



October 19, 2020

Surface Transportation Board
Case Control Unit
395 E Street, SW
Washington, D.C. 20423

Re: AB 167 (Sub-no. 1189X), Draft Supplementary Environmental Assessment
issued Sept. 10, 2020

This comment is on behalf of Civic JC, a non-partisan, Jersey City community-based initiative dedicated to promoting open, transparent and responsible government administration through public education and advocacy.

The Draft Supplementary Environmental Assessment as issued does not fulfill the purpose of a review under the National Environmental Policy Act. It does not describe the multiple adverse effects reasonably likely to flow from an unconditioned abandonment of the Harsimus Branch, and therefore gives decision-makers almost no information relevant to a decision on abandonment.

The most egregious adverse effects – the breakup of the continuous corridor, a National-Register-eligible District, and the demolition of the National-Register-eligible Embankment – are very likely outcomes of an abandonment without conditions, as evidenced by the record in this case, including the unlawful sale of part of the rail line, as well as demolition and other land use applications that Conrail and a developer made, and that your agency has in the record.

Beyond the likely erasure of historic resources in themselves, demolition and development will also rend the historic fabric of the Downtown and remove the

Embankment from two National Historic Districts. Further, the corridor and the Embankment are transportation and open space resources that also help to control stormwater in a flood-plain.

At the very least, the DSEA should consider how to require Consolidated Rail Corporation to make the property available to the City of Jersey City for public purposes, including rail, trail, park, and historic preservation.

That is what is supposed to happen under the law, if Consolidated Rail Corporation had followed the law. The regulatory agency should avoid doing further harm to the public.