

**CONRAIL**

**FILED**

NOV 19 2008

**SURFACE  
TRANSPORTATION BOARD**



UPS NEXT DAY AIR

November 17, 2008

Anne K. Quinlan, Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

**ENTERED**  
Office of Proceedings

NOV 19 2008

Part of  
Public Record

**FEE RECEIVED**

NOV 19 2008

**SURFACE  
TRANSPORTATION BOARD**

RE Docket No AB 167 (Sub-No. 1190X) *224019*  
Consolidated Rail Corporation -- Abandonment  
Exemption -- in Hudson County, New Jersey

Docket No AB 55 (Sub-No 690X) *224020*  
CSX Transportation, Inc -- Discontinuance  
Exemption -- in Hudson County, New Jersey

Docket No AB 290 (Sub-No 313X) *224021*  
Norfolk Southern Railway Company -- Discontinuance  
Exemption -- in Hudson County, New Jersey

Dear Ms Quinlan

Enclosed for filing with the Board are the original and ten copies of a combined Notices of Exemption in reference to the above-described abandonment (Consolidated Rail Corporation) and discontinuance of service (CSX Transportation, Inc and Norfolk Southern Railway Company), which are submitted pursuant to 49 C F R §1152.50, together with a **single check in the amount of \$11,100 to cover the filing fee (\$3,700 for each of these three Notices of Exemption)** 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,

A handwritten signature in black ink, appearing to read "John K. Enright". The signature is written in a cursive, flowing style.

John K Enright  
Associate General Counsel  
1717 Arch Street, 32<sup>nd</sup> Floor  
Philadelphia, PA 19103  
(215) 209-5012

Enclosures

cc All Parties on Attached Service List (US Mail)

## SERVICE LIST

Anne K Quinlan, Secretary  
Surface Transportation Board  
395 E Street, SW  
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

Robert B Piel, Jr, Manager  
NJ Dept of Environmental Protection  
Bureau of Inland Regulation  
401 East State Street, 7<sup>th</sup> Floor  
P O Box 402  
Trenton, NJ 08625-0402

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

Thomas A DeGise, County Executive  
Justice Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306

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  
New Jersey Field Office  
927 North Main Street  
Heritage Square, Building D  
Pleasantville, NJ 08232

U S Environmental Protection Agency  
Region 2  
290 Broadway  
New York, NY 10007-1866

REF 08-I-0713

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

Charlie Stockman  
U S Department of the Interior  
National Park Service  
Recreation Resources Assistance Division  
1201 Eye Street, NW, 9<sup>th</sup> Floor (Org Code 2240)  
Washington, DC 20005

Stephen D Marks, Director  
Hudson County Planning Division  
Justice Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306

State Conservatorist  
Natural Resources Conservation Service  
220 Davidson Avenue, 4<sup>th</sup> 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 Korpany**  
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

**Gail Kimbell, 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

**David Dieck**  
Director of Rail Contracts Contracts  
NJ TRANSIT  
One Penn Plaza East  
Newark, NJ 07105-2246

**Regional Director**  
National Park Service – Northeast Region  
U S Custom House  
200 Chestnut Street, 5th Floor  
Philadelphia, PA 19106

**Mayor Jerramiah T Healy**  
City Hall – 280 Grove Street  
Jersey City, NJ 07302

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

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D C 20423

---

*STB NO AB 167 (SUB-NO 1190X)*

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

---

*STB NO AB 55 (SUB-NO 690X)*

CSX TRANSPORTATION, INC – DISCONTINUANCE EXEMPTION – IN HUDSON  
COUNTY, NEW JERSEY

---

*STB NO AB 290 (SUB-NO 313X)*

NORFOLK SOUTHERN RAILWAY COMPANY – DISCONTINUANCE EXEMPTION – IN  
HUDSON COUNTY, NEW JERSEY

---

**NOTICES OF EXEMPTION**

---

I 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. CSX Transportation, Inc (“CSXT”) and Norfolk Southern Railway Company (“NS”) hereby file their verified notices of exemption pursuant to 49 C F R 1152.50 to discontinue service over these same lines 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 Lehigh Valley Main Line

Location Hudson County, New Jersey

Description of Track A portion of the Lehigh Valley Main Line between railroad milepost 2.90± and railroad milepost 5.17± in the City of Jersey City, Hudson County, New Jersey, which traverses United States Postal Service Zip Codes 07304 and 07305

Length of Track 2.27 miles±

2 Applicants certify 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 January 18, 2009

4 The exact names of the applicants are Consolidated Rail Corporation, CSX Transportation, Inc , and Norfolk Southern Railway Company ("Applicants")

5 Applicants are common carriers by railroad subject to Subtitle IV, Part A, of Title 49, United States Code, and are not a part of any other railroad system

6 The relief Applicants seek is abandonment and discontinuance of service of the above-described line

-7 Applicants' representative to whom correspondence relating to this matter should be addressed is John K Enright, Associate General Counsel, Consolidated Rail Corporation, 1717 Arch Street, 32<sup>nd</sup> Floor, Philadelphia, PA 19103, Telephone (215) 209-5012

8 Applicants are aware of no alternative public purpose for which the property is suitable

9 Applicants acknowledge 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 Applicants believe 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 October 14, 2008 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 September 10, 2008 of letters to the specified governmental agencies (copies of which are attached hereto), and the sending on October 14, 2008 of copies of the Environmental and Historic Report containing the information required in 49 C F R 1105 7(c)(1) to the specified governmental agencies, (c) the requirements of 49 C F R 1105 8(c) have been met by the sending on October 14, 2008 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 October 22, 2008 in the Star-Ledger, a newspaper of general circulation in Hudson 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  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103  
(215) 209-5012

Attorney for Consolidated Rail Corporation

DATE November 17, 2008

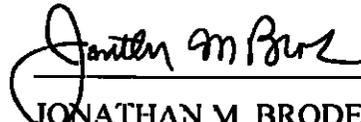
**VERIFICATION**

COMMONWEALTH OF PENNSYLVANIA

SS

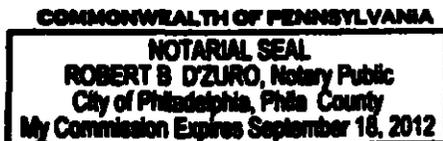
COUNTY OF PHILADELPHIA

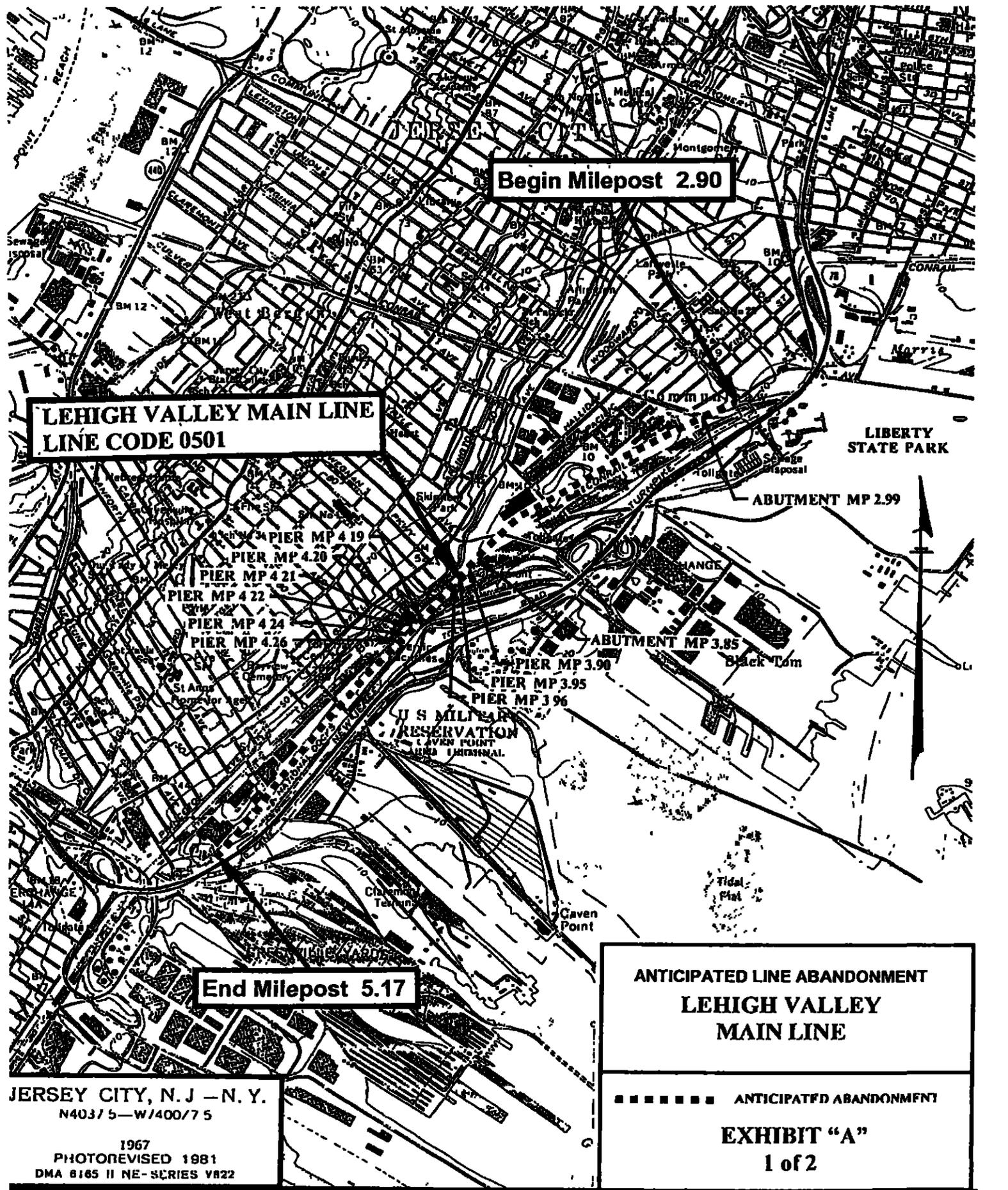
Jonathan M Broder, being duly sworn, makes oath and says that he is Vice President – General Counsel and Corporate Secretary of Consolidated Rail Corporation, that he has been authorized by proper corporate action of Consolidated Rail Corporation to verify and file with the Surface Transportation Board 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 17<sup>th</sup> Day  
Of November, 2008

