documents the critical relationship between the Camden and Amboy Railroad and this New Jersey and National Registers of Historic Places listed historic district.

Because a number of federally funded or permitted projects, including the New Jersey Transit Southern New Jersey Light Rail Transit System, the proposed replacements of the Ernston Road Bridge in Sayreville and the railroad bridge over Main Street and New Jersey Transit in South Amboy, and the construction of the South Amboy Ferry Terminal, have had or are expected to have adverse effects on the Camden and Amboy Railroad Historic District, the adverse effects of the proposed abandonment of five miles of the surviving Camden and Amboy Railroad Historic District must be evaluated and acknowledged within a cumulative adverse effects (impacts) context.

Should you have any questions regarding these comments, please contact Charles Scott of the HPO at (609) 633-2396.

Thank you for the opportunity to review the Notice.

Sincerely,



Kenneth C. Koschek
Supervising Environmental Specialist
Office of Permit Coordination
and Environmental Review

Attachments

C: John K. Enright, Conrail

**MEMORANDUM OF AGREEMENT
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION AND
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER
REGARDING THE ROUTE 33 BRIDGE (STRUCTURE NO. 1113-150) OVER CONRAIL
WASHINGTON TOWNSHIP, MERCER COUNTY, NEW JERSEY**

WHEREAS, the New Jersey Department of Transportation (NJDOT) proposes to replace the Route 33 Bridge (Structure No. 1113-150) and realign Route 33 between Route 130 and County Route 526 in the Township of Washington, Mercer County, using funds provided by the Federal Highway Administration; and

WHEREAS, the FHWA, the New Jersey State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (Council), and the NJDOT executed a Programmatic Agreement in November of 1996 which stipulates how FHWA's Section 106 responsibilities for NJDOT-administered federal aid projects will be satisfied; and

WHEREAS, in accordance with that agreement, the NJDOT has consulted with the State Historic Preservation Officer (SHPO) in order to determine the area of potential effect (APE), to identify significant National Register eligible and listed properties, and to assess the effects of the project on both eligible and listed properties within the APE pursuant to the requirements of 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, consultation has resulted in agreement that the following properties are eligible for inclusion in the National Register of Historic Places:

- Camden and Amboy Railroad Main Line Historic District (SHPO Opinion: 07/12/91)
- Union School; and

WHEREAS, the consultation has resulted in the determination that the Route 33 Bridge (Structure No. 1113-150) is a contributing feature of the Camden and Amboy Railroad Main Line Historic District; and

WHEREAS, the FHWA has determined that the construction of this project as proposed will have no adverse effect to the Union School; and

WHEREAS, the FHWA has determined that the construction of this project as proposed will have an adverse effect upon the Camden and Amboy Railroad Main Line Historic District via the removal of a contributing feature of the Historic District; and

WHEREAS, the bridge was marketed as required by § 123(f) of the Surface Transportation and Uniform Relocation Assistance Act or STURAA (Public Law 100-17) through the offer of the bridge to potential recipients; and

WHEREAS, as a result of the STURAA marketing process no one elected to take ownership of the bridge; and

WHEREAS, the NJDOT and FHWA have considered alternatives to avoid or minimize the adverse effects and found that they are not feasible; and

WHEREAS, the FHWA has consulted with the NJDOT, the SHPO, Washington Township, Mercer County and members of the public to develop a plan to mitigate the adverse effects and received comments from only the SHPO; and

WHEREAS, the NJDOT has solicited comments from the Washington Township Planning Board Historic Preservation Subcommittee; the Friends of Washington Township; the Mercer County

Cultural and Heritage Commission; the Camden and Amboy Railroad Historical Society; the West Jersey Chapter of the National Railway Historical Society; and the Mercer County Public Library Washington Branch; and received comments from no one or organization; and

WHEREAS, a Public Information Center was held on July 25, 2002 and on April 12, 2005 to solicit comment from the public and no cultural resources issues were raised nor comments pertinent to cultural resources issues were made by the attendees; and

WHEREAS, the NJDOT has participated in the consultation process and has been invited to concur with the MOA; and

WHEREAS, the Advisory Council was notified of the adverse effect on September 7, 2005 and declined to participate in the consultation process;

NOW, THEREFORE the FHWA and the NJ SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic processes in a timely manner and with adequate resources in compliance with the National Historic Preservation Act of 1966 (16 USC 470).

STIPULATIONS

The FHWA will ensure that the following measures are carried out:

1. Recordation

The NJDOT shall record the Route 33 Bridge over CONRAIL (**Camden and Amboy Railroad Main Line Historic District**) and its setting consistent with Historic American Engineering Record (HAER) / Historic American Buildings Survey (HABS) quality standards, however, the specific scope, format, quality, and content of the written and photographic documentation shall be determined through consultation between the NJDOT and SHPO.

