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November 23, 2020

301311

VIA E-FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

ENTERED
Office of Proceedings
November 23, 2020
Part of
Public Record

Re: The New York, Susquehanna and Western Railway Corporation
– Abandonment Exemption – in Bergen County, NJ Surface Transportation Board
Docket No. AB 286 (Sub No. 8X)

Dear Ms. Brown:

Enclosed for filing in the above referenced docket is the Environmental and Historical Report of The New York, Susquehanna and Western Railway Corporation (“NYSW”). NYSW intends to file a notice of exemption for NYSW to abandon two segments of rail line in Bergen County, NJ. Please let me know if you have any questions regarding this filing.

Sincerely,



Justin J. Marks
*Counsel to The New York, Susquehanna and
Western Railway Corporation*

Enclosure

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 286 (Sub No. 8X)

THE NEW YORK, SUSQUEHANNA AND WESTERN RAILWAY CORPORATION
– ABANDONMENT EXEMPTION –
BERGEN COUNTY, NJ

ENVIRONMENTAL/HISTORIC REPORT

(color copies included)

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*Counsel for The New York, Susquehanna
and Western Railway Corporation*

Dated: November 23, 2020

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 286X (Sub No. 8X)

THE NEW YORK, SUSQUEHANNA AND WESTERN RAILWAY CORPORATION
– ABANDONMENT EXEMPTION –
BERGEN COUNTY, NJ

ENVIRONMENTAL/HISTORIC REPORT

The New York, Susquehanna and Western Railway Corporation (“Applicant” or “NYSW”) owns the land, rail, track material and other personal property, as well as the underlying right-of-way, comprising the following two segments of rail line (together, the “Subject Line”):

1. Between milepost 15.80 in Lodi, NJ and milepost 14.50 in Hackensack, NJ traversing through United States Postal Service ZIP Codes 07644 and 07601 (“the Lodi Branch”);
2. Between milepost 17.30 in Elmwood Park, NJ and milepost 18.40 in Garfield, NJ traversing through United States Postal Service ZIP Codes 07407 and 07026 (“the Passaic Branch”).

Based upon information in NYSW’s possession, the Subject Line does not contain federally granted rights of way. There are no stations on the Subject Line. A map of the Lodi Branch is enclosed as Exhibit A - 1 and a map of the Passaic Branch is enclosed as Exhibit A - 2.

NYSW plans to seek Surface Transportation Board (“STB”) authorization for its abandonment through a notice of exempt abandonment pursuant to the provisions of 49 CFR §1152.50 on or after December 1, 2020.

No local service has been provided on either the Lodi Branch or the Passaic Branch for over ten years, and neither segment of the Subject Line has any overhead traffic. At this time, the portions of the Subject Line nearest to the NYSW main lines may be left in place after

abandonment to be used for railcar storage. The remainder of the rails would be salvaged and sold.

This report is being filed in connection with the proposed abandonment, and in accordance with the requirements of 49 CFR §§1105.7 and 1105.8. To prepare this report, Applicant consulted with various state and federal agencies as required by the Board's regulations. *See* the letters attached as Exhibit B. Based on the written responses received by Applicant to-date attached as Exhibit C, Applicant states as follows:

ENVIRONMENTAL REPORT

(49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

NYSW proposes to abandon the Subject Line. NYSW acquired each segment of the Subject Line in 1982.¹ No local or overhead service has been provided on the Subject Line for over ten years.

At this time, NYSW anticipates salvaging the track, rail ties, and other track materials from the Subject Line following abandonment, although the portions of the Subject Line nearest to the NYSW main lines may be left in place after abandonment to be used for railcar storage.

2. EFFECTS ON THE TRANSPORTATION SYSTEM

The abandonment will have no effect on the transportation system because there is no overhead traffic over the Subject Line (both the Lodi and Passaic Branches are stub-ended), and the last date of local service to or from the Subject Line was over ten years ago. As such, no traffic will be diverted. Applicant sent a consultation letter regarding the proposed abandonment

¹ *The New York, Susquehanna and Western Railway Corp. – Purchase – The New York, Susquehanna and Western Railroad Co., Debtor (Walter G. Scott, Trustee)*, ICC Finance Docket No. 29421 *et al.* 1980 WL 14112 (decided Dec. 22, 1980).

to the New Jersey Department of Transportation, Multimodal Services (“NJDOT”). *See* the letters attached as part of Exhibit B. No response has been received from NJDOT.

3. **LAND USE**

(i) Applicant is unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. Applicant consulted with the following agencies regarding the proposed abandonment that may be concerned with land use issues: US Department of Agriculture Natural Resources Conservation Service – Local (“NRCS Local”), US Department of Agriculture Natural Resources Conservation Service – National (“NRCS National”), Environmental Protection Agency Region 2 (“EPA Region 2”), U.S. Army Corps of Engineers NY District, Regulatory Branch (“ACE”), National Park Service – National (“NPS National”), National Park Service – Northeast Region (“NPS Northeast Region”), U.S. Fish & Wildlife Service – Northeast Region 5 (“FWS Northeast Region 5”), National Geodetic Survey, National Oceanic and Atmospheric Administration (“NGS”), NJDOT, New Jersey Division of Fish and Wildlife (“NJ DFW”), New Jersey Department of Environmental Protection (“NJ DEP”), New Jersey Department of Environmental Protection, Coastal Management Program (“NJ CMP”), James J. Tedesco III, Executive, County of Bergen (“Bergen County”).

Copies of these letters are attached as part of Exhibit B. To date, Applicant has only received written responses from the following consulted agency, a copy of which is included as part of Exhibit C:

- NRCS Local submitted a letter stating that “the area of interest is in a pre-existing disturbed area and non-farmland will be impacted.

(ii) Applicant does not believe that the proposed abandonment will have any adverse effect on any prime agricultural land. Consultation notices were sent to the potentially

concerned agencies listed in paragraph 3(i) above, and as indicated, NRCS Local is the only response to date, and it noted potential impacts only on non-farmland.

(iii) Applicant consulted with NJ CMP. NJ CMP has not responded to date.

(iv) Applicant has not been made aware of any interest in the right of way as a trail or other public purpose.

4. **ENERGY**

The Subject Line serves no overhead traffic, and no local service has been provided to or from the Subject Line in over ten years. As such,

(i) the proposed abandonment will have no effect on the transportation of energy sources;

(ii) the proposed abandonment will have no effect on recyclable commodities;

(iii) the proposed abandonment will be no effect on overall energy efficiency;

and

(iv) the proposed abandonment will not divert any traffic from rail to motor carriage.

The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. **AIR**

The proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity. The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(5).

6. **NOISE**

Applicant does not believe that the proposed abandonment will result in any increase in noise levels.

7. **SAFETY**

Applicant does not believe that the proposed abandonment will have any adverse effect on public health or safety.

8. **BIOLOGICAL RESOURCES**

(i) Applicant has consulted with the FWS Northeast Region 5, as well as to the following agencies that are potentially concerned with biological resources: NJ DFW, NPS National, NPS Northeast Region, ACE, NRCS National, and NRCS Local. Copies of these consultation letters are attached as part of Exhibit B. As stated above in section 3(i), Applicant received a response from NRCS Local indicating that “the area of interest is in a pre-existing disturbed area and non-farmland will be impacted.”

(ii) Applicant does not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposed abandonment. Consultation letters were sent to the agencies identified in the paragraph 8(i), and Applicant has not received any responses other than the already referenced response from NRCS Local.

9. **WATER**

(i) The proposed abandonment and any salvage will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. Applicant consulted with the agencies identified in paragraph 8(i) and other than the response noted in paragraphs 8(i) and 8(ii), no agency has responded.

(ii) Applicant sent a consultation letter regarding the proposed abandonment to the U.S. Army Corps of Engineers. A copy of this letter is attached as part of Exhibit B. As stated above in section 3(i), Applicant has not yet received a response from ACE.

(iii) Applicant does not believe that any Clean Water Act permits will be required. Consultation letters were sent to NJ DEP and EPA. Copies of these letters are attached as part of Exhibit B and Applicant has so far received no responses.

10. PROPOSED MITIGATION

Since no adverse environmental impacts are expected, no mitigation is proposed.

11. ADDITIONAL INFORMATION FOR RAIL CONSTRUCTION

Not applicable.

12. CONSULTATION

As shown by the copies of letters attached as Exhibit B, Applicants have consulted with the following agencies: NRCS Local, NRCS National, EPA Region 2, ACE, NPS National, NPS Northeast Region, FWS Northeast Region 5, NGS, NJDOT, NJDEP, NJDFW, NJCMP, and Bergen County. The only written response received to-date is attached as Exhibit C. The written response received from NRCS Local is summarized in Section 3(i) above.