Robert B. D'Zuro  
Notary Public





**Begin Milepost 2.90**

**LEHIGH VALLEY MAIN LINE  
LINE CODE 0501**

**LIBERTY STATE PARK**

**ABUTMENT MP 2.99**

PIER MP 4.19  
PIER MP 4.20  
PIER MP 4.21  
PIER MP 4.22  
PIER MP 4.24  
PIER MP 4.26

ABUTMENT MP 3.85  
PIER MP 3.90  
PIER MP 3.95  
PIER MP 3.96

**U.S. MILITARY RESERVATION  
CAVEN POINT**

**End Milepost 5.17**

**ANTICIPATED LINE ABANDONMENT  
LEHIGH VALLEY  
MAIN LINE**

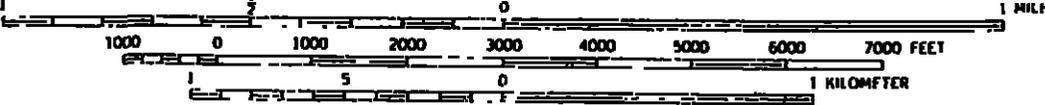
■■■■■■■■ ANTICIPATED ABANDONMENT

**EXHIBIT "A"**  
**1 of 2**

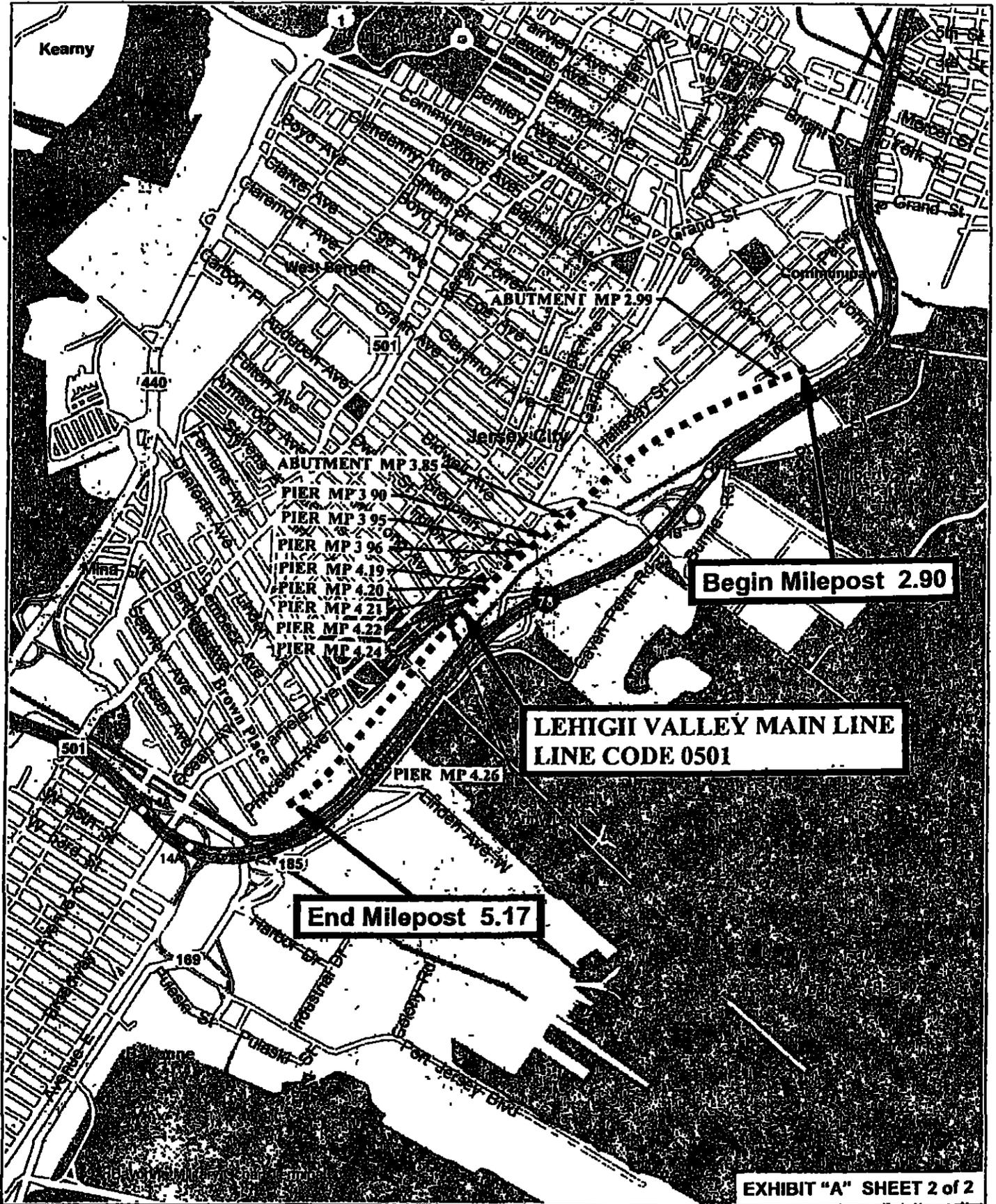
**JERSEY CITY, N. J. — N. Y.**  
N4037 5—W/400/7 5

1967  
PHOTOREVISED 1981  
DMA 8185 II NE—SERIES VB22

SCALE 1 24 000



Jersey City, New Jersey



**EXHIBIT B**

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

---

*STB NO AB 167 (SUB-NO 1190X)*

**CONSOLIDATED RAIL CORPORATION – ABANDONMENT EXEMPTION – IN HUDSON  
COUNTY, NEW JERSEY**

---

*STB NO AB 55 (SUB-NO 690X)*

**CSX TRANSPORTATION, INC – DISCONTINUANCE EXEMPTION – IN HUDSON  
COUNTY, NEW JERSEY**

---

*STB NO AB 290 (SUB-NO 313X)*

**NORFOLK SOUTHERN RAILWAY COMPANY – DISCONTINUANCE EXEMPTION – IN  
HUDSON COUNTY, NEW JERSEY**

---

**NOTICES OF EXEMPTION**

---

**ENVIRONMENTAL AND HISTORIC REPORT**

Consolidated Rail Corporation (“Conrail”), CSX Transportation, Inc (“CSXT”), and Norfolk Southern Railway Company (“NS”) (collectively, “Applicants”) submit this Environmental and Historic Report in accordance with 49 C F R §§ 1105.7 & 1105.8. Applicants have fulfilled the requirements of sections 1105.7 and 1105.8 that they 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 Applicants have 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 (Conrail) and discontinuance of service (CSXT and NS) of portions of a line of railroad known as the Lehigh Valley Main Line, from approximately milepost 2.90± to approximately milepost 5.17±, in the city of Jersey City, Hudson County, New Jersey, traversing United States Postal Service Zip Codes 07304 and 07305 (the "Line"). Applicants expect to file combined Notices of Exemption to abandon and discontinue service on the Line on or after November 17, 2008. As the 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. Applicants have no plans to dispose of the structures on the Line, track, track material, and crossties have previously been removed. 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 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. In its response dated October 17, 2008, NJ TRANSIT took no issue with Conrail's abandonment of the Line, and stated that it previously acquired portions of the Line upon which can be found the shop and yard complex for the Hudson Bergen Light Rail System.