The recordation will compile and present information from primary and secondary sources relevant to understanding and illustrating the historic relationship(s) among the Village of Robbinsville in proximity to the railroad tracks, the roadway and overhead bridge crossing of the railroad, and the architecture, engineering, and operations of the Pennsylvania Railroad at this point along the **Camden and Amboy Railroad Main Line Historic District**. Primary and secondary resources to be used in this effort shall include local histories, historic maps, historic engineering literature (for example Engineering News-Record, Railway Age, and Railway Gazette), State Highway Commission documents, any available Pennsylvania Railroad drawings, documents, and reports, and other archival material, for example New Jersey Department of Treasury and Interstate Commerce Commission valuation records.

A goal of the recordation should be an understanding of why the Route 33 Bridge was built using the chosen structural and architectural elements and how both the physical environment (setting) and railroad and roadway operations may have influenced the location of the bridge and the engineering and architectural design employed.

As part of this recordation, NJDOT, in consultation with the SHPO, shall actively solicit from the public and obtain from other accessible archival sources, printed, graphic, and photographic information regarding the Route 33 Bridge and the resources contributing to the **Camden and Amboy Railroad Main Line Historic District** in the immediate vicinity of the bridge (particularly the surviving wooden freight station). The compiled information will be evaluated and (as deemed appropriate during consultation) archivally duplicated as part of the recordation document. NJDOT will also, in accordance with archival standards and in consultation with the SHPO, photo-duplicate selected plans for the bridge (if available) and any photographs or other documents in the NJDOT files related to the Route 33 Bridge.

The SHPO shall receive a draft copy of the recordation document for review and comment. Completion of the photographic recordation will occur within two (2) months of letting the construction contract and prior to the initiation of any demolition or construction activity. Completion of all other elements of the recordation will occur within one (1) year of letting the construction contract.

Copies of the recordation documentation will be provided to the New Jersey SHPO, the Rutgers University Special Collections Library, Washington Township Planning Board Historic Preservation Subcommittee (or Washington Township Branch of the Mercer County Library), the Pennsylvania Railroad Technical and Historical Society, and local archives, as appropriate. The SHPO and Rutgers University copies will be archivally stable.

2. Railroad Character

The NJDOT shall maintain the physical, functional, operational, and visual integrity of the **Camden and Amboy Railroad Main Line Historic District**. Within the project limits the existing railroad grade and tracks shall remain unbroken and unobstructed, unless the rail line receives approval for official abandonment from the Surface Transportation Board.

3. Historic Markers

Interpretive signage for both the vehicular user of the roadway and the user of any abutting or adjacent right of way or pedestrian path shall be developed, installed, and maintained. The size, content, and format of this signage shall be developed in consultation with the HPO. The type of color enamel interpretive signs being developed for the New Jersey Transit's Southern New Jersey Light Rail Transit System will be used as a template. The signage will be worded to describe the railroad history within the Village of Robbinsville.

4. Architectural Treatment for Retaining Wall

All concrete will be tinted in a color agreed to by the consulting parties and conforming to Federal Standard 595B. Consultation shall be undertaken to determine the appropriate character, texture, and surface treatment of the retaining wall.

5. Project Implementation

Consulting parties shall have an opportunity to review project Plans and Specifications for structure engineering and architectural design and the informational signage germane to the history of the railroad in the Village of Robbinsville. The consulting parties agree to respond to any submission within 30 calendar days of receipt.

ADMINISTRATIVE CONDITIONS

1. Professional Qualifications

The FHWA shall ensure that work carried out pursuant to Stipulation 1 of this agreement will be carried out in accordance with the "Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation" (48 FR 44730-44734) and by or under the direct supervision of a person or persons meeting at a minimum the "Secretary of the Interior's Professional Qualifications and Standards" (48 FR 44738-9).

2. Design Changes

If any *major* changes from the proposed Route 33 over Conrail bridge (Structure No. 1113-150) replacement design are proposed, the FHWA shall consult with the NJ SHPO in accordance with 36 CFR Part 800.

3. Dispute Resolution

Should the NJ SHPO object within 30 days to any plans provided for review pursuant to this agreement, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall request the further comments of the Council pursuant to 36 CFR 800.6(b). Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR 800.6(c)(2) with reference only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this agreement that are not the subjects of the dispute will remain unchanged.

4. Project Completion

Work required by Stipulations 2, 3, and 4 will be completed during construction.

NJDOT shall submit a short narrative report with the appropriate illustrations demonstrating satisfaction of all of the requirements of this agreement to the State Historic Preservation Officer within 90 days of completion of construction.

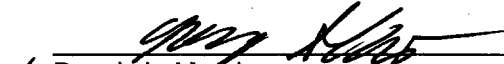
5. Review of Implementation

This agreement shall become null and void if construction is not initiated within five years from the date of execution unless the signatories agree in writing to an extension. If, after five years without action, the FHWA chooses to continue with the undertaking, it shall reinstate its review in accordance with the provisions of 36 CFR Part 800.

