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November 5, 2020

BY EMAIL TRANSMISSION ONLY

Alan Tabachnick
Historic Preservation Specialist
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: COMMENTS ON DRAFT MEMORANDUM OF AGREEMENT
AMONG THE SURFACE TRANSPORTATION BOARD,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE NEW JERSEY HISTORIC PRESERVATION OFFICE, AND
CONSOLIDATED RAIL CORPORATION
REGARDING AB-167 (SUB-NO. 1189X),
ABANDONMENT EXEMPTION, IN CITY OF JERSEY CITY,
HUDSON COUNTY, NEW JERSEY
(The Harsimus Embankment)

Dear Mr. Tabachnick:

Thank you for conducting the public hearing regarding the Memorandum of Agreement ("MOA") for the Harsimus Branch abandonment. The hearing provided an extensive opportunity for comment.

The draft MOA complies with applicable law, and we encourage the Board to continue this process.

The arguments advanced by the City, the Coalition and others at the hearing are not consistent with governing law.

The Embankment LLCs remain committed to working with its developer/purchaser Albanese, the City and the Coalition to finalize a settlement approving the comprehensive plan that Albanese has prepared. The Embankment LLCs and Albanese have worked diligently with the City, the Embankment Coalition and other community groups to develop a plan that preserves all but one Embankment block and that

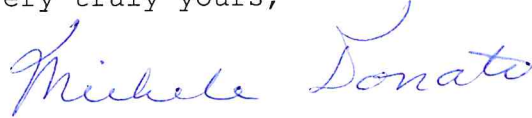
Alan Tabachnick
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Page 2

November 5, 2020

envisages a linear park of unsurpassed excellence and will continue to do so.

We support the Board's efforts to conclude these proceedings to bring the plan to fruition.

Very truly yours,



Michele R. Donato

MRD:dp

cc: Jack Fersko, Esq.
(by email transmission only)
Steven Firkser, Esq.
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