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 County Executive for Hudson County, the Director of the Hudson County Planning Division, and the Mayor of Jersey City have been consulted in this regard Applicants wrote to these agencies on September 10, 2008 to request that they comment on the proposed abandonment Upon receipt of any response, Applicants will forward same to the Board The National Geodetic Survey ("NGS") has also been consulted in this regard Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants will forward same to the Board

(ii) The United States Soil Conservation Service, now renamed the Natural Resources Conservation Service ("NRCS"), has been consulted in this regard Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants 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 Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants will forward same to the Board The NJDEP – Bureau of Inland Regulation, has also been consulted in this regard Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants will forward same to the Board

(iv) See response to 3(i) above

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 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 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 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) Applicants are aware of no hazardous waste sites or hazardous materials spills on the right-of-way A portion of the Line, including that portion still owned by Conrail located near Chapel Avenue, is among a number of sites included in a New Jersey Department of Environmental Protection investigation of chromium contamination in Hudson County

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 October 7, 2008, this agency stated a "known occurrence or potential habitat for the federally listed or candidate species is located on or near the project's impact area However, the Service concurs that the proposed project is not likely to adversely affect federally listed or candidate species for the reasons listed below Species Indiana bat (*Myotis sodalis*) (endangered), Basis for

Determination Negligible impacts – no tree removal Except for the above-mentioned species, no other federally listed or proposed threatened or endangered flora or fauna under Service jurisdiction are known to occur within the proposed project’s impact area Therefore, no further consultation pursuant to the ESA is required” The National Park Service has also been consulted in this regard Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants will forward same 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 October 7, 2008, identified no such areas within the vicinity of the line The National Park Service has also been consulted in this regard Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants 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 Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants will forward same to the Board

(ii) The proposed abandonment does not contemplate removal of the rail, track material, and cross ties, as the rail and ties of the Line have previously been removed, 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 Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants 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 Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants will forward same to the Board The U S Environmental Protection Agency has also been consulted in this regard Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment Upon receipt of any response, Applicants 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 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 the city of Jersey City, Hudson County, New Jersey, traversing United States Postal Service Zip Codes 07304 and 07305. It extends from approximately milepost 2.90± to approximately milepost 5.17±. 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 Line is located in an urban residential/commercial/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     Photographs of the structures, as further described in response no. 4 below, are attached

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 There are no existing undergrade bridges located along the Line. However, historically, portions of the Line were elevated. While the elevated portion of the Line no longer exists and the track and rail bed have been removed, some of the supporting piers and abutments are still standing. These piers and abutments were constructed between 1896 and 1910. Photographs of these structures are attached.

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 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 Conrail has in its possession plans only for the bridges that were once over Chapel Avenue and Linden Avenue, however, these structures no longer exist as they were removed at dates unknown.

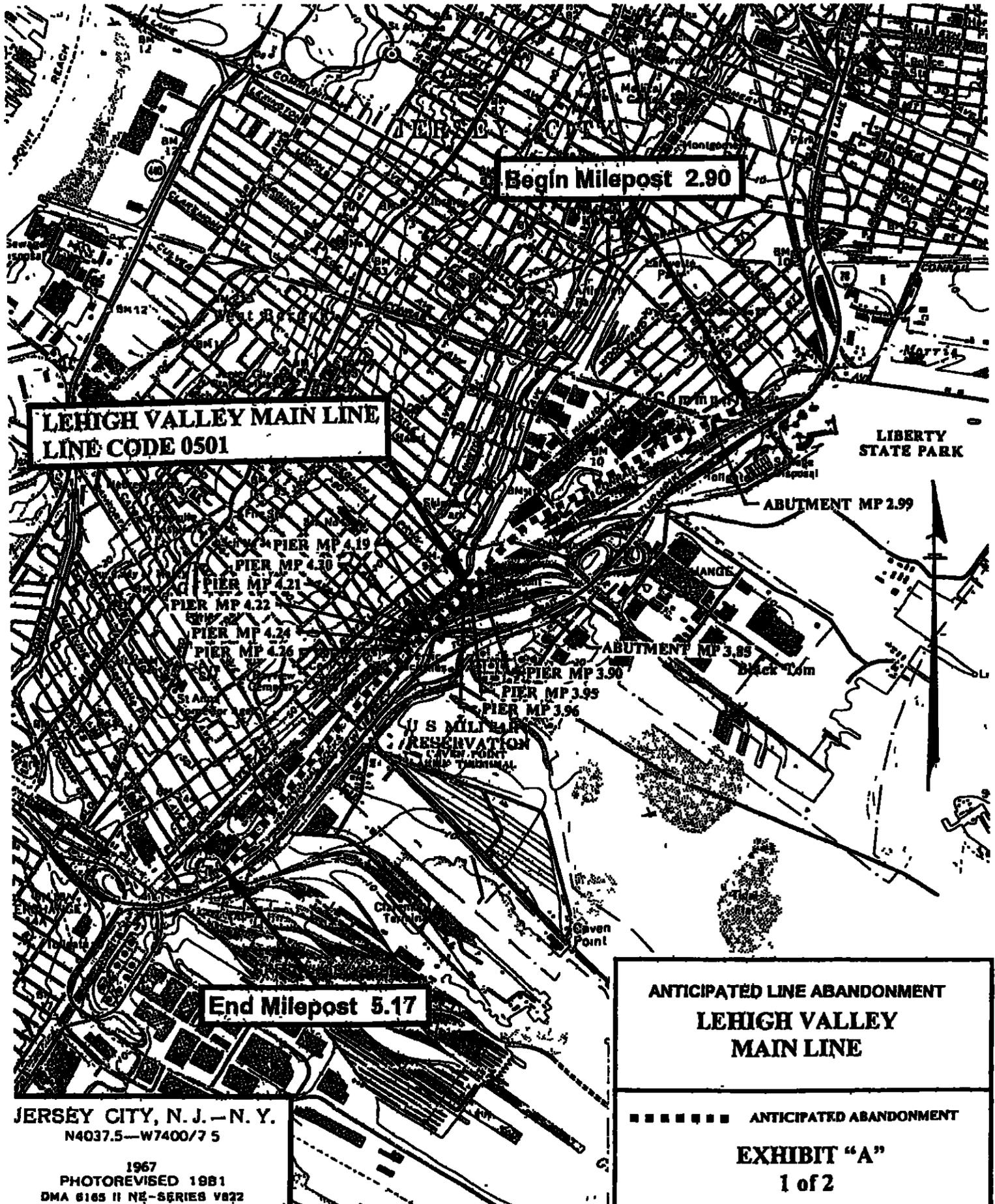
7. Opinion regarding historical matters An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4) and whether there is a likelihood of archeological 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 Based on readily available information in its possession and the consultation described below, Applicants are of the opinion that the site of the Line and the railroad structures thereon do not meet the criteria for listing on the National Register of Historic Places (36 C.F.R.

60 4), and there is not a likelihood of archeological resources or any other previously unknown historic property on the Line. The bases for these opinions are the absence of any document in Conrail's possession indicating that the site or any structure meet historical criteria or that there is a likelihood that archeological resources or other previously unknown historic properties exist on the Line, and an on-site inspection of the Line conducted by Conrail field engineers on August 26, 2008. The New Jersey State Historic Preservation Office has been consulted in this regard. Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment. Upon receipt of any response, Applicants will forward same to the Board.

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. A portion of the Line, including that portion still owned by Conrail located near Chapel Avenue, is among a number of sites included in a New Jersey Department of Environmental Protection investigation of chromium contamination in Hudson County. The New Jersey State Historic Preservation Office has been consulted in this regard. Applicants wrote to this agency on September 10, 2008 to request that it comment on the proposed abandonment. Upon receipt of any response, Applicants will forward same to the Board.