13. CERTIFICATIONS

Applicant certifies that:

- (a) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph 12 above.
- (b) On this date, it sent copies of this report to each of the agencies consulted as shown on the attached certificate of service.

- (c) Notice of the proposed abandonment was published in *The Bergen Record* on November 21, 2020. A copy of the form of notice and the proof of publication are attached as Exhibit D.
- (d) Applicant will not file its verified notice of abandonment until at least (20) days after the consulted agencies have been served with a copy of this report.

HISTORIC REPORT (49 CFR 1105.8)

1. U.S.G.S TOPOGRAPHIC MAP

A U.S.G.S. topographic map showing the locations of both segments of the proposed abandonment are attached as Exhibit E.

2. DESCRIPTION OF RIGHT OF WAY

Applicant will be seeking an exemption to abandon the following two segments of rail line (together, the “Subject Line”): (1) between milepost 15.80 in Lodi, NJ and milepost 14.50 in Hackensack, NJ traversing through United States Postal Service ZIP Codes 07644 and 07601 (“the Lodi Branch”); and (2) between milepost 17.30 in Elmwood Park, NJ and milepost 18.40 in Garfield, NJ traversing through United States Post Service ZIP Codes 07407 and 07026 (“the Passaic Branch”).

The Lodi Branch segment is located on level topography primarily in a commercial/light industrial area. The right of way is approximately 66 feet wide. The Lodi Branch is crossed by approximately 4 local roadways.

The Passaic Branch is located on level topography primarily in residential and commercial areas. The right of way is approximately 66 feet wide. The Passaic Branch is crossed by approximately 5 local roadways.

3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)

No structures exist on the Subject Line other than the track, OTM, and grade-crossing warning devices. As such, no photographs of historic structures are required.

4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)

No structures exist on the Subject Line other than the track, OTM, and grade-crossing warning devices. NYSW has no documents that pertain to any structures which are over 50 years old.

5. HISTORY OF CARRIER OPERATIONS IN THE AREA

Based on information in the Applicant's possession, the Lodi Branch segment of the Subject Line is the remaining portion of The Hackensack & Lodi Railroad Company line constructed in 1896 to extend rail service from the main line of the original New York, Susquehanna and Western Railroad in Hackensack, NJ to serve industries located in Lodi, NJ.

Based on information in the Applicant's possession, the Passaic Branch segment of the Subject Line is the remaining portion of The Passaic and New York Railroad Company. This segment of the Subject Line was constructed in 1885 and 1886 to extend rail service 3 miles from the main line of the original New York, Susquehanna and Western Railroad in Elmwood Park, NJ to Passaic, NJ.

The original New York, Susquehanna and Western Railroad controlled and operated both segments of the Subject Line until its bankruptcy. Applicant received authority to purchase the Lodi Branch and the Passaic Branch segments of the Subject Line from the bankruptcy trustee in 1980.² There have been no active railroad customers on the either segment of the Subject Line for over ten years.

6. SUMMARY OF STRUCTURE DOCUMENTATION

NYSW has no documentation pertaining to any structures over 50 years old.

² *The New York, Susquehanna and Western Railway Corp. – Purchase – The New York, Susquehanna and Western Railroad Co., Debtor (Walter G. Scott, Trustee)*, ICC Finance Docket No. 29421 *et al.* 1980 WL 14112 (decided Dec. 22, 1980)(Applicants mileposts differ from those of The New York, Susquehanna and Western Railroad Co.'s mileposts.).

7. OPINION REGARDING CRITERIA FOR LISTING

Based on readily available information in NYSW's possession, NYSW does not believe that the Subject Line or right of way represent an historical resource or that any protective conditions are warranted. Applicant has given notice of the proposed abandonment to the New Jersey Department of Environmental Protection, Historic Preservation Office ("SHPO"), a copy of which is included as part of Exhibit F. Applicant has received no response from the SHPO to date.

8. ENVIRONMENTAL CONDITIONS

Applicant is unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might affect the archeological recovery of resources or the surrounding terrain. Moreover, any future salvage work that is done would take place within the right of way, would be surface work only and would not disturb subsurface resources.

Respectfully submitted,



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*Counsel for The New York, Susquehanna
and Western Railway Corporation*

Dated: November 23, 2020

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of November, 2020, I served a copy of the foregoing Environmental and Historic Report on the persons listed below by first class mail, postage prepaid:

Ms. Nicole Minutoli
Director
NJ Department of Transportation
Multimodal Services
1035 Parkway Avenue, P.O. Box 600
Trenton, NJ 08625-0600

National Park Service
Northeast Region
1234 Market Street
Philadelphia, PA 19107

Ms. Catherine R. McCabe
NJ Department of Environmental Protection
Commissioner
401 E. State St. - 7th Floor, East Wing
P.O. Box 402
Trenton, NJ 08625-0402

National Park Service
1849 C Street, NW
Washington, DC 20240

James J. Tedesco III
County of Bergen Executive
One Bergen County Plaza
Room 580
Hackensack, NJ 07601.

Natural Resources Conservation Service
USDA
Office of the Chief
1400 Independence Ave., SW
Room 5105-A
Washington, DC 20250

Mr. Dave Kluesner
US EPA Region 2, Director
290 Broadway
New York, New York 10007-1866

Natural Resources Conservation Service
USDA

Ms. Carrie Lindig
State Conservationist
USDA-NRCS State Office
220 Davidson Ave 4th Floor
Somerset, New Jersey 08873

U.S. Fish and Wildlife Service
Northeast Region 5
Office of the Regional Director
300 Westgate Center Drive
Hadley, Massachusetts 01035-9589

Communications and Outreach Branch
NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East-West Highway
Silver Spring, MD 20910-3282
ngs.infocenter@noaa.gov

Director
N.J. Division of Fish and Wildlife
Mail Code 501-03
P.O. Box 420
Trenton, NJ 08625-0420

U.S. Army Corps of Engineers
Chief, Regulatory Branch
NY District US Army Corps of Engineers
26 Federal Plaza, Room 16-406
New York, New York 10278-0090

Ms. Kimberly Springer, Manager
NJDEP Coastal Management Office
Mail Code 401-07D, P.O. Box 420
401 East State Street
Trenton, NJ 08625-0420

Ms. Katherine Marcopul
Administrator & Deputy State Historic
Preservation Officer
Mail Code 501-04B
State of New Jersey
Department of Environmental Protection
Historic Preservation Office
P. O. Box 420
Trenton, NJ 08625-0420

