

Supporting The Italian Village of Jersey City since 1993

January 22, 2009

Secretary
Surface Transportation Board
Washington, DC 20423

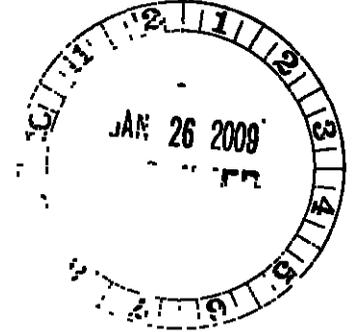
Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re:
**Consolidated Rail Corporation –
Abandonment Exemption –
In Hudson County, NJ AB 167 (Sub-no. 1189X)**

**CSX Transportation, Inc.
Discontinuance Exemption –
In Hudson County, NJ AB 55 (Sub-no. 686X)**

**Norfolk Southern Railway Co. -
Discontinuance Exemption -
In Hudson County, NJ AB 290 (Sub-no. 306X)**

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Office of Proceedings
JAN 23 2009
Per of
Public Record

Reply and Request for Consulting Party Status

I am writing to you on behalf of the Village Neighborhood Association (VNA), a not-for-profit corporation representing The Village neighborhood of Jersey City

It has come to our attention that on the date of January 6, 2009, Conrail et al filed a Notice of Exemption in the cases referred to above. Concurrently, Conrail et al filed "Comments" and "Motion to Stay Effective Date of Verified Notices of Exemption and to Waive Pre-Filing Notification Requirements"

The Village Neighborhood Association strongly opposes class exemption procedures in this widely contested case. It is the opinion of the VNA Board of Directors that an abandonment authorization within the schedule Conrail et al suggest cannot be done in compliance with the National Historic Preservation Act (NHPA) sections 106 and 110 (k), 16 U.S.C. 470 f and

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470 h-2(k) or the National Environmental Policy Act (NEPA) section 102, 42 U S C 4332 Indeed, we believe that abandonment authorization is barred by NHPA Section 110 (k), because Conrail and its developer partner have engaged in anticipatory demolition of these rail assets

We urge the completion of a full Environmental Impact Statement (EIS) to address the many issues raised by this potential abandonment

It has also come to our attention that our organization has the potential to be granted consulting party status in an NHPA Section 106 review via this formal request It is my hope at this time to be honored with consulting party status

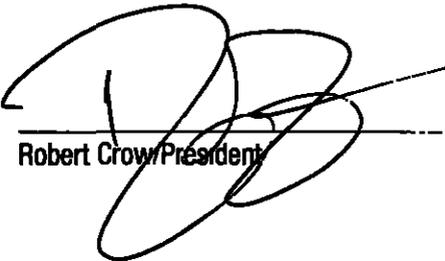
The Village Neighborhood Association shares and embraces many of the same hopes for the preservation of this structure as other neighboring associations fortunate enough to be graced by this truly historic Embankment At the turn of the century many residents of The Village helped in the construction of the Harsimus Branch Embankment, and it has become a living monument to those that have called The Village their home over the many decades of its existence

It is unique to the city of Jersey City, and has become the common thread that extends beyond each neighborhood it touches It brings each seemingly disconnected area of the city together, with the shared hope of realizing the vision so thoughtfully championed by the tireless work of the Embankment Preservation Coalition

The positive effects reach far beyond the geographical boundaries of the above mentioned structure Mary Benson Park, which is adjacent to its western end, would be greatly impacted by the preservation of the Harsimus Branch Embankment, while breathing new life into this once vibrant area of The Village

Certificate of Service

I hereby certify that on January 22, 2009, I caused a copy of this correspondence to be served by first class mail on those appearing on the attached Service List.



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