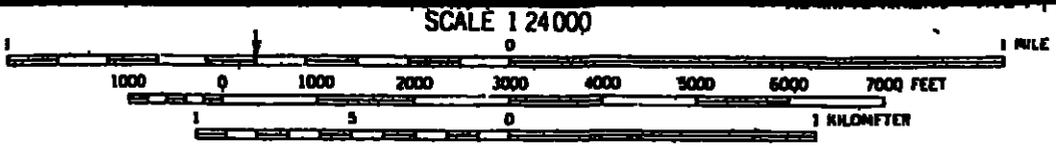


JERSEY CITY, N. J. - N. Y.  
 N4037.5 - W7400/7 5

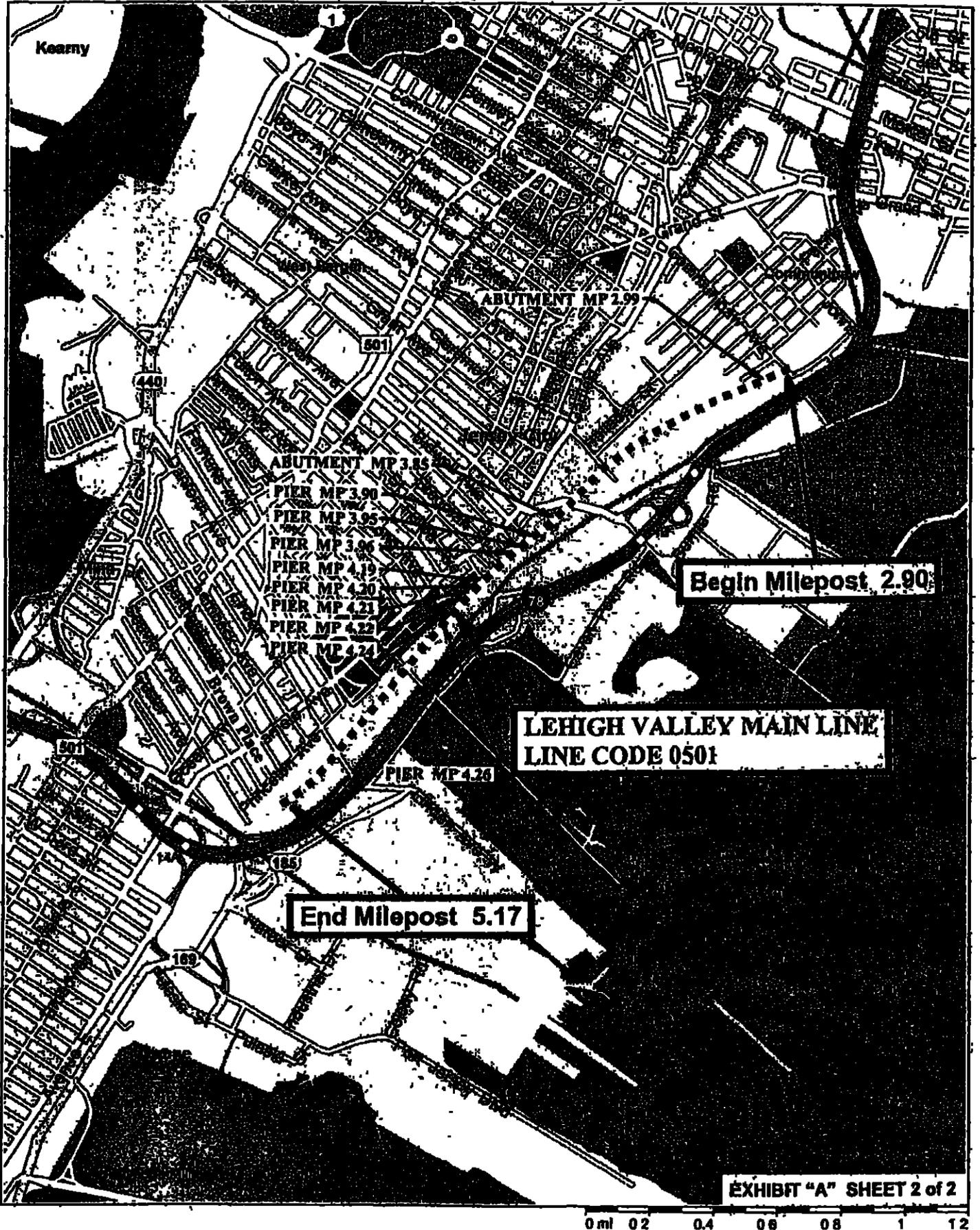
1967  
 PHOTOREVISED 1981  
 DMA 6165 II NE - SERIES V022

**ANTICIPATED LINE ABANDONMENT**  
**LEHIGH VALLEY**  
**MAIN LINE**

■■■■■■■■ ANTICIPATED ABANDONMENT  
**EXHIBIT "A"**  
 1 of 2



# Jersey City, New Jersey



Copyright © 1998-2003 Microsoft Corp. and/or its suppliers. All rights reserved. <http://www.microsoft.com/streets>  
© Copyright 2002 by Geographic Data Technology Inc. All rights reserved. © 2002 Navigation Technologies. All rights reserved. This data includes information taken with permission from Canadian authorities © 1991-2002 Government of Canada (Statistics Canada and/or Geomatics Canada), all rights reserved.