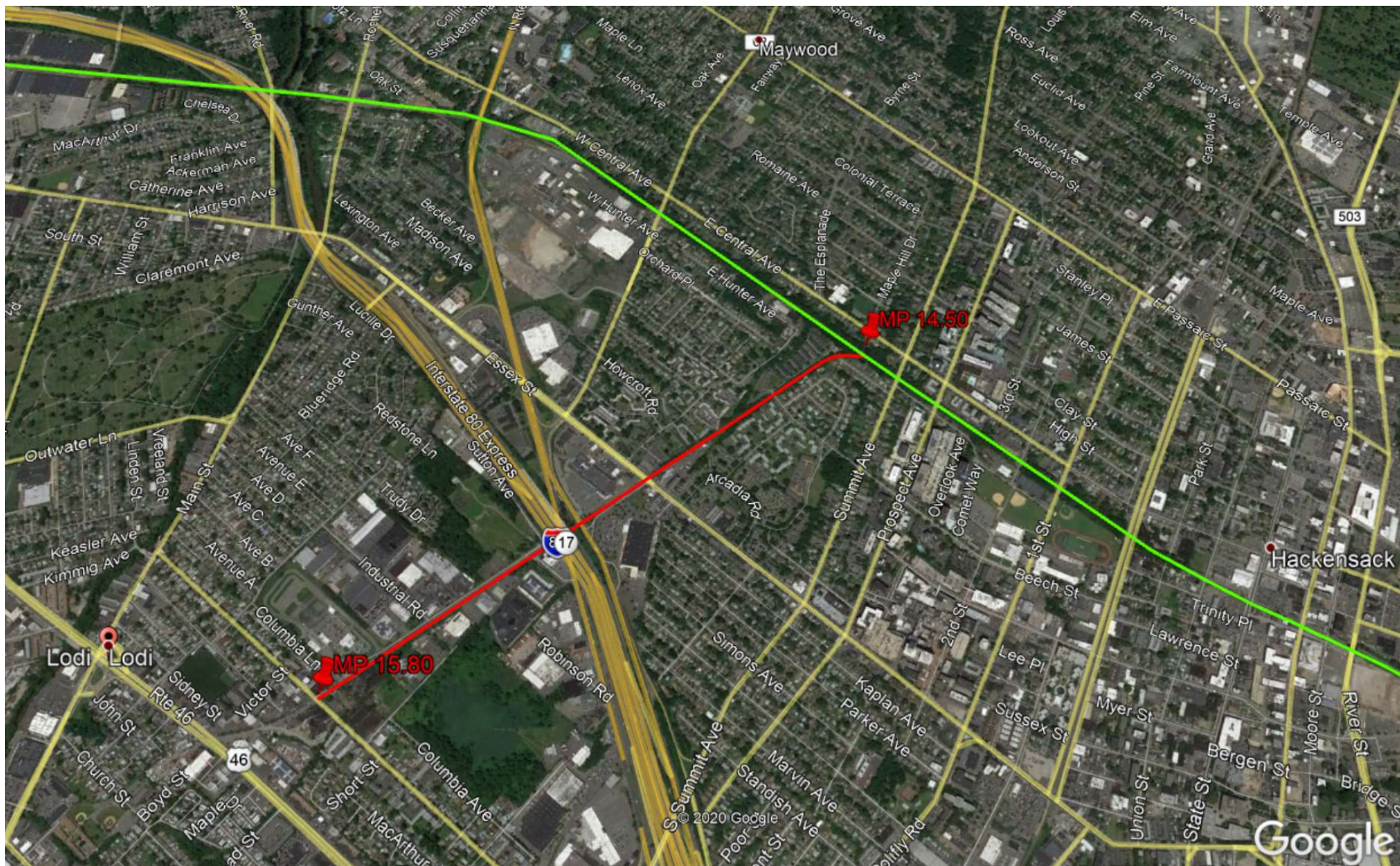


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ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT A-1

LODI BRANCH MAP



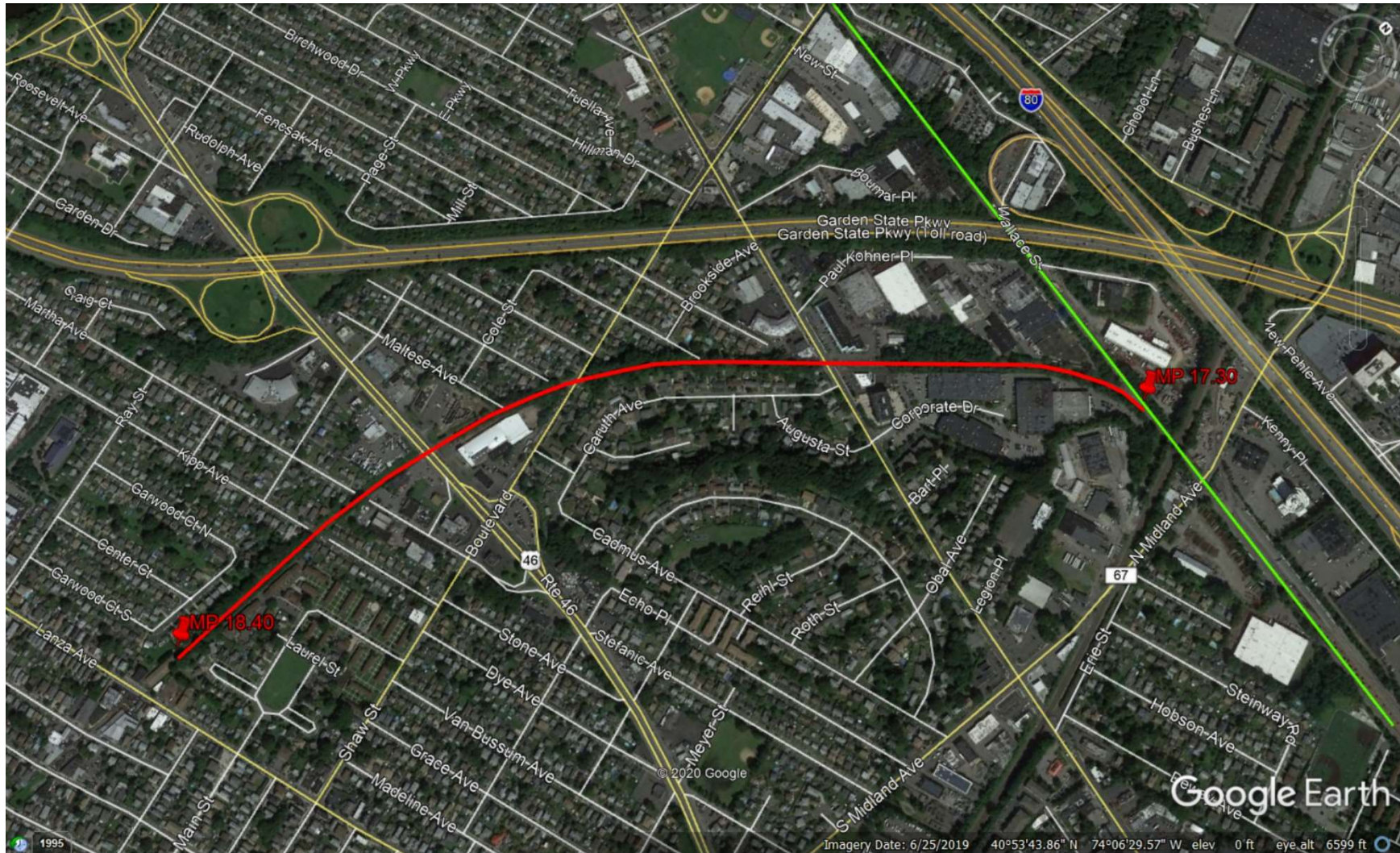
NYS&W Lodi Branch
NYS&W Main Line



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT A-2

PASSAIC BRANCH MAP



NYS&W Passaic Branch	
NYS&W Main Line	

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT B

CONSULTATION LETTERS

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October 15, 2020

ALL AGENCIES ON THE ATTACHED SERVICE LIST

Re: The New York, Susquehanna and Western Railway – Abandonment Exemption –
in Bergen County, NJ Surface Transportation Board Docket No. AB 286 (Sub No.
8X)

To Whom it May Concern:

This letter is to advise you that The New York, Susquehanna and Western Railway (“NYSW”) intends to file a notice for exemption for NYSW to abandon the following two segments of rail line in Bergen County, NJ (together, the “Subject Lines”):

1. Between milepost 15.80 in Lodi, NJ and milepost 14.50 in Hackensack, NJ traversing through United States Postal Service ZIP Codes 07644 and 07601 (“the Lodi Branch”);
2. Between milepost 17.30 in Elmwood Park, NJ and milepost 18.40 in Garfield, NJ traversing through United States Post Service ZIP Codes 07407 and 07026 (“the Passaic Branch”).

NYSW plans to seek Surface Transportation Board (“STB”) authorization for the abandonment of the Subject Lines by filing a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after December 1, 2020 in STB Docket No. AB 286 (Sub No. 8X).

A map of the Lodi Branch is enclosed as Exhibit A and a map of the Passaic Branch is enclosed as Exhibit B.

Based upon information in NYSW’s possession, the Subject Lines do not contain federally granted rights of way.

No local service has been provided on either the Lodi Branch or the Passaic Branch since approximately 2010, and neither of the Subject Lines has any overhead traffic. At this time, the portions of the Subject Lines nearest to the NYSW main lines may be left in place to be used for railcar storage. The remainder of the rails will be salvaged and sold.