Execution of this Memorandum of Agreement by the FHWA and the NJ SHPO and the implementation of its terms, evidence that the FHWA has afforded the Council an opportunity to comment on the Route 33 over Conrail bridge (Structure No. 1113-150) replacement project and its effects on historic properties, and that the FHWA has taken into account the effects of the undertaking on historic properties.

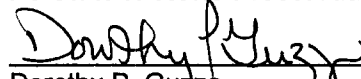
SIGNATORIES

Federal Highway Administration


✱ Dennis L. Merida
Division Administrator, NJ Division Office

Date: 9/21/05

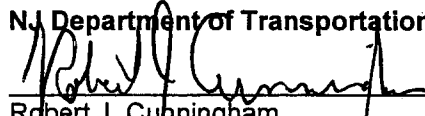
NJ State Historic Preservation Officer


Dorothy P. Guzzo
Deputy State Historic Preservation Office

Date: 9/16/05

INVITED SIGNATORY

NJ Department of Transportation


Robert J. Cunningham
Director, Division of Environmental Resources

Date: 9/19/05

CONRAIL®



March 28, 2006

Bradley M. Campbell, Commissioner
State Historic Preservation Office
Department of Environmental Protection
401 East State Street, P. O. Box 404
Trenton, NJ 08625-0404

Dear Mr. Campbell:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** A requirement for this filing is the consultation of the State Historic Preservation Office.

Enclosed is a copy of a portion of a U.S.G.S. quadrangle map delineating the area being considered. There are no railroad buildings along this line. The subject line contains no undergrade bridges that our records indicate are greater than 50 years old and are the maintenance responsibility of the railroad.

It is Conrail's position that none of the characteristics of this line hold any special historical or engineering significance. The line traverses suburban residential/commercial/industrial areas with a flat topography. There is no record of any subsurface ground disturbance or fill. There are no known environmental conditions that might affect archeological recovery. The abandonment will only involve removal of the rail, track material and crossties.

Please forward any comments you may have regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206.

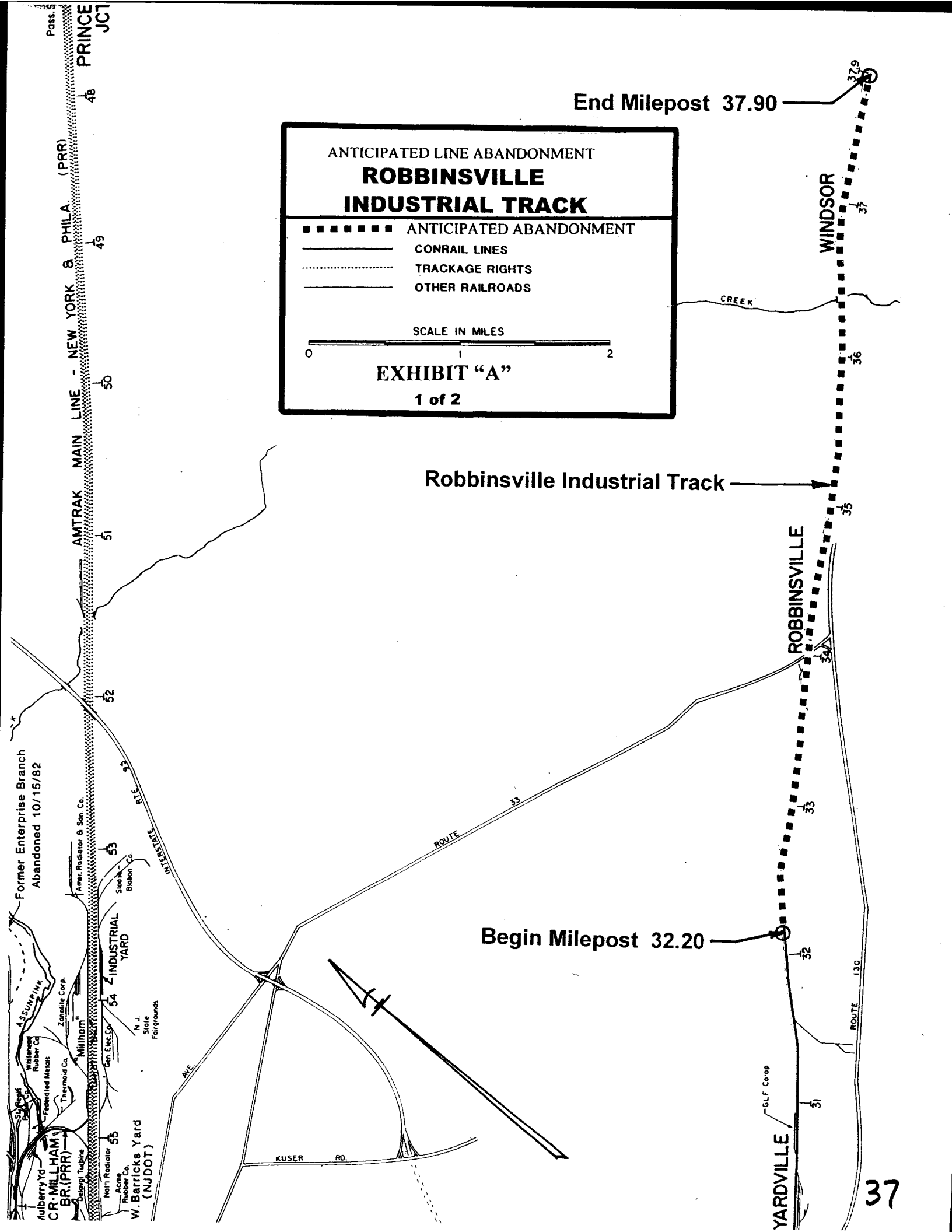
Thank you for your cooperation.

Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054
Enclosure(s)

CONSOLIDATED RAIL CORPORATION



ANTICIPATED LINE ABANDONMENT

ROBBINSVILLE INDUSTRIAL TRACK

■■■■■ ANTICIPATED ABANDONMENT
———— CONRAIL LINES
..... TRACKAGE RIGHTS
——— OTHER RAILROADS

SCALE IN MILES
0 1 2

EXHIBIT "A"
1 of 2

Former Enterprise Branch
Abandoned 10/15/82

ASSUNPINK
Whitman Rubber Co.
Federated Metals
Thermoid Co.
Zanolite Corp.
Amer. Radiator & Son Co.
Sloan Co.
Blasen Co.

54 INDUSTRIAL YARD

55
Natl Radiator
Acme Rubber Co.
W. Barricks Yard (NJDOT)

CR-MILLHAM BR.(PRR)
Dunlop Tires

53

52

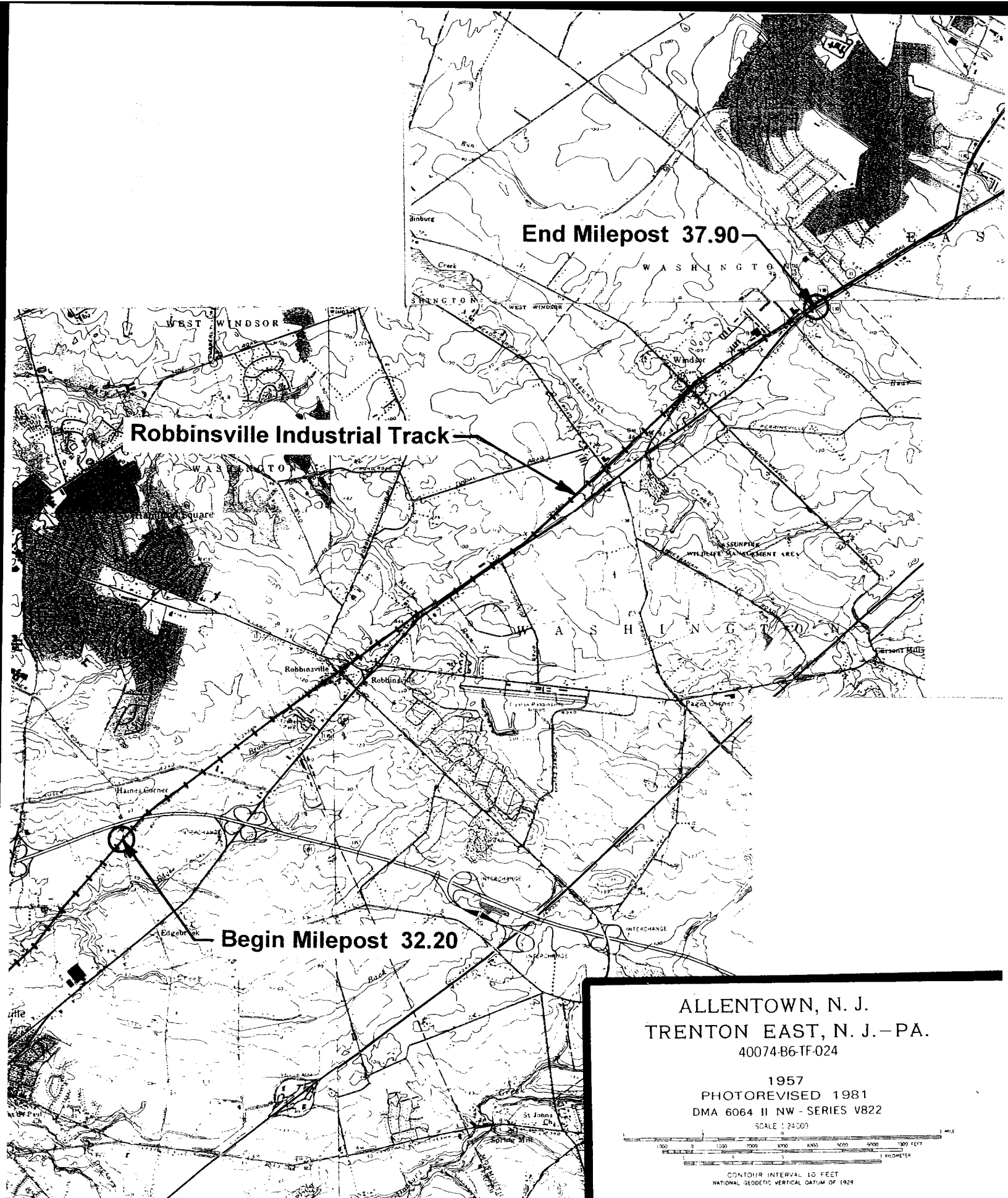
51

50

49

48

PRINCE JCT



ALLENTOWN, N. J.
TRENTON EAST, N. J.-PA.
40074-B6-TF-024

1957
PHOTOREVISED 1981
DMA 6064 II NW - SERIES V822
SCALE: 1:24,500

CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC DATUM OF 1929

EXHIBIT "A"

2 of 2

38

CONRAIL®



March 28, 2006

New Jersey State Clearinghouse
State Review Process
Office of the Governor
P.O. Box 001
Trenton, NJ 08625-0001

Dear Sir/Madam:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** We are required to contact the state clearinghouse concerning the abandonment. I would appreciate any comments you may have concerning the proposal.

I am enclosing a copy of a U.S.G.S. map with the area of the subject track defined. In this case, the abandonment would involve the salvage and removal of only the rail, track material and crossties.

Please forward your comments regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "John K. Enright" followed by the initials "rbd".

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

cc: D. C. Agrawal – New Jersey Transit

Enclosures

CONRAIL®



March 28, 2006

Ruth Ehringer, Program Manager
NJ Department of Environmental Protection
Office of Coastal Planning and Program Coordination
401 East State Street
P.O. Box 418
Trenton, NJ 08625-0418

Dear Ms. Ehringer:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** One of the requirements for this filing is that the Division of Coastal Resources be consulted.

Are there any coastal zone areas in the vicinity of the proposal? And if so, what effect would the proposal have on these zones?

Enclosed is a copy of a portion of a U.S.G.S. quadrangle map delineating the area being considered. In this case, the abandonment would involve the salvage and removal of only the rail and crossties. There would be no in-stream salvage of any bridges.

It is requested that a written reply be forwarded to the address below. Because of the necessary time schedules for the STB filing, please respond within 30 days of the date of this letter. If I may be of any further assistance, please feel free to contact me at (856) 231-7206. Thank you for your cooperation.

Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



March 28, 2006

Kenneth C. Koschek
NJ Department of Environmental Protection
Office of Permit Coordination and Environmental Review
P. O. Box 418
Trenton, NJ 08625-0418

Dear Mr. Koschek:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** One of the requirements for this filing is that the Division of Coastal Resources be consulted.

Are there any coastal zone areas in the vicinity of the proposal? And if so, what effect would the proposal have on these zones?

Enclosed is a copy of a portion of a U.S.G.S. quadrangle map delineating the area being considered. In this case, the abandonment would involve the salvage and removal of only the rail and crossties. There would be no in-stream salvage of any bridges.

It is requested that a written reply be forwarded to the address below. Because of the necessary time schedules for the STB filing, please respond within 30 days of the date of this letter. If I may be of any further assistance, please feel free to contact me at (856) 231-7206. Thank you for your cooperation.

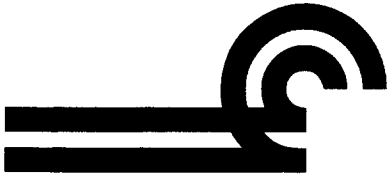
Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



March 28, 2006

Brian M. Hughes, County Executive
Mercer County Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068

Dear Mr. Hughes:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** We are required to contact local or regional planning agencies about the abandonment.

Enclosed is a copy of a portion of a U.S.G.S. quadrangle map delineating the area being considered. In this case, the abandonment would involve the salvage and removal of only the rail, track material and crossties.

Is the proposed abandonment consistent with existing land use plans?

Please forward any comments you may have regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206.

Thank you for your cooperation.

Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



March 28, 2006

The District Engineer
U.S. Army Engineer District, New York
Jacob K. Javits Federal Building
New York, NY 10278-0090

Dear Sir/Madam:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** We are required to contact various agencies about items concerning the abandonment. Some of these items involve the Army Corps of Engineers.

Enclosed is a copy of a portion of a U.S.G.S. quadrangle map delineating the area being considered. In this case, the abandonment would involve the salvage and removal of only the rail and crossties. There would be no in-stream salvage of any bridges.

Will this abandonment require permits as designated under section 404 of the Clean Water Act (33 U.S.C. 1344)? Would the proposed abandonment affect any designated wetlands? Would any 100-year flood plains be affected by this action?