MP 2.99  
STONE  
ABUTMENT



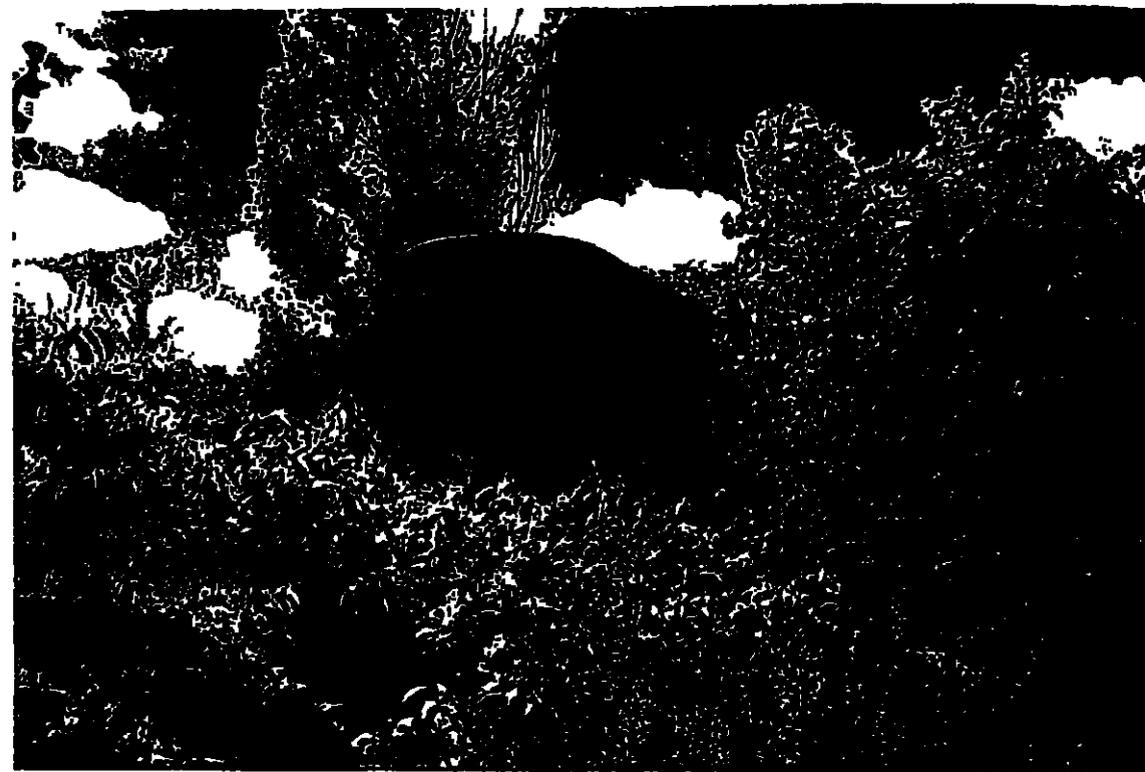
MP 3.05  
STONE  
ABUTMENT



MP 3.90  
CONCRETE  
PIER



MP 3.95  
CONCRETE  
PIER



MP 3.96  
CONCRETE  
PIER



MP 4.19  
CONCRETE  
PIER



MP 4.20  
CONCRETE  
PIER



MP 4.21  
CONCRETE  
PIER



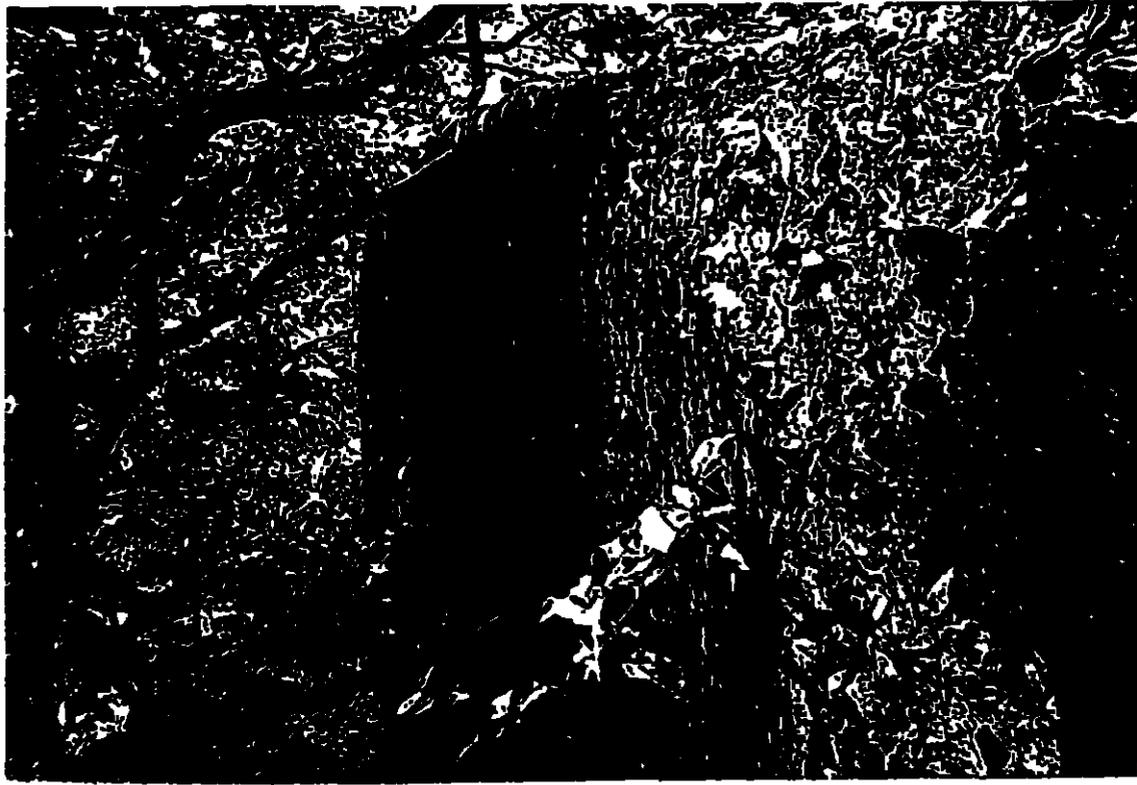
MP 4.22  
CONCRETE  
PIER



MP 4.24  
CONCRETE  
PIER



MP 4.26  
CONCRETE  
PIER



Jon S. Corzine  
Governor

Kris Kollum, Esq.  
Board Chairman

Richard R. Sarles  
Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, New Jersey 07105-2246  
973-491-7000



October 17, 2008

Mr. John K. Enright  
Associate General Counsel  
Conrail  
1717 Arch Street, 32<sup>nd</sup> Floor  
Philadelphia, PA 19103

**Subject** Proposed Abandonment of Lehigh Valley Main Line between MP 2 90 and  
5 17 - Jersey City, Hudson County, NJ  
Future STB Docket No. AB 167 (Sub-No 1190X)

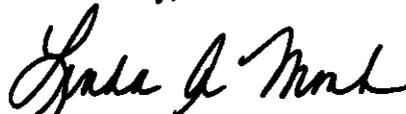
Dear Mr. Enright

NJ TRANSIT is in receipt of your September 10, 2008 letter informing the State of New Jersey of Conrail's proposed abandonment of the captioned rail line. NJ TRANSIT takes no issue with Conrail's "abandonment" of the rail line, as we have previously acquired (from Conrail) portions of this right of way, upon which can be found the shop and yard complex for the Hudson Bergen Light Rail System.

Of the two parcels which Conrail alleges that they retain, NJ TRANSIT has no interest in the parcel located between Chapel Avenue and Linden Avenue. The other parcel, near Communipaw Avenue, appears to us to already be NJ TRANSIT-owned property. NJ TRANSIT requests that Conrail's Real Estate group contact Ms. Bernadette Gill, NJ TRANSIT's Director of Property Management, at 973 491 7167 so we can resolve the disputed ownership of this parcel.

Additionally, to streamline responses in the future, please forward correspondence pertaining to NJ TRANSIT to Mr. David Dieck, Director of Rail Contracts. Mr. Agrawal has now retired.

Sincerely,

  
for Steven H. Santoro  
Assistant Executive Director  
Capital Planning & Programs

Copy to B. Gill  
D. Dieck



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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



IN REPLY REFER TO.
08-I-0713

John K Enright, Associate General Counsel
Conrail
1717 Arch Street, 32nd Floor
Philadelphia, Pennsylvania 19103

OCT 07 2008

Reference: Railroad Line to be Abandoned: Lehigh Valley Main Line between Mileposts 2.90 and 5.17, Jersey City, Hudson County, New Jersey

The U S Fish and Wildlife Service (Service) has reviewed the above-referenced proposed project pursuant to 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

A known occurrence or potential habitat for the following federally listed or candidate species is located on or near the project's impact area However, the Service concurs that the proposed project is not likely to adversely affect federally listed or candidate species for the reasons listed below

Table with 2 columns: Species, Basis for Determination. Row 1: Indiana bat (Myotis sodalis) (endangered), Negligible impacts - no proposed tree removal

Except for the above-mentioned species, no other federally listed or proposed threatened or endangered flora or fauna under Service jurisdiction are known to occur within the proposed project's impact area Therefore, no further consultation pursuant to the ESA is required 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/ for further information including federally listed and candidate species lists, procedures for requesting ESA review, the National Bald Eagle Management Guidelines, and contacts for obtaining information from the New Jersey Natural Heritage and Endangered and Nongame Species Programs regarding State-listed and other species of concern

Reviewing Biologist [Signature]
Carlo Popolizio

Authorizing Supervisor [Signature]
J Eric Davis Jr

**CONRAIL**



September 10, 2008

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 Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail A requirement for this filing is the consultation of the State Historic Preservation Office. Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc ("CSXT) and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (**these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)).**) This letter will serve as the consultation notice with respect to each of these three filings

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 Line contains no existing undergrade bridges that our records indicate are greater than 50 years old and are the maintenance responsibility of the railroad Portions of the Line were elevated While the track and rail bed have been removed, some of the supporting piers and abutments are still standing Original photographs of these structures are enclosed

It is Conrail's position that none of the characteristics of the Line hold any special historical or engineering significance The Line traverses urban residential/commercial/industrial areas with a flat topography A portion of the Line, including the remainder located near Chapel Avenue, is among a number of sites included in a New Jersey Department of Environmental Protection investigation of chromium contamination in Hudson County. **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.**

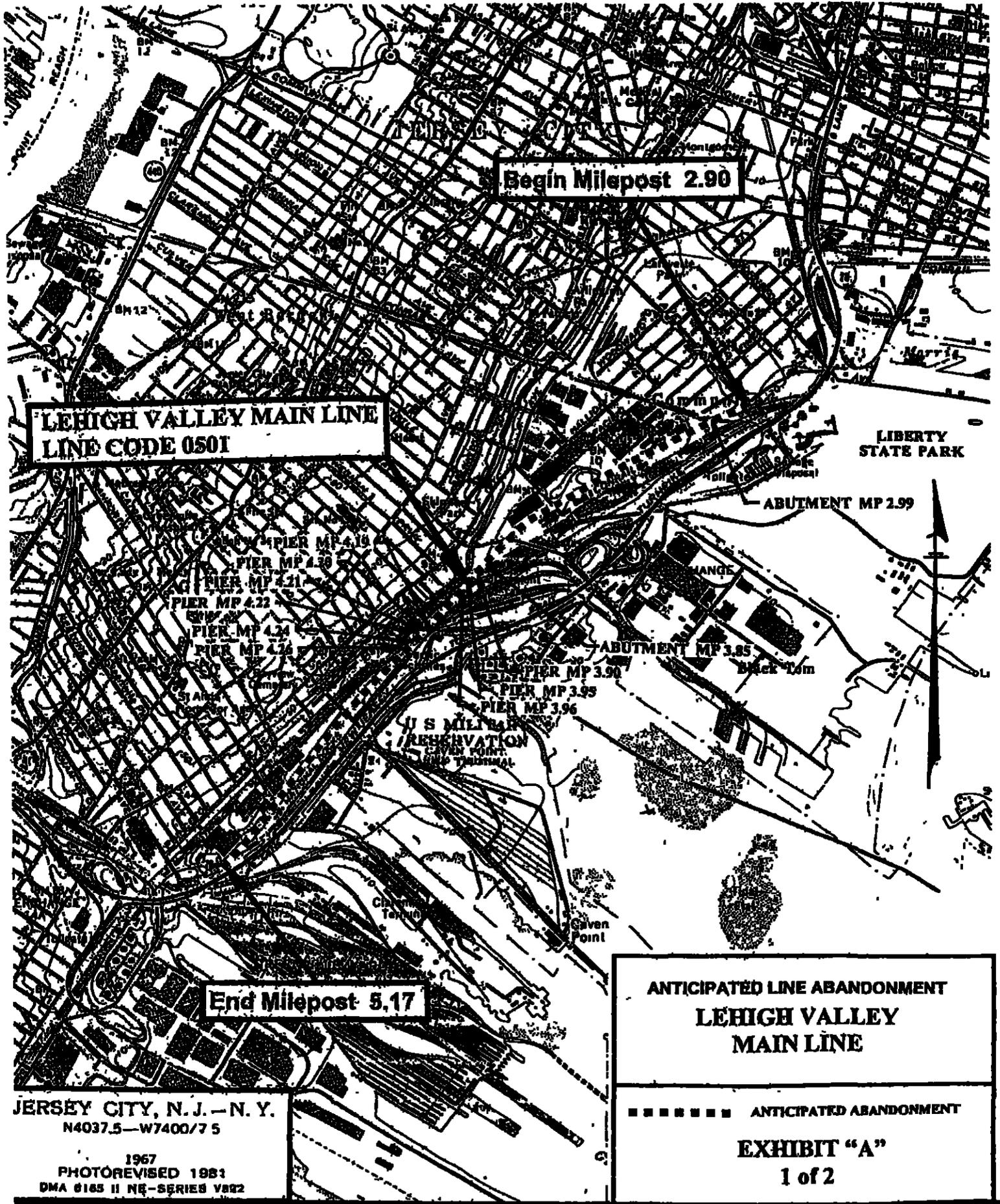
Please forward any comments you may have regarding this proposal in writing to the address below Because of the necessary time schedules for the STB filing, I would appreciate your response within 30 days of the date of this letter If I may be of any further assistance, please contact me at (215) 209-5012