October 15, 2020

Page 2

In advance of preparing the environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

We would appreciate an expression from you by November 6, 2020 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

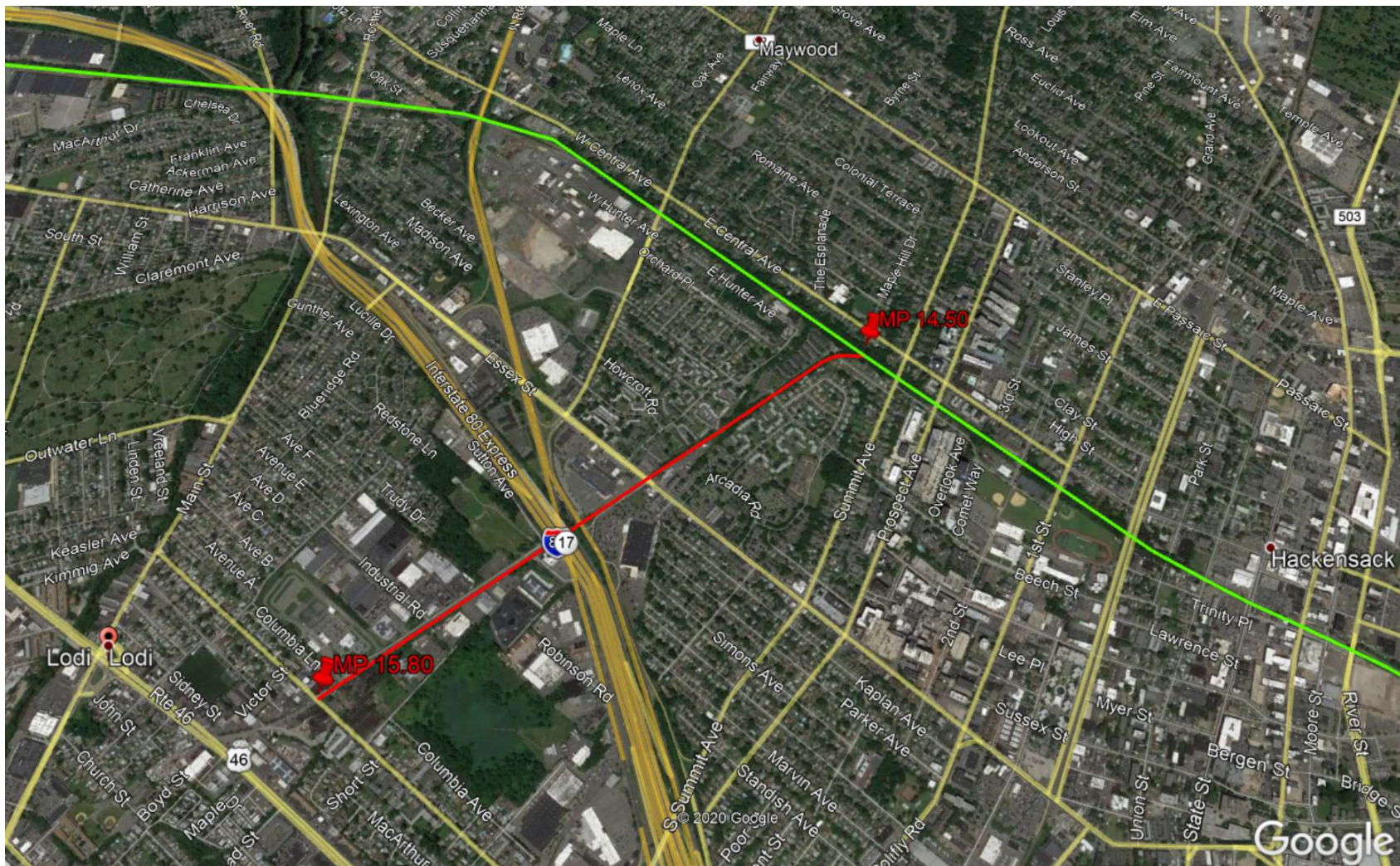
Sincerely,

A handwritten signature in blue ink that reads "Justin J. Marks". The signature is written in a cursive, flowing style.

