

Public & Media Advisory: Surface Transportation Board to Hold July 24 Public Hearing in New York City on "Highline" Rail-Line Abandonment Case

Surface Transportation Board (Board) Chairman Roger Nober today announced that the Board will hold a public hearing beginning at **2:00 p.m. EDT, on Thursday, July 24, 2003, in the Federal Conference Center, in the Jacob Javits Federal Building, 26 Federal Plaza, New York, New York**, to provide a forum for interested persons to express their views on the matters at issue in the case entitled *Chelsea Property Owners--Abandonment--Portion of the Consolidated Rail Corporation's West 30th Street Secondary Track in New York, NY*, Docket No. AB-167 (Sub-No. 1094)A.

In advance of the public hearing, the Board advises that:

- Parties and persons wishing to speak at the hearing should file with the Board a written notice of intent to participate, and should indicate a requested time allotment (with the understanding that speaking times will be limited to accommodate those expressing an interest to speak) as soon as possible but no later than **July 15, 2003**, and
- Written statements by hearing participants may be submitted prior to the hearing but are not required. Those wishing to submit written statements should do so by **July 17, 2003**.

An original and 10 copies of all notices of intent to participate and any written and/or supplemental statements should refer to "**Docket No. AB-167 (Sub-No. 1094)A**" and should be addressed to:

Attention: Docket No. AB-167 (Sub-No. 1094)A

**Surface Transportation Board
1925 K St., N.W.
Washington, DC 20423-0001**

Forthcoming official public notices and Board news releases will advise of procedures for official participation, a hearing agenda, attendance instructions, and other related matters. The hearing, which will begin at 2:00 p.m., is expected to last for about two hours. The Board anticipates that, if necessary, it will impose time limits on participants.

The attached fact sheet provides a brief summary of the history of, and issues in, this case.

Board decisions, notices, and news releases are available on the agency's Website at www.stb.dot.gov.

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Chelsea Property Owners--Abandonment--Portion of the Consolidated Rail Corporation's West 30th Street Secondary Track in New York, NY, Docket No. AB-167 (Sub-No. 1094)A

At issue in this case is the future disposition of an elevated steel and concrete railroad viaduct, the "Highline," built in Lower Manhattan in 1930 and owned by the Consolidated Rail Corporation (Conrail). In 1992, the Board's predecessor approved the abandonment of the Highline so that it will not be available for use in rail service, despite opposition by Conrail.

More recently, several parties have asked the Board to consider issues related to the Highline abandonment. In August 2002, the Chelsea Property Owners (CPO), a party seeking the viaduct's condemnation and demolition, asked the Board to find that a draft settlement agreement meets a previously imposed requirement that Conrail be indemnified for all demolition costs in excess of \$7 million. In addition, another party, Friends of the High Line, Inc., has asked the Board to reopen the 1992 Highline abandonment proceeding on historical and environmental grounds. The City of New York (the City) has asked the Board to issue a certificate of interim trail use (CITU) under Section 1247(d) of Title 16, *United States Code* [16 U.S.C. 1247(d)] to allow the City to negotiate an agreement with Conrail to "rail bank" (to preserve until a time when rail use might be restored) the Highline and allow it to be used for the time being as a trail. Finally, Conrail has asked the Board to determine whether the agency has the authority to issue a CITU under the particular circumstances of this case.

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