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ENTERED
Office of Proceedings
June 21, 2022
Part of
Public Record

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June 21, 2022

Via E-Filing

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

Re: Norfolk Southern Railway Company – Abandonment Exemption – In Hudson and Essex Counties, New Jersey, AB-290 (Sub-No. 408X)

Dear Ms. Brown:

In a Petition for Substitution of Interim Trail Sponsor (“Petition”) entered into the public record on June 21, 2022, Open Space Institute Land Trust, Inc. (“OSI”), a New York not-for-profit corporation, and the New Jersey Department of Environmental Protection (“NJDEP”) jointly notified the Board that pursuant to 49 CFR § 1152.29 (f), the parties were requesting that NJDEP be substituted in place of OSI as the trail sponsor for the rail line¹ proposed for abandonment in AB-290 (Sub-No. 408X) effective June 30, 2022. Norfolk Southern Railway Company (“NSR”) is writing to notify the Board that it consents to the substitution proposed in the Petition. Since the original issuance of the NITU, NSR has maintained an intention to transfer the Line intact for interim trail use and railbanking and the corridor underlying the Line remains intact. As stated in the Petition, NJDEP and NSR hope to close this transaction and enter into an trails use agreement on or shortly after June 30, 2022. As such, NSR requests that the Board grant the expedited consideration requested to allow for a timely closing. If you have any questions, concerning this filing please contact me at (202) 663-7831 or by e-mail: czorbaugh@bakerandmiller.com.

Sincerely,

/s/ Crystal M. Zorbaugh

Crystal M. Zorbaugh
Counsel for Norfolk Southern Railway Company

cc: Parties of Record
Hanna Chouest, Scott Plum
Eric Hocky, Justin Marks (OSI)

¹ The line proposed for abandonment is an approximately 8.6-mile rail line between Milepost WD 2.9 in the City of Jersey City to Milepost WD 11.5 in the Township of Montclair, in Hudson and Essex Counties, New Jersey (the “Line”).