Justin J. Marks
*Counsel to The New York, Susquehanna and
Western Railway*

Enclosure

EXHIBIT A



NYS&W Lodi Branch
NYS&W Main Line



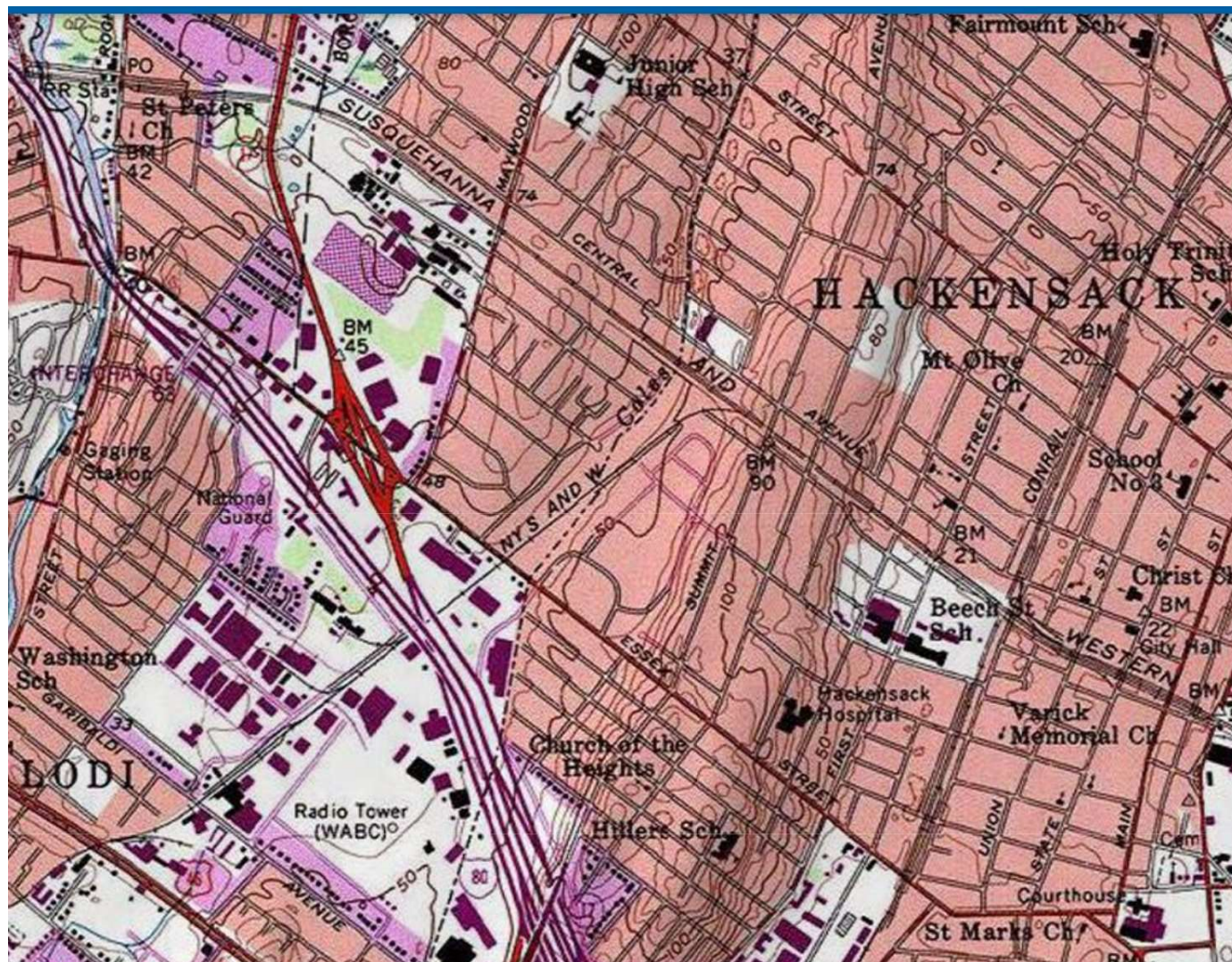
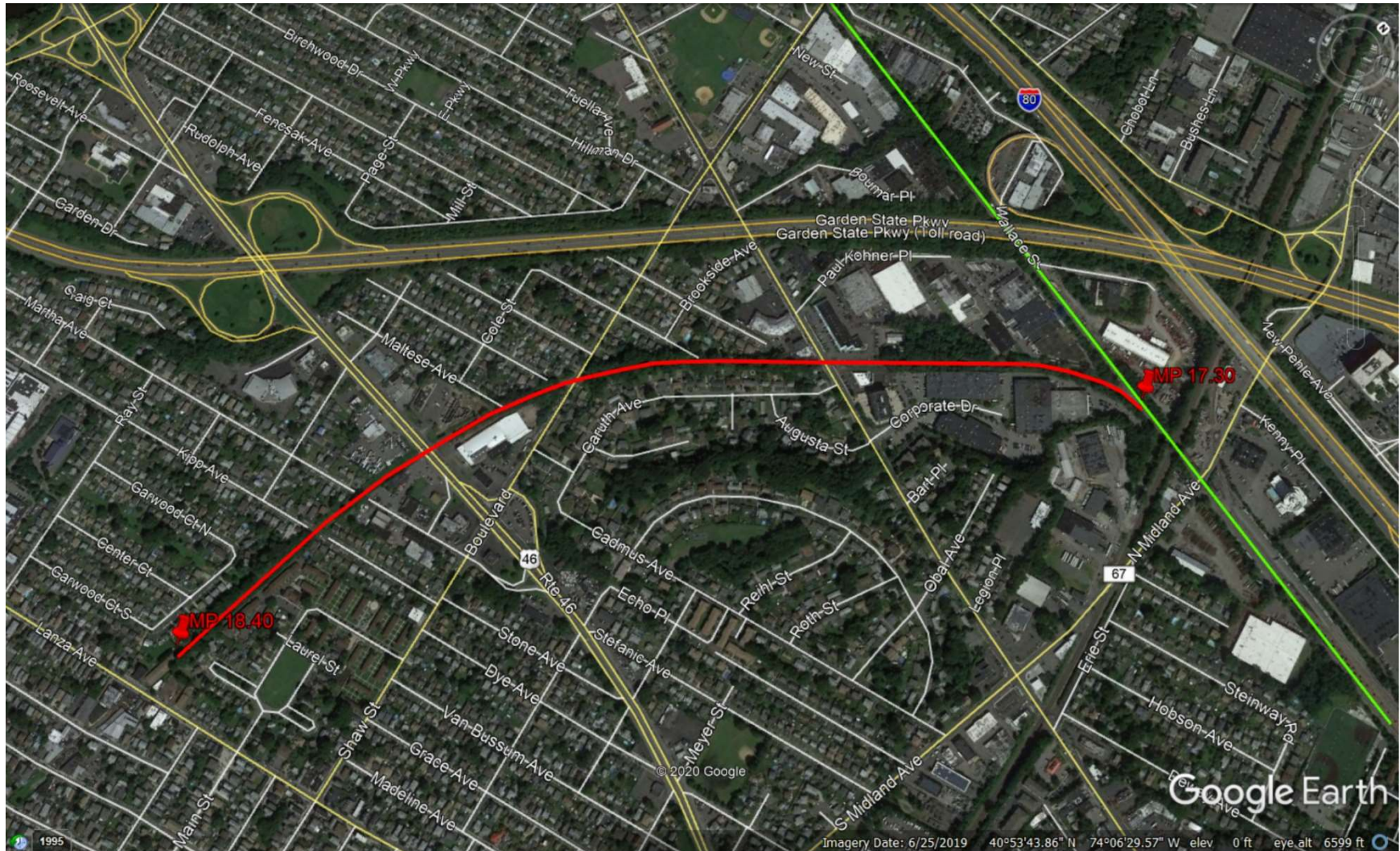
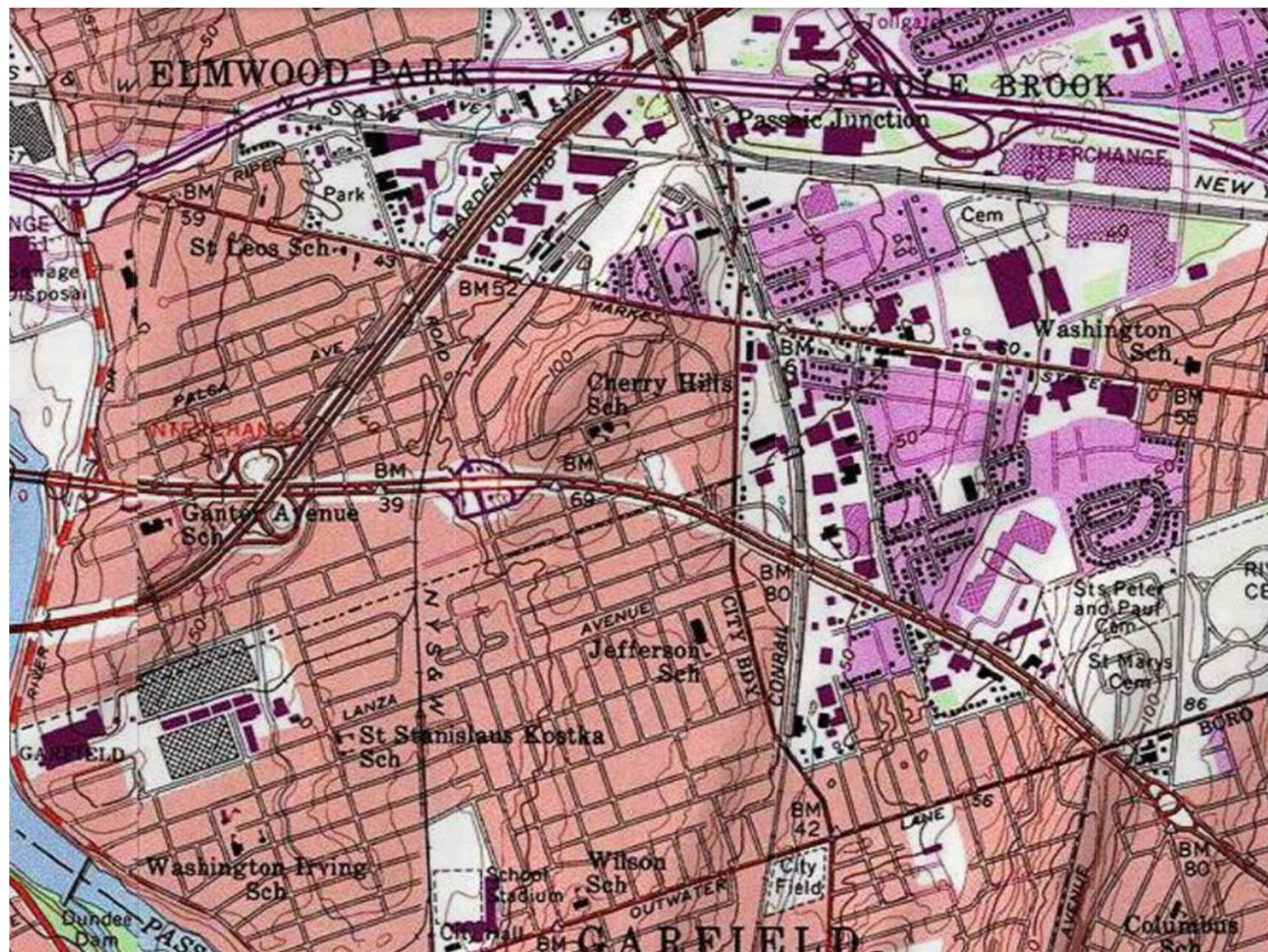


EXHIBIT B





AGENCY SERVICE LIST

Ms. Nicole Minutoli Director NJ Department of Transportation Multimodal Services 1035 Parkway Avenue, P.O. Box 600 Trenton, NJ 08625-0600	National Park Service Northeast Region 1234 Market Street Philadelphia, PA 19107
Ms. Catherine R. McCabe NJ Department of Environmental Protection Commissioner 401 E. State St. - 7th Floor, East Wing P.O. Box 402 Trenton, NJ 08625-0402	National Park Service 1849 C Street, NW Washington, DC 20240
James J. Tedesco III County of Bergen Executive One Bergen County Plaza Room 580 Hackensack, NJ 07601.	Natural Resources Conservation Service USDA Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250
Mr. Dave Kluesner US EPA Region 2, Director 290 Broadway New York, New York 10007-1866	Natural Resources Conservation Service USDA Ms. Carrie Lindig State Conservationist USDA-NRCS State Office 220 Davidson Ave 4th Floor Somerset, New Jersey 08873
U.S. Fish and Wildlife Service Northeast Region 5 Office of the Regional Director 300 Westgate Center Drive Hadley, Massachusetts 01035-9589	Communications and Outreach Branch NOAA, N/NGS12 National Geodetic Survey, SSMC3 #9340 1315 East-West Highway Silver Spring, MD 20910-3282 ngs.infocenter@noaa.gov
Director N.J. Division of Fish and Wildlife Mail Code 501-03 P.O. Box 420 Trenton, NJ 08625-0420	US ARMY CORPS OF ENGINEERS Chief, Regulatory Branch NY District US Army Corps of Engineers 26 Federal Plaza, Room 16-406 New York, New York 10278-0090

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October 15, 2020

Ms. Kimberly Springer, Manager
NJDEB Coastal Management Office
Mail Code 401-07D, P.O. Box 420
401 East State Street
Trenton, NJ 08625-0420

Re: The New York, Susquehanna and Western Railway – Abandonment Exemption –
in Bergen County, NJ Surface Transportation Board Docket No. AB 286 (Sub No.
8X)

Dear Ms. Springer:

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NYSW plans to seek Surface Transportation Board (“STB”) authorization for the abandonment of the Subject Lines by filing a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after December 1, 2020 in STB Docket No. AB 286 (Sub No. 8X).

A map of the Lodi Branch is enclosed as Exhibit A and a map of the Passaic Branch is enclosed as Exhibit B.

Based upon information in NYSW’s possession, the Subject Lines do not contain federally granted rights of way.