Thank you for your cooperation

Sincerely,

*John K. Enright / rhd*

John K Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103  
Enclosure(s)



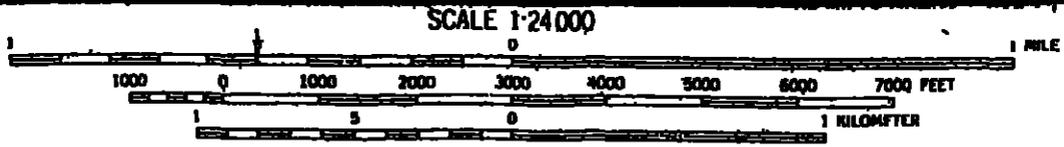
JERSEY CITY, N. J. - N. Y.  
N4037.5 - W7400/7 5

1967  
PHOTOREVISED 1983  
DMA 6185 II NE - SERIES V822

ANTICIPATED LINE ABANDONMENT  
LEHIGH VALLEY  
MAIN LINE

----- ANTICIPATED ABANDONMENT

EXHIBIT "A"  
1 of 2



# Jersey City, New Jersey

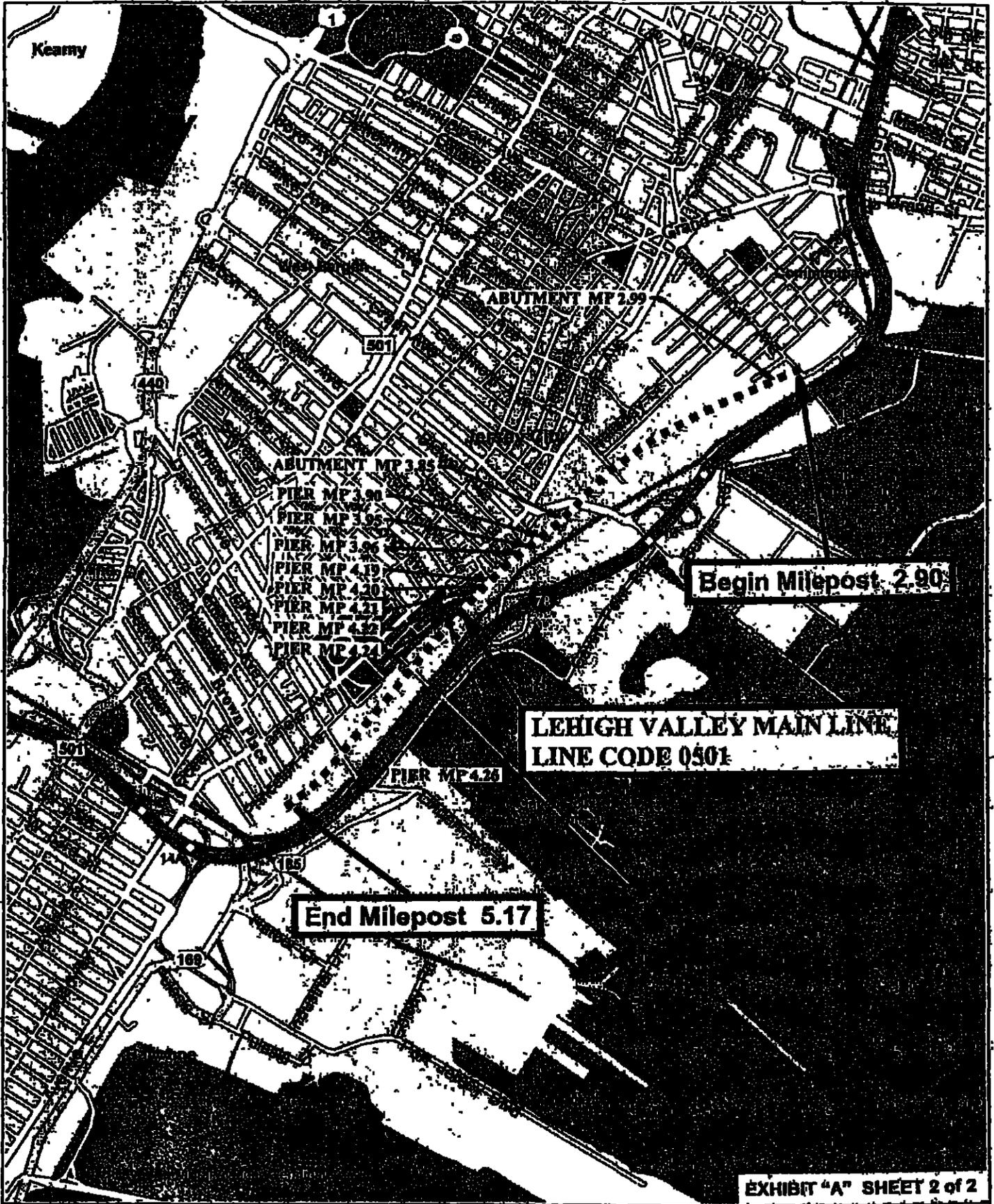


EXHIBIT "A" SHEET 2 of 2

0 mi 0.2 0.4 0.6 0.8 1 1.2

Copyright © 1999-2003 Microsoft Corp. and/or its suppliers. All rights reserved. <http://www.microsoft.com/address>  
© Copyright 2003 by Geographic Data Technology, Inc. All rights reserved. © 2002 Navigation Technologies. All rights reserved. This data includes information taken with permission from Canadian authorities © 1991-2002 Government of Canada (Statistics Canada and/or Geomatics Canada), all rights reserved.

**CONRAIL®**



September 10, 2008

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 Lehigh Valley Main Line, between milepost 2.90 and milepost 5.17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued. Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. We are required to contact the state clearinghouse concerning the abandonment. Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc. ("CSXT") and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines **(these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)).** This letter will serve as the consultation notice with respect to each of these three filings.

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 not involve the salvage or removal of track material. **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.**

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 (215) 209-5012.

Thank you for your cooperation.

Sincerely,

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

John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

cc D C Agrawal – New Jersey Transit

Enclosures

**CONRAIL®**



September 10, 2008

Robert B Piel, Jr, Manager  
NJ Department of Environmental Protection  
Bureau of Inland Regulation  
401 East State Street, 7<sup>th</sup> Floor  
P O. Box 402  
Trenton, NJ 08625-0402

Dear Mr Piel

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail One of the requirements for this filing is that the Division of Coastal Resources be consulted Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc ("CSXT) and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)). This letter will serve as the consultation notice with respect to each of these three filings

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 not involve the salvage or removal of track material There would be no in-stream salvage of any bridges The Line was used for rail freight operations. There are no existing undergrade bridges along the Line. Portions of the Line were elevated, and while the bridges no longer exist, some of the supporting piers and abutments are still standing. The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line, and, accordingly, there will be no impact on the nearby Hudson River waterfront.

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 (215) 209-5012 Thank you for your cooperation

Sincerely,

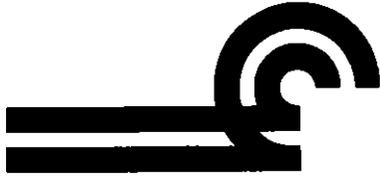
*John K. Enright / rbd*

John K Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)

CONSOLIDATED RAIL CORPORATION

**CONRAIL®**



September 10, 2008

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 Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail One of the requirements for this filing is that the Division of Coastal Resources be consulted Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc ("CSXT) and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)). This letter will serve as the consultation notice with respect to each of these three filings

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 not involve the salvage or removal of track material There would be no in-stream salvage of any bridges The Line was used for rail freight operations. There are no existing undergrade bridges along the Line. Portions of the Line were elevated, and while the bridges no longer exist, some of the supporting piers and abutments are still standing. The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line, and accordingly, there will be no impact on the nearby Hudson River waterfront.