It is requested that a written reply be forwarded to the address below. Because of the necessary time schedules for the STB filing, please respond within 30 days of the date of this letter. If I may be of any further assistance, please feel free to contact me at (856) 231-7206. Thank you for your cooperation.

Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



March 28, 2006

U.S. Fish and Wildlife Service
Ecological Services
New Jersey Field Office
927 North Main St., Building D
Pleasantville, NJ 08232

Dear Sir/Madam:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** A requirement of this filing is that various agencies be contacted concerning certain items, one being the presence of any endangered or threatened species or critical habitats.

Enclosed is a copy of a portion of a U.S.G.S. quadrangle map delineating the area being considered. In this case, the abandonment will only involve the salvage and removal of the rail, track material and crossties.

Are there any endangered or threatened species in the vicinity of the track, and would there be an adverse effect due to the abandonment? Are there any areas designated as critical habitats in the vicinity? Also, are there any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity? If so, how would they be affected?

Please forward your written reply to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206. Thank you for your cooperation.

Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054
Enclosure(s)

CONRAIL®



March 28, 2006

U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007-1866

Dear Sir/Madam:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** One of the requirements for this filing is that the Environmental Protection Agency be consulted.

Will this proposed abandonment require permits as designated under section 402 of the Clean Water Act (33 U.S.C. 1342)? Enclosed is a copy of a portion of a U.S.G.S. quadrangle map delineating the area being considered. In this case, the abandonment would involve the salvage and removal of only the rail and crossties. There would be no in-stream salvage of any bridges.

Please forward any comments you may have regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206.

Thank you for your cooperation.

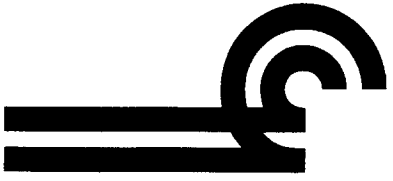
Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



March 28, 2006

Richard Snay, Chief
Spatial Reference System Division
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282

Dear Mr. Snay:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** We are required to contact the National Geodetic Survey concerning the abandonment. I would appreciate any comments you may have concerning the proposal.

I am enclosing a copy of a U.S.G.S. map with the area of the subject track defined. In this case, the abandonment would involve the salvage and removal of only the rail, track material and crossties.

Please forward your comments regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206.

Thank you for your cooperation.

Sincerely,



John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosures

CONRAIL®



March 28, 2006

U.S. Department of the Interior
National Park Service
Chief, Recreation Resources Assistance Division
1849 C Street, NW
Room 3606
Washington, DC 20240

Dear Sir/Madam:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** One of the requirements for this filing is that the National Park Service be consulted.

Enclosed are segments of U.S.G.S. quadrangle maps delineating the line being considered. In this case, the abandonment will involve salvage and removal of the rail, track material and crossties.

Are there any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposals? And if so, what would be the effects?

Please forward any comments you may have regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206. Thank you for your cooperation.

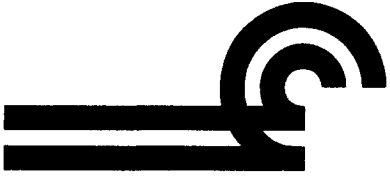
Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



March 28, 2006

Thomas M. Ryan, Chairman
Mercer County Planning Board
Mercer County Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068

Dear Mr. Ryan:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** We are required to contact local or regional planning agencies about the abandonment.

Enclosed is a copy of a portion of a U.S.G.S. quadrangle map delineating the area being considered. In this case, the abandonment would involve the salvage and removal of only the rail, track material and crossties.

Is the proposed abandonment consistent with existing land use plans?

Please forward any comments you may have regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206.

Thank you for your cooperation.

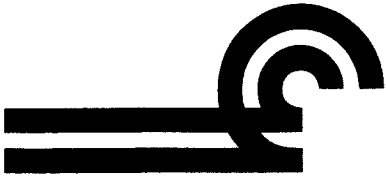
Sincerely,

John K. Enright / rbel

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



March 28, 2006

State Conservationist
Natural Resources Conservation Service
220 Davidson Avenue, 4th Floor
Somerset, NJ 08873-4115

Dear Sir/Madam:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** We are required to contact various agencies about items concerning the abandonment. One of these items involves prime agricultural soils.

Enclosed is a copy of a portion of a U.S.G.S. Quadrangle map delineating the area being considered. In this case, the abandonment would involve the salvage and removal of only the rail, track material and crossties.

Are there any areas of prime agricultural land, as defined by the Natural Resources Conservation Service, in the vicinity of the subject track? What would be the effect of the proposed abandonment on any prime soils?

Please forward any comments you may have regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206.

Thank you for your cooperation.