No local service has been provided on either the Lodi Branch or the Passaic Branch since approximately 2010, and neither of the Subject Lines has any overhead traffic. At this time, the

October 15, 2020

Page 2

portions of the Subject Lines nearest to the NYSW main lines may be left in place to be used for railcar storage. The remainder of the rails will be salvaged and sold.

In advance of preparing the environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

Your agency has jurisdiction over coastal zones in New Jersey, please advise if the Subject Line is within New Jersey's coastal zone. If it is within the coastal zone, please advise further (1) if the proposed abandonment is an action listed for review in New Jersey's coastal zone management plan, and (2) if the action is so listed, whether the proposed action is consistent with the coastal zone management plan.

We would appreciate an expression from you by November 6, 2020 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

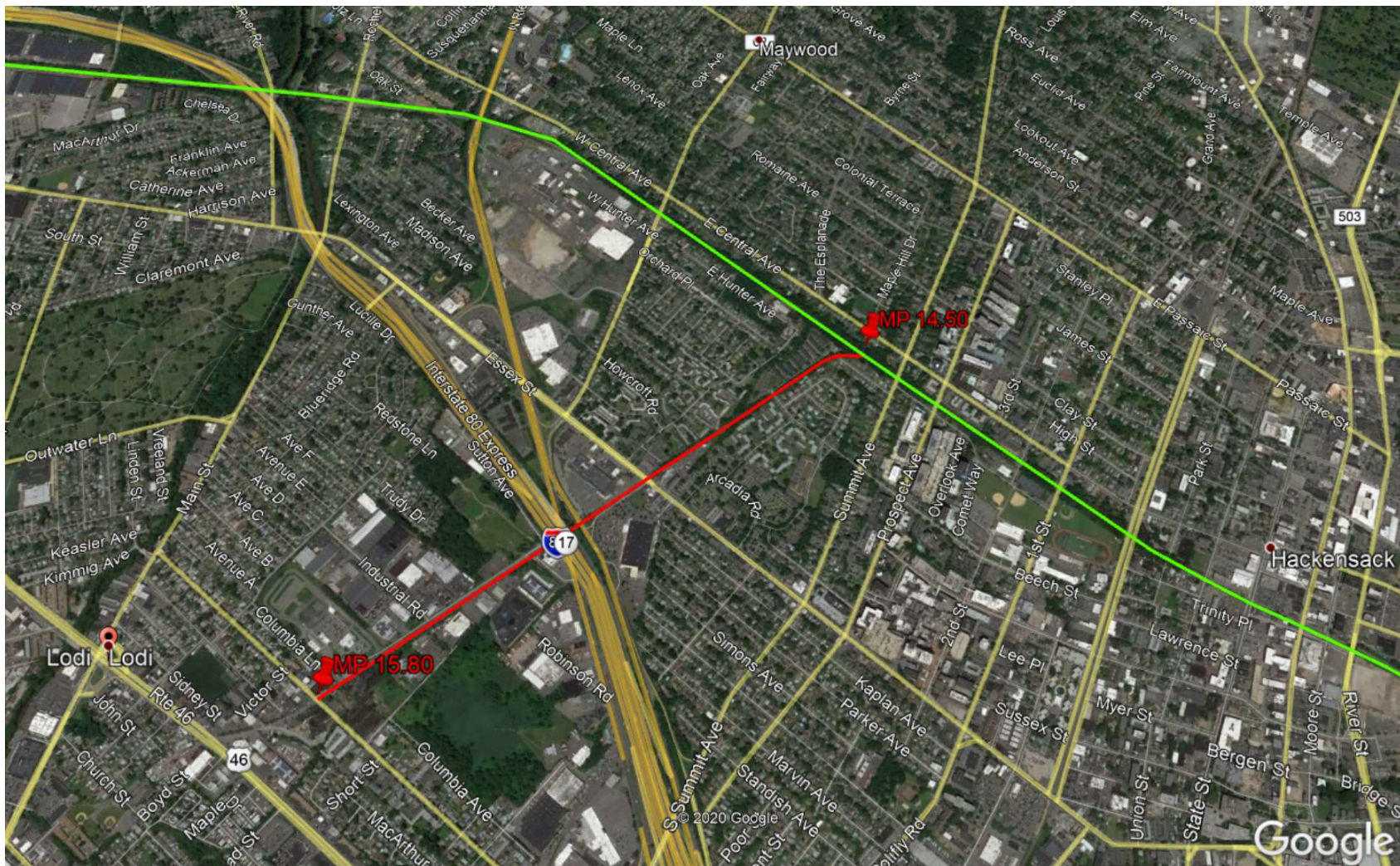
Sincerely,



Justin J. Marks
*Counsel to The New York, Susquehanna and
Western Railway*

Enclosure

EXHIBIT A



NYS&W Lodi Branch
NYS&W Main Line



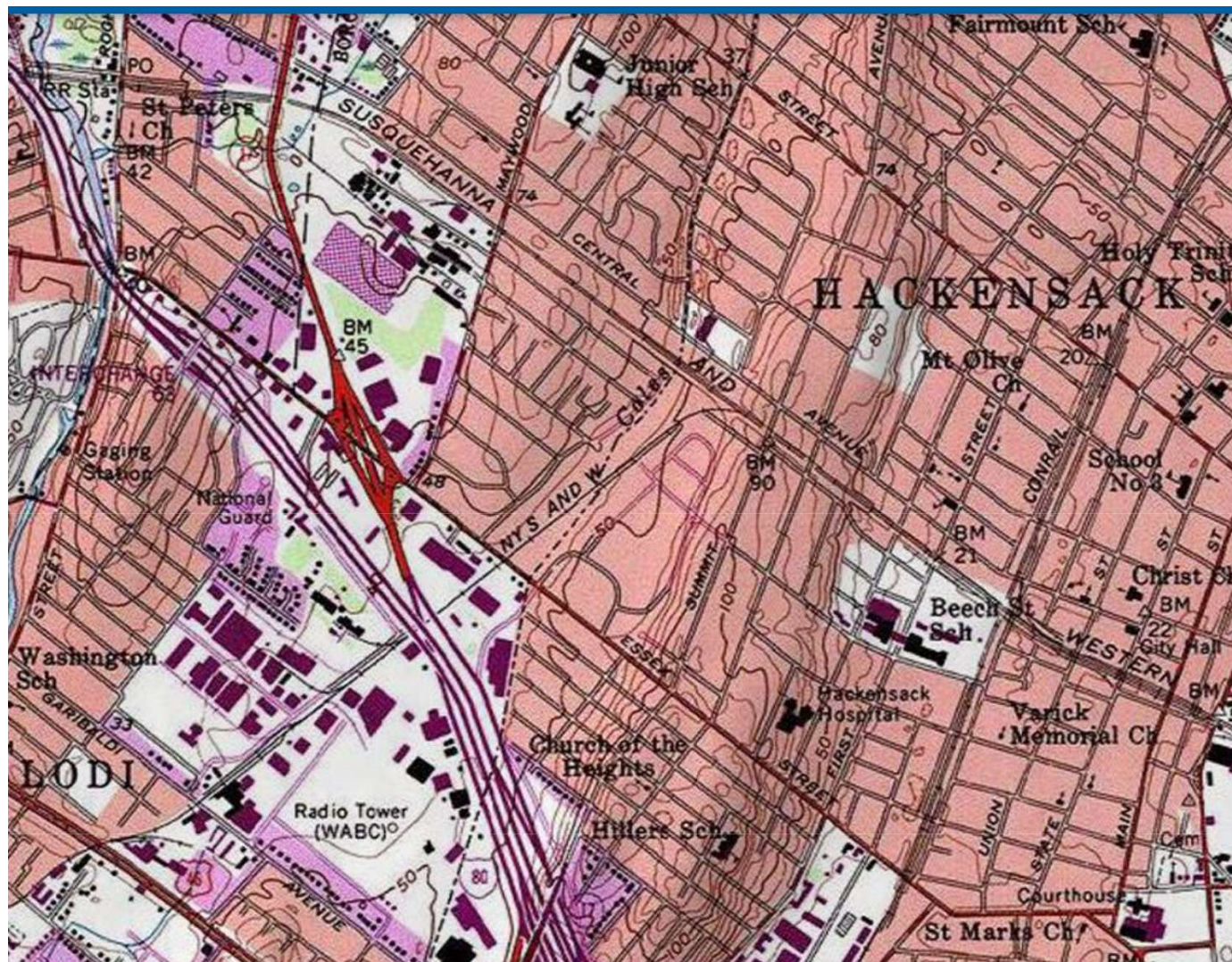
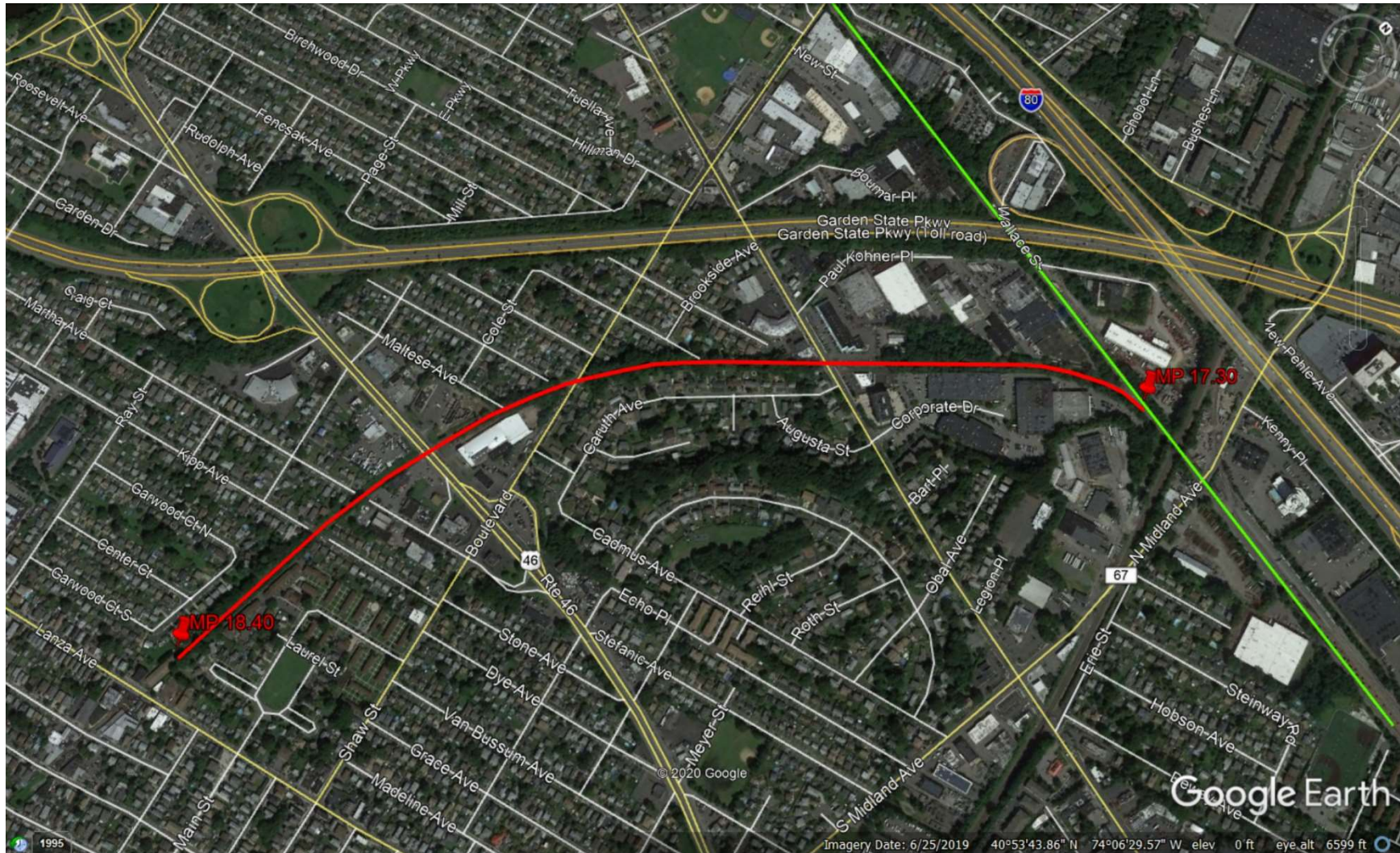