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 (215) 209-5012 Thank you for your cooperation

Sincerely,

*John K. Enright / rbl*

John K Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)

**CONRAIL**



September 10, 2008

Thomas A. DeGise, County Executive  
Justice Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306

Dear Mr DeGise

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail We are required to contact local or regional planning agencies about the abandonment Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc. ("CSXT) and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)). This letter will serve as the consultation notice with respect to each of these three filings

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 not involve the salvage or removal of track material **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.**

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 (215) 209-5012

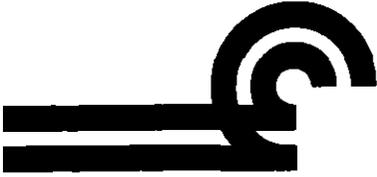
Thank you for your cooperation

Sincerely,

*John K. Enright / rbd*  
John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)

**CONRAIL**



September 10, 2008

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

Dear Sir/Madam

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail We are required to contact various agencies about items concerning the abandonment Some of these items involve the Army Corps of Engineers Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc ("CSXT) and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)). This letter will serve as the consultation notice with respect to each of these three filings

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 not involve the salvage or removal of track material There would be no in-stream salvage of any bridges **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.**

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 (215) 209-5012 Thank you for your cooperation

Sincerely,

*John K. Enright / rbd*

John K Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)



September 10, 2008

U S Fish and Wildlife Service  
New Jersey Field Office  
927 North Main Street  
Heritage Square, Building D  
Pleasantville, NJ 08232

Dear Sir/Madam:

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2.90 and milepost 5.17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued. Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. 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. Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc. ("CSXT") and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (**these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)).**) This letter will serve as the consultation notice with respect to each of these three filings.

**Conrail has reviewed the F&WS web site and has identified the Indiana bat ("Potential") and Peregrine Falcon ("Extant") as species within the limits of its proposed abandonment.** The Surface Transportation Board is the federal agency that will authorize Conrail's application for abandonment. Conrail expects to file its application with the STB on or after November 14, 2008. Conrail does not believe a State Freshwater Wetland permit will be required. Conrail has requested NJDEP to comment on permitting requirements.

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 not involve the salvage or removal of track material. **The bridges, rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.** No tree clearing is proposed. Removal of the bridges, track, and ties, which traversed a highly urbanized area, was consummated over 20 years ago and therefore Conrail believes there was no impact on federally listed species and that no species were adversely affected by the removal of bridges, rail, and ties at that time. As the proposed abandonment application with the STB will not involve any salvage activity or disturbance of the Line, Conrail likewise believes no species will be impacted or adversely affected.

The Line is situated in a highly urban/residential/commercial/industrial area. The Hudson River is nearby, though not within the abandonment area. Photographs of the bridge supports and abutments that supported the bridges that were previously removed are enclosed.

**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 (215) 209-5012. Thank you for your cooperation.**

Sincerely,

Handwritten signature of John K. Enright in black ink, with a vertical line through the signature.

**John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103**

**Enclosure(s)**

**CONRAIL**



September 10, 2008

U.S. Environmental Protection Agency  
Region 2  
290 Broadway  
New York, NY 10007-1866

Dear Sir/Madam

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. One of the requirements for this filing is that the Environmental Protection Agency be consulted Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc ("CSXT) and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines **(these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)).** This letter will serve as the consultation notice with respect to each of these three filings

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 not involve the salvage or removal of track material There would be no in-stream salvage of any bridges. **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.** The proposed abandonment will not involve any activity that will create any point source discharges to waters of the U S The proposed abandonment does not involve excavation or other activity that would create any dredged or fill materials, and therefore no dredged or fill materials will be placed into wetlands or other waters of the U.S. A portion of the Line located near Chapel Avenue is among a number of sites included in a New Jersey Department of Environmental Protection investigation of chromium contamination in Hudson County, however, the proposed abandonment will not involve any type of activity and, accordingly, there will be no degradation of water quality standards The Line was used for rail freight operations There are no existing undergrade bridges along the Line Portions of the Line were elevated, and the bridge spans, rail, and ties were removed over 20 years ago It was Conrail's policy and practice (or that of its predecessor railroads) during the time of said removal activities (late 1970s to early 1980s) to engage an outside contractor for such demolition and removal work Any such contractor was required to obtain whatever permits were necessary While Conrail does not have a record of what permits, if any, were obtained in connection with the prior removal, we note that most of the subject rail Line was elevated, and, therefore, not located near any waterways nor in need of soil excavation

**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 (215) 209-5012**

**Thank you for your cooperation.**

Sincerely,

*John K. Enright / rbd*

**John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103**

**Enclosure(s)**

**CONRAIL®**



September 10, 2008

Mayor Jerramiah T. Healy  
City Hall – 280 Grove Street  
Jersey City, NJ 07302

Dear Mayor Healy

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2.90 and milepost 5.17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued. Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. We are required to contact local or regional planning agencies about the abandonment. Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc. ("CSXT") and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS))). This letter will serve as the consultation notice with respect to each of these three filings.

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 not involve the salvage or removal of track material. **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.**

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 (215) 209-5012.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "John K. Enright" followed by a vertical line and the initials "rbd".

John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)

**CONRAIL®**



September 10, 2008

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 Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail We are required to contact the National Geodetic Survey concerning the abandonment I would appreciate any comments you may have concerning the proposal Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc ("CSXT) and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)). This letter will serve as the consultation notice with respect to each of these three filings

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 not involve the salvage or removal of track material **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line and no geodetic survey marks would be disturbed.**

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 (215) 209-5012 or via e-mail at [John.Enright@Conrail.com](mailto:John.Enright@Conrail.com)

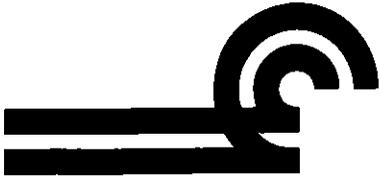
Thank you for your cooperation

Sincerely,

John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosures

**CONRAIL®**



September 10, 2008

Charlie Stockman - U.S. Department of the Interior  
National Park Service  
Recreation Resources Assistance Division  
1201 Eye St., NW, 9<sup>th</sup> Floor (Org Code 2240)  
Washington, DC 20005

Regional Director  
National Park Service  
U.S. Custom House  
200 Chestnut St., 5<sup>th</sup> Floor  
Philadelphia, PA 19106

Dear Sir/Madam:

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued. Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. One of the requirements for this filing is that the National Park Service be consulted. Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc. ("CSXT") and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (**these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)).**) This letter will serve as the consultation notice with respect to each of these three filings.

Enclosed are segments of U.S.G.S. quadrangle maps delineating the line being considered. In this case, the abandonment will not involve salvage or removal of track material. **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.**

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 (215) 209-5012. Thank you for your cooperation.

Sincerely,

*John K. Enright / rbd*  
John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)

**CONRAIL**



September 10, 2008

Stephen D. Marks, Director  
Hudson County Planning Division  
Justice Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306

Dear Mr Marks

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2.90 and milepost 5.17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued. Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. We are required to contact local or regional planning agencies about the abandonment. Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc. ("CSXT") and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (**these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)).**) This letter will serve as the consultation notice with respect to each of these three filings.

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 not involve the salvage or removal of track material. **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.**

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 (215) 209-5012.

Thank you for your cooperation.

Sincerely,

Handwritten signature of John K. Enright in black ink.

John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)

**CONRAIL**

September 10, 2008

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

Dear Sir/Madam

Conrail is proposing to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2 90 and milepost 5 17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X).** Rail service on the Line was previously discontinued. Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. We are required to contact various agencies about items concerning the abandonment. One of these items involves prime agricultural soils. Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc ("CSXT") and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (**these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)).** This letter will serve as the consultation notice with respect to each of these three filings.

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 not involve the salvage or removal of track material. **The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line.**

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 (215) 209-5012.

Thank you for your cooperation.

Sincerely,

*John K. Enright / rbd*

John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)

**CONRAIL**



September 10, 2008

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 Lehigh Valley Main Line, between milepost 2.90 and milepost 5.17, located in Jersey City, Hudson 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. AB 167 (Sub-No. 1190X). Rail service on the Line was previously discontinued. Most of the underlying right-of-way has been sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. One of the requirements for this filing is that the Environmental Protection Agency be consulted. Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc. ("CSXT") and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS))). This letter will serve as the consultation notice with respect to each of these three filings.

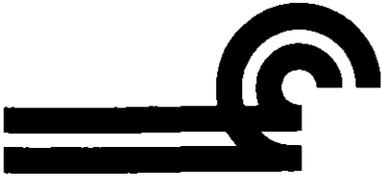
Enclosed a copy of a U.S.G.S. map with the area of the subject track defined. In this case, the abandonment would not involve the salvage or removal of track material. There would be no in-stream salvage of any bridges. The Line was used for rail freight operations. There are no existing undergrade bridges along the Line. Portions of the Line were elevated, and while the bridges no longer exist, some of the supporting piers and abutments are still standing. The rails and ties of the Line have already been removed and therefore the abandonment will not result in any salvage activity or disturbance on the Line, and, accordingly, there will be no impact on the nearby Hudson River waterfront.

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 (215) 209-5012. Thank you for your cooperation.

