

June 18, 2021

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423



VILLAGE
NEIGHBORHOOD ASSOCIATION

302562

ENTERED
Office of Proceedings
June 21, 2021
Part of
Public Record

Re: Docket No. AB 167 (Sub.no. 1189X), Conrail - Abandonment Exemption - in Hudson County, NJ and related CSX and NS dockets AB 290 (Sub-no. 686X) and AB 290 (Sub-no. 306X)

Dear Ms. Brown:

I am writing regarding the proposed abandonment by Consolidated Railroad (Conrail), and discontinuances by CSX Transportation (CSX) and Norfolk Southern Railway Company (NS), in the above-referenced proceedings.

The Village Neighborhood Association (VNA) serves residents of the area shown in the Village area on the following map. Although this map does not note it specifically, Hamilton Park to the north and east, and Harsimus Cove (adjacent to The Village at the east) are both National Historic Districts. Van Vorst Park (not labelled) to the south of the Village is also a National Historic District, as is Paulus Hook to the south and east. Historic warehouses are along the Hudson River waterfront, also to the east, and the Historic Jersey City and Harsimus Cemetery is located along Newark Avenue to the west. As the "Historic Downtown" label on the map suggests, the Downtown area is really largely one historic fabric.



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Indeed, the State Historic Preservation Office (SHPO) recently opined that The Village is eligible for the National Register as The Italian Village Historic District. SHPO also issued Opinions that additional resources along our 6th Street boundary, where the Harsimus Branch runs, are also eligible. These include Holy Rosary and St. Anthony's Church complexes, which together make up the Immigrant Roman Catholic Church Historic District, and the Harsimus Branch right-of-way itself.

By virtue of the location of our neighborhood, its historic character, and the importance of the Harsimus Branch, which runs through it and the larger historic area, VNA has a vested interest in the outcome of these STB proceedings.

We have followed these lengthy proceedings at STB, as well as burdensome local proceedings, caused by Conrail's breaking up of the Harsimus Branch and selling off part of it, all without prior mandated authorization from your board or the predecessor Interstate Commerce Commission. Conrail's actions and those of its developer have deprived the public of protections to which we are entitled under federal rail and historic preservation law as well as state law. The City of Jersey City, Embankment Preservation Coalition, and Rails to Trails Conservancy have already provided overwhelming evidence of anticipatory demolition, as described in the National Historic Preservation Act (NHPA) Section 110(k), and we trust that the case they continue to present now will be as compelling to you as the previously presented evidence has been to us.

The VNA asks that the STB impose sanctions on Conrail for its anticipatory demolition of the Harsimus Branch and Embankment, and that the STB support all lawful remedies available that facilitate the Branch's transfer to Jersey City for historically appropriate public purposes.

For more than a century, predecessors to Conrail, and Conrail itself, made ample profits from the Harsimus Branch (the Pennsylvania Railroad was considered the "economic engine" of the world and the Harsimus Branch was its wealth-building freight line into New York Harbor) while local residents bore the burden of freight trains rumbling through their neighborhoods. The Village, historically one of poor immigrants, was literally dumped on, with fill from the railroads, a coal pile near Newark and Division, and an ash dump later converted by a philanthropist to a park. Evidence in these proceedings shows that the Branch continued to make a profit after it was transferred to Conrail as a "line" of railroad.

Yet Conrail neglected its maintenance, never even provided sidewalks along it (as other property owners are obliged to do), and when the line was no longer a profit center, largely left residents of the neighborhoods all along it, including ours, to maintain the surroundings. (We still hold cleanups.) On the railway structures, billboards that Conrail rented to advertisers promoted alcohol, cigarettes, and divorce—attestations to Conrail's lack of regard for the social well-being of the community, even though, as Conrail's representative testified at a local land use board meeting, the billboards provided "de minimus" income for the company,

After all this neglect, rather than facilitating the transfer of the Harsimus Branch to the City for important public needs, Conrail unlawfully sold part of the line for private development, opening a Pandora's box of litigation on the City and preservation advocates. Most recently, and demonstrating it will not take responsibility for its actions unless required to do so by your board, Conrail walked away from a settlement that would have preserved the corridor. We hope you will find that Conrail violated NHPA Section 110(K) and impose strong sanctions and remedies that will preserve the historic corridor for 21st-century public uses.

Sincerely,



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I certify that I have this day served or caused to serve a copy on all Parties of Record in this proceeding by e-service or first-class mail.

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

6/18/21

Signature

Date