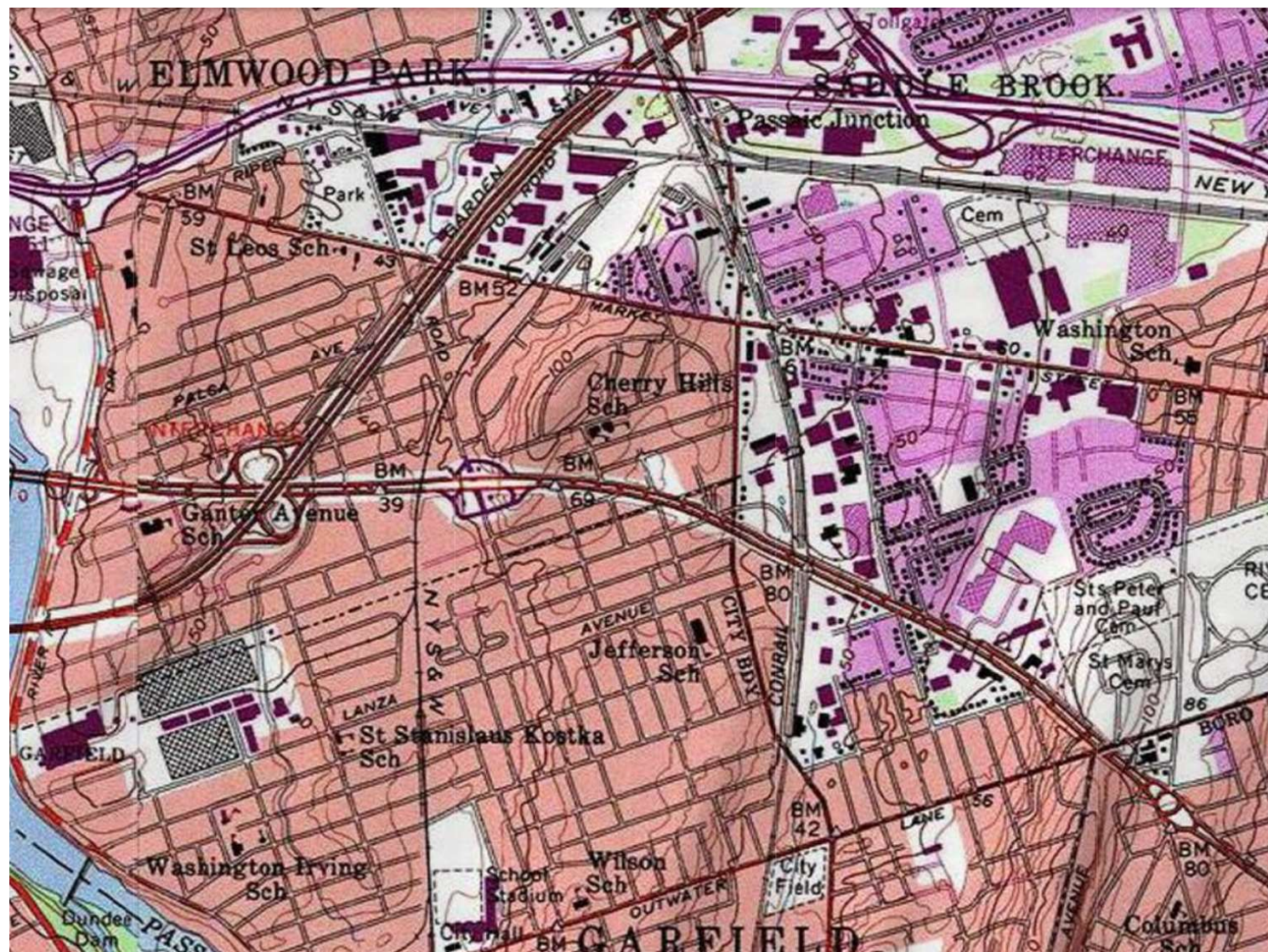


EXHIBIT B



NYS&W Passaic Branch	
NYS&W Main Line	



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT C

AGENCY RESPONSES



Thursday, October 29, 2020

Justin J. Marks
Clark Hill
1001 Pennsylvania Avenue NW
Suite 1300
Washington, DC 20004

Re: The New York, Susquehanna and Western Railways - Abandonment Exemption - in Bergen County, NJ Surface Transportation Board Docket No. AB 286 (Sub No. 8X)

Dear Mr. Marks:

The Natural Resources Conservation Service, an agency of the United States Department of Agriculture, is the leading agency in soils inventory and evaluation. Part of our soil evaluation is to classify our Nation's soils based on their suitability to produce food, fiber, forage, and oilseed crops.

NRCS conducted a review of the soils that occur in the perimeter of the area of interest based on the information provided. The area of interest consisted of the corridor between milepost 15.80 in Lodi, NJ and milepost 14.50 in Hackensack, NJ ("the Lodi Branch") and between milepost 17.30 in Elmwood Park, NJ and milepost 18.40 in Garfield, NJ ("the Passaic Branch"). After reviewing the documentation provided for a proposed project, we concluded that the area of interest is in a pre-existing disturbed area and non-farmland will be impacted.