Sincerely,

John K. Enright / rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



March 28, 2006

Bradley M. Campbell, Commissioner
NJ Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, NJ 08625-0402

Dear Mr. Campbell:

Conrail is proposing to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20 and milepost 37.90, in Hamilton Township and Washington Township, Mercer County, NJ. To begin this abandonment process Conrail must file an application with the Surface Transportation Board (STB). **This application will be docketed as STB No. 167 (Sub-No. 1185X).** One of the requirements for this filing is that the Environmental Protection Agency be consulted.

Enclosed a copy of a U.S.G.S. map with the area of the subject track defined. In this case, the abandonment would involve the salvage and removal of only the rail and crossties. There would be no in-stream salvage of any bridges.

Will this proposed abandonment require permits as designated under section 402 of the Clean Water Act (33 U.S.C. 1342)? Are there any coastal zone areas in the vicinity of this proposal? And if so, what effect would the proposal have on these zones?

Please forward any comments you may have regarding this proposal, in writing to the address below. Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter. If I may be of any further assistance, please contact me at (856) 231-7206. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "John K. Enright / rbd".

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosure(s)

CONRAIL®



May 9, 2006

New Jersey State Clearinghouse
State Review Process
Office of the Governor
P.O. Box 001
Trenton, NJ 08625-0001

Kris Kolluri, Commissioner
New Jersey Dept. of Transportation
1035 Parkway Avenue
CN-600
Trenton, NJ 08625

U. S. Department of the Interior
National Park Service
Chief, Recreation Resources Assistance Division
1849 C Street, NW - Room 3606
Washington, DC 20240

U.S. Department of the Interior
National Park Service
Chief, Land Resources Division
1849 C Street - 7th Floor
Washington, DC 20240

Bob Korpanty
Department of Defense - MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

Dale Bosworth, Chief
USDA Forest Service
Sidney R. Yates Federal Building
1400 Independence Avenue, SW
Washington, DC 20250-0003

RE: Docket No. AB 167 (Sub-No. 1185X)
Consolidated Rail Corporation -- Abandonment
Exemption -- in Mercer County, New Jersey

Dear Sir/Madam:

This is to notify you pursuant to 49 C.F.R. 1152.50(d)(1) that on or about June 12, 2006, Consolidated Rail Corporation ("Conrail") intends to file a Notice of Exemption with the Surface Transportation Board for abandonment of the rail line shown on the attached map, and more fully described below:

Name: Robbinsville Industrial Track

Location: Mercer County, New Jersey, traversing United States Postal
Service Zip Codes 08620 and 08520

Page 2

Description of Track: From approximately milepost 32.20± to approximately milepost 37.90± in the cities of Hamilton Township and Washington Township, Mercer County, New Jersey

Length of Track: 5.7 total miles±

The Notice of Exemption will be filed pursuant to the provisions of 49 C.F.R. 1152.50 regarding abandonment of out-of-service lines of railroad. Because the subject line is out of service and has handled no traffic for the past two years, the abandonment will result in no change in current operations or maintenance. The abandonment will involve salvage and removal of the rail and crossties. Conrail has no current plans to dispose of any other structure involved. The only alternative considered is no action.

Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in our possession will be made available promptly to those requesting it.

If you have any questions concerning this proceeding, please call me at the number shown below.

Very truly yours,

John K. Enright /rbel

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054
(856) 231-7206

Enclosure

cc: Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Room 700
Washington, D.C. 20423-0001

CONRAIL®



May 9, 2006

VIA U.S.MAIL

To: All Parties on Attached Service List

Re: STB No. AB 167 (Sub-No. 1185X)
Consolidated Rail Corporation -- Abandonment
Exemption -- in Mercer County, New Jersey

On June 12, 2006, Consolidated Rail Corporation ("Conrail") expects to be filing with the Surface Transportation Board ("STB" or "Board") a Notice of Exemption seeking authority to abandon a portion of railroad line known as the Robbinsville Industrial Track, between milepost 32.20± and milepost 37.90± in the cities of Hamilton Township and Washington Township, Mercer County, New Jersey. Attached is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Conrail is providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, telephone number (202) 565-1545 and refer to the above Docket No. AB 167 (Sub-No. 1185X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to Conrail's representative named below) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact Conrail's representative directly. Conrail's representative in this matter is John K. Enright, who may be contacted by telephone at (856) 231-7206 or by mail at 1000 Howard Boulevard, 4th Floor, Mt. Laurel, NJ 08054.