Sincerely,  
*John K. Enright / rbl*  
John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosure(s)



October 14, 2008

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

Charlie Stockman - U S Dept of the Interior  
 National Park Service  
 Recreation Resources Assistance Division  
 1201 Eye Street, NW - 9<sup>th</sup> Floor (Org Code 2240)  
 Washington, DC 20005

U S Department of the Interior  
 National Park Service  
 Chief, Land Resources Division  
 1849 C Street - Room 3120  
 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

Gail Kimbell, Chief  
 USDA Forest Service  
 Sidney R Yates Federal Building  
 1400 Independence Avenue, SW  
 Washington, DC 20250-0003

RE Docket No AB 167 (Sub-No 1190X)  
 Consolidated Rail Corporation -- Abandonment  
Exemption -- in Hudson County, New Jersey

Docket No AB 55 (Sub-No 690X)  
 CSX Transportation, Inc -- Discontinuance  
Exemption -- in Hudson County, New Jersey

Docket No AB 290 (Sub-No 313X)  
 Norfolk Southern Railway Company -- Discontinuance  
Exemption -- in Hudson County, New Jersey

Dear Sir/Madam

This is to notify you pursuant to 49 C F R 1152 50(d)(1) that on or after November 17, 2008, Consolidated Rail Corporation ("Conrail"), CSX Transportation, Inc ("CSXT"), and Norfolk Southern Railway Company ("NS") intend to file combined Notices of Exemption with the Surface Transportation Board for abandonment (Conrail) and discontinuance of service (CSXT and NS) of the rail line shown on the attached map, and more fully described below

Name Lehigh Valley Main Line

Location Hudson County, New Jersey, traversing United States Postal Service Zip Codes 07304 and 07305

**Description of Track** From approximately milepost 2.90± to approximately milepost 5.17± in the city of Jersey City, Hudson County, New Jersey

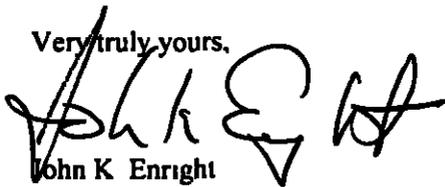
**Length of Track** 2.27 total miles±

The Notices 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. Rail service on the line was previously discontinued and most of the underlying right-of-way was sold to various parties, the remainder (between Chapel and Linden Avenues and a small parcel at Communipaw Avenue) has been retained by Conrail. The rail and ties of line have already been removed, portions of the line were elevated, and while the track and rail have been removed, some of the supporting piers and abutments are still standing. Conrail has no current plans to dispose of these structures. 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  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103  
(215) 209-5012

Enclosure

cc Anne K. Quinlan, Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, D.C. 20423-0001

Regional Director  
National Park Service – Northeast Region  
U.S. Custom House  
200 Chestnut Street, 5th Floor  
Philadelphia, PA 19106

**CONRAIL®**



October 14, 2008

VIA U S MAIL

To All Parties on Attached Service List

RE Docket No AB 167 (Sub-No 1190X)  
Consolidated Rail Corporation -- Abandonment  
Exemption -- in Hudson County, New Jersey

Docket No AB 55 (Sub-No 690X)  
CSX Transportation, Inc -- Discontinuance  
Exemption -- in Hudson County, New Jersey

Docket No AB 290 (Sub-No 313X)  
Norfolk Southern Railway Company -- Discontinuance  
Exemption -- in Hudson County, New Jersey

On or after November 17, 2008, Consolidated Rail Corporation ("Conrail"), CSX Transportation, Inc ("CSXT"), and Norfolk Southern Railway Company ("NS") expect to be filing with the Surface Transportation Board ("STB" or "Board") combined Notices of Exemption for abandonment (Conrail) and discontinuance of service (CSXT and NS) seeking authority to abandon a portion of railroad line known as the Lehigh Valley Main Line, between milepost 2 90± and milepost 5 17±, in the city of Jersey City, Hudson 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, 395 E Street, SW, Washington, DC 20423, telephone number (202) 245-0295 and refer to the above Docket No AB 167 (Sub-No 1190X) 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 (215) 209-5012 or by mail at 1717 Arch Street, 32nd Floor, Philadelphia, PA 19103

Sincerely,

John K. Enright  
Associate General Counsel  
1717 Arch Street, 32nd Floor  
Philadelphia, PA 19103

Enclosures

51

## SERVICE LIST

Anne K Quinlan, Secretary  
Surface Transportation Board  
395 E Street, SW  
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

Robert B Piel, Jr, Manager  
NJ Dept of Environmental Protection  
Bureau of Inland Regulation  
401 East State Street, 7<sup>th</sup> Floor  
P O Box 402  
Trenton, NJ 08625-0402

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

Thomas A DeGise, County Executive  
Justice Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306

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  
New Jersey Field Office  
927 North Main Street  
Heritage Square, Building D  
Pleasantville, NJ 08232

U S Environmental Protection Agency  
Region 2  
290 Broadway  
New York, NY 10007-1866

REF 08-I-0713

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

Charlie Stockman  
U S Department of the Interior  
National Park Service  
Recreation Resources Assistance Division  
1201 Eye Street, NW, 9<sup>th</sup> Floor (Org Code 2240)  
Washington, DC 20005

Stephen D Marks, Director  
Hudson County Planning Division  
Justice Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306

State Conservationist  
Natural Resources Conservation Service  
220 Davidson Avenue, 4<sup>th</sup> 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

**Gail Kimbell, 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

**Regional Director**  
National Park Service – Northeast Region  
U S Custom House  
200 Chestnut Street, 5th Floor  
Philadelphia, PA 19106

**Mayor Jerramiah T Healy**  
City Hall – 280 Grove Street  
Jersey City, NJ 07302

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

# EXHIBIT C

STATE OF NEW JERSEY }  
 COUNTY OF ESSEX } ss

Lauren Kincaid

Being duly sworn, according to law, on her oath sayeth that

She is clerk. of the  
 Star-Ledger, in said County of Essex, and that the notice, of

which the attached is a copy, was published in said paper  
 on the 22nd day of October 2008

and continued therein for \_\_\_\_\_

successively, at least once in each \_\_\_\_\_

for 1 day

Lauren Kincaid

Sworn to and subscribed  
 before me this 28th  
 day of October, 2008.

Kathleen Scanzo  
 NOTARY PUBLIC of NEW JERSEY

**KATHLEEN SCANZO**  
 NOTARY PUBLIC OF NEW JERSEY  
 MY COMMISSION EXPIRES NOV 13, 2012

**NOTICE**  
 Consolidated Rail Corporation gives notice that on or after November 17, 2008, it intends to file with the Surface Transportation Board, 395 E Street, SW, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F, Exempt Abandonments permitting the abandonment of a 2.27 mile line of railroad known as the Lehigh Valley Main Line between railroad milepost

290 and railroad milepost 178, which traverses through United States Postal Service Zip Codes 07304 and 07305 in the City of Jersey City, Hudson County, New Jersey. The proceeding will be docketed as STB No. AB 167 (Sub-No. 1190X) and simultaneously with Conrail's filing of its abandonment application, CSX Transportation, Inc. (CSXT) and Norfolk Southern Railway Company (NS) will be filing Notices of Discontinuance of Service with respect to the same lines. These applications will be docketed as STB No. AB 55 (Sub-No. 690X) (CSXT) and STB No. AB 290 (Sub-No. 1310X) (NS). 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, 395 E Street, SW, Washington, DC 20423 or by calling that office at 202-245-0295.

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, 395 E Street, SW, Washington, DC 20423. 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 202-245-0230. 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, 171 Arch Street, 32nd Floor, Philadelphia, PA 19103, telephone 215-269-5014. \$126.00

## EXHIBIT C

### NOTICE

Consolidated Rail Corporation gives notice that on or after November 17, 2008, it intends to file with the Surface Transportation Board, 395 E Street, SW, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F – *Exempt Abandonments* permitting the abandonment of a 2.27 mile line of railroad known as the Lehigh Valley Main Line between railroad milepost 2.90± and railroad milepost 5.17±, which traverses through United States Postal Service Zip Codes 07304 and 07305 in the City of Jersey City, Hudson County, New Jersey. The proceeding will be docketed as STB No. AB 167 (Sub-No. 1190X). Simultaneous with Conrail's filing of its abandonment application, CSX Transportation, Inc. ("CSXT") and Norfolk Southern Railway Company ("NS") will be filing Notices of Discontinuance of Service with respect to the same lines (these applications will be docketed as STB No. AB 55 (Sub-No. 690X (CSXT)) and STB No. AB 290 (Sub-No. 313X (NS)).

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, 395 E Street, SW, Washington, DC 20423 or by calling that office at 202-245-0295.

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, 395 E Street, SW, 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 202-245-0230. 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, 1717 Arch Street, 32nd Floor, Philadelphia, PA 19103, telephone 215-209-5014.