Sincerely,

John K. Enright/rbd

John K. Enright
Associate General Counsel
1000 Howard Boulevard, 4th Floor
Mt. Laurel, NJ 08054

Enclosures

SERVICE LIST

Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Room 700
Washington, DC 20423-0001

Bradley M. Campbell, Commissioner
State Historic Preservation Office
NJ Department of Environmental Protection
401 East State Street, P.O. Box 404
Trenton, NJ 08625-0404

Ruth Ehringer, Program Manager
NJ Dept. of Environmental Protection
Office of Coastal Planning & Program Coordination
401 East State Street, P.O. Box 418
Trenton, NJ 08625-0418

Kenneth C. Koschek
NJ Department of Environmental Protection
Office of Permit Coordination & Environmental Review
P.O. Box 418
Trenton, NJ 08625-0418

Brian M. Hughes, County Executive
Mercer County Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068

The District Engineer
U.S. Army Engineer District, New York
Jacob K. Javits Federal Building
26 Federal Plaza, Room 2109
New York, NY 10278-0090

U.S. Fish & Wildlife Service
Ecological Services
New Jersey Field Office
927 North Main Street, Building D
Pleasantville, NJ 08232

U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007-1866

Re: ES-05/NE 135

Richard Snay, Chief
Simon Monroe (N/NGS12)
Spatial Reference System Division
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282

U.S. Department of the Interior
National Park Service
Chief, Recreation Resources Assistance Division
1849 C Street, NW - Room 3606
Washington, DC 20240

Thomas M. Ryan, Chairman
Mercer County Planning Board
Mercer County Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068

State Conservationist
Natural Resources Conservation Service
220 Davidson Avenue, 4th Floor
Somerset, NJ 08873-4115

Bradley M. Campbell, Commissioner
NJ Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, NJ 08625-0402

New Jersey State Clearinghouse
State Review Process
Office of the Governor
P.O. Box 001
Trenton, NJ 08625-0001

Bob Korpanty
Department of Defense - MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

U.S. Department of the Interior
National Park Service
Chief, Land Resources Division
1849 C Street, NW - 7th Floor
Washington, DC 20240

Dale Bosworth, Chief
USDA Forest Service
Sidney R. Yates Federal Building
1400 Independence Avenue, SW
Washington, DC 20250-0003

Kris Kolluri, Commissioner
New Jersey Department of Transportation
1035 Parkway Avenue
CN-600
Trenton, NJ 08625

D. C. Agrawal, Assistant Executive Director
Corporate Strategy, Policy, and Contracts
NJ TRANSIT
One Penn Plaza East
Newark, NJ 07105-2246

Donna M. Lewis, Planning Director
Mercer County Division of Planning
McDade Administration Building
640 South Broad Street
P. O. Box 8068
Trenton, NJ 08650-0068

Mary K. Caffrey, Township Administrator
Township of Washington
Mercer County Administration Office
1 Washington Boulevard, 2nd Floor, Suite 6
Robbinsville, NJ 08691

EXHIBIT C

State of New Jersey, }
Mercer County

NOTICE

Consolidated Rail Corporation gives notice that on or about June 12, 2006, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F - Exemption Abandonments permitting the abandonment of a 5.7 mile line of railroad, consisting of a portion of its Philadelphia Industrial Track which traverses through United States Postal Service Zip Codes 08620 and 08520 in the Cities of Hamilton Township and Westampton Township, Mercer County, New Jersey. The proceeding will be docketed as STB No. AB 167 (Sub-No. 1185X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available in the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423 or by calling that office at 202-545-1545.

Appropriate offers of financial assistance to continue railroad service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/lease use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails law, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, NW, Washington, DC 20423, and one copy must be served on applicant's representative. Questions regarding offers of financial assistance should be directed to the Board's Office of Congressional and Public Services at 202-545-1592. Copies of any conditions of proposed public services should be served on the applicant's representative. John K. Burdick, Associate General Counsel, Consolidated Rail Corporation, 1000 Howard Boulevard - 4th Floor, Mt. Laurel, NJ 08054, telephone 856-231-7206.

Fee \$43.27

5/11 Times

Judy T. Rizzo

being duly sworn according to law, on his/her oath says that he/she is Bookkeeper for The Times Newspapers, a newspaper printed and circulated in the City of Trenton, in the County and State aforesaid, and the deponent further states he/she has personal knowledge that an advertisement, of which the annexed is a true copy, was published in the issue of

May 11

2006

Judy T. Rizzo

Sworn and subscribed before me

this 11th day of May, 2006

Notary Public for N.J.

MARTIN B. STEWART
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JAN. 06, 2008

EXHIBIT C

NOTICE

Consolidated Rail Corporation gives notice that on or about June 12, 2006, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F – *Exempt Abandonments* permitting the abandonment of a 5.7 mile line of railroad, consisting of a portion of its Robbinsville Industrial Track between railroad milepost 32.20± and railroad milepost 37.90±, which traverses through United States Postal Service Zip Codes 08620 and 08520 in the Cities of Hamilton Township and Washington Township, Mercer County, New Jersey. The proceeding will be docketed as STB No. AB 167 (Sub-No. 1185X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423 or by calling that office at 202-565-1545.

Appropriate offers of financial assistance to continue railroad service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public

use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, NW, Washington, DC 20423, and one copy must be served on applicant's representative. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: John K. Enright, Associate General Counsel, Consolidated Rail Corporation, 1000 Howard Boulevard – 4th Floor, Mt. Laurel, NJ 08054, telephone 856-231-7206.