Should you have any questions or need assistance, please contact Edwin Muñoz, State Soil Scientist, at (732) 537-6062 or via email at edwin.muniz@usda.gov.

Digitally signed by JULIE HAWKINS
DN: c=US, o=US Government, ou=Department of
Agriculture, cn=JULIE HAWKINS,
6529421000300100111=10001000170220
Date: 2020.10.29 14:12:11 -0400

JULIE HAWKINS
State Conservationist
Somerset, New Jersey

cc:
Edwin Muñoz, NRCS State Soil Scientist, New Jersey



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT D

NEWSPAPER NOTICE

Ad Number: 0004476216



Ad Order Number
0004476216

STATE OF NEW JERSEY
COUNTY OF PASSAIC

Vicki Kelly

Of full age, being duly sworn according to law, on his/her oath says that he/she is employed at North Jersey Media Group publisher of the The Record. Included herewith is a true copy of the notice that was published on the following date(s):

11/21/2020

in The Record, a newspaper of general circulation and published in Hackensack, in the County of Bergen and circulated in Bergen, Passaic, Hudson, Morris and Essex Counties. Said newspaper is published seven days a week.

Subscribed and sworn before me this 21 day of November, 2020

Nancy Heyrman

A Notary Public, State of Wisconsin, County of Brown

5.15.23

My Commission Expires

NANCY HEYRMAN
Notary Public
State of Wisconsin

NOTICE OF INTENT TO ABANDON
RAIL SERVICE

The New York, Susquehanna and Western Railway Company gives notice that on or about December 1, 2020, it intends to file with the Surface Transportation Board, Washington, DC, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of two segments of railroad line totaling 2.4 miles (a) between milepost 15.80 in Lodi, NJ and milepost 14.50 in Hackensack, NJ traversing through United States Postal Service ZIP Codes 07644 and 07601, and (b) between milepost 17.30 in Elmwood Park, NJ and milepost 18.40 in Garfield, NJ traversing through United States Postal Service ZIP Codes 07407 and 07026 in Bergen County, NJ. The proceeding will be docketed as No. AB 286 (Sub-No. 8X).

The Board's Office of Environmental Analysis (OEA) 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 Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC or by calling that office at (202) 245-0245.

Appropriate offers of financial assistance to continue rail 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 Proceedings either via e-filing or addressed to 395 E. Street S.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004; (202) 772-0916; jmarks@clarkhill.com.

The Record: November 21, 2020
Fee: \$39.42 (83) 0004476216

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT E

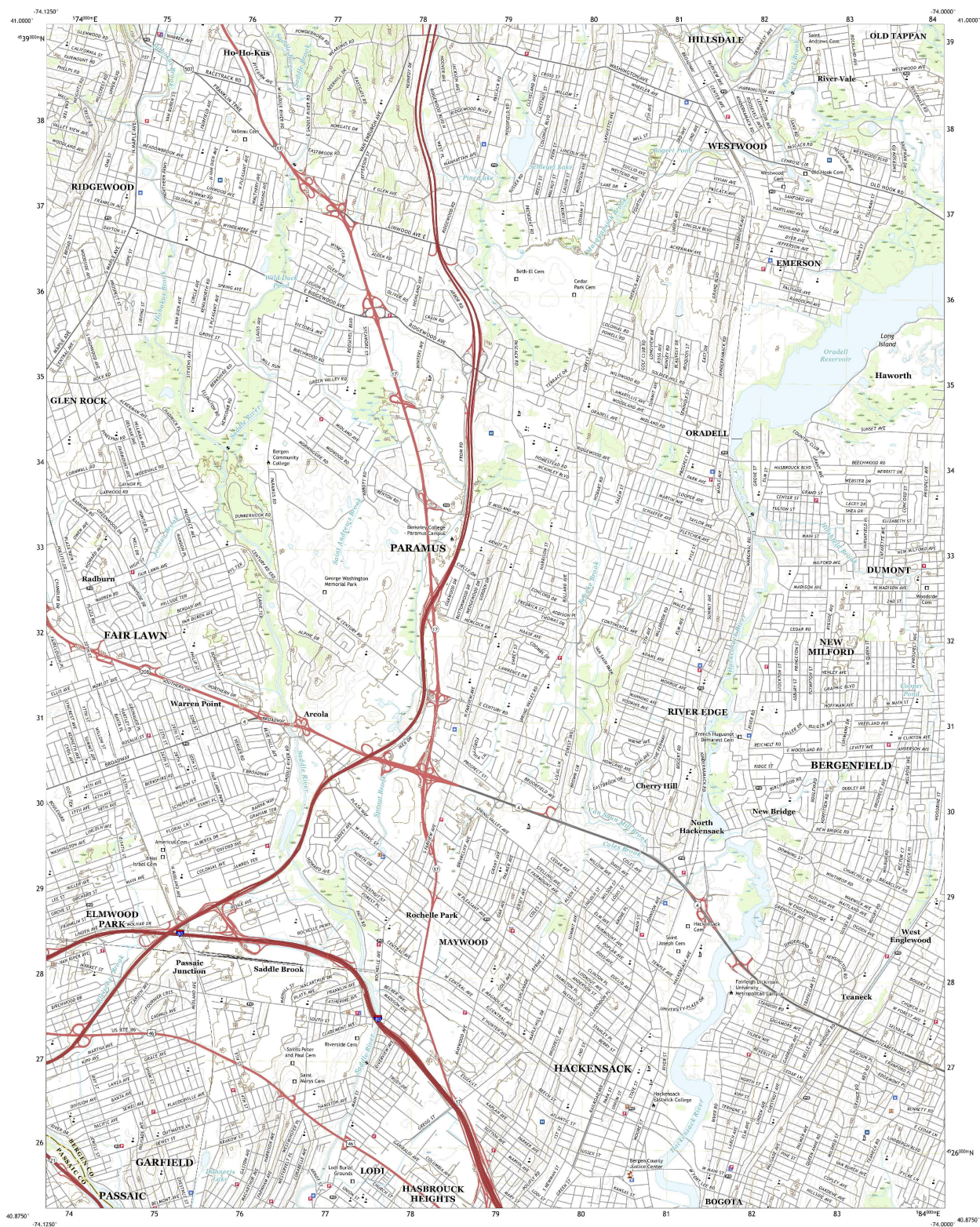
TOPOGRAPHICAL MAP



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



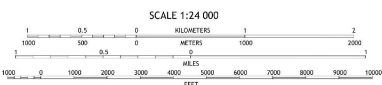
HACKENSACK QUADRANGLE
NEW JERSEY
7.5-MINUTE SERIES



Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1:50,000 meter grid (National Transverse Mercator, Zone 18)
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

Imagery: NAD83 July 2015 September 2015
Roads: U.S. Census Bureau
Names: National Hydrography Dataset, 1979-2019
Hydrography: National Hydrography Dataset, 2002
Contours: National Elevation Dataset, 2013
Boundaries: Multiple sources; see metadata file 2017-2018
Wetlands: FWS National Wetlands Inventory 2007



1	2	3	1 Rumney
4	5	6	2 Park Ridge
7	8	9	3 Hack
			4 Palisades
			5 Tonawanda
			6 Orange
			7 Westchester
			8 Central Park

ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	400
Interstate Route	US Route
	State Route

HACKENSACK, NJ
2019



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT F

SHPO CORRESPONDENCE

CLARK HILL

Justin J. Marks
T 202.772.0916
F 202.772.0930
Email: jmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue NW
Suite 1300
Washington, DC 20004
T 202.772.0909
F 202.772.0919

clarkhill.com

October 15, 2020

Ms. Katherine Marcopul
Administrator & Deputy State Historic Preservation Officer
Mail Code 501-04B
State of New Jersey
Department of Environmental Protection
Historic Preservation Office
P. O. Box 420
Trenton, NJ 08625-0420

Re: The New York, Susquehanna and Western Railway – Abandonment Exemption –
in Bergen County, NJ Surface Transportation Board Docket No. AB 286 (sub no.
8X) and Docket No. AB 286 (sub no. 9X)

Dear Ms. Marcopul:

This letter is to advise you that The New York, Susquehanna and Western Railway (“NYSW”) intends to file a notice for exemption for NYSW to abandon the following two segments of rail line in Bergen County, NJ (together, the “Subject Lines”):

1. Between milepost 15.80 in Lodi, NJ and milepost 14.50 in Hackensack, NJ traversing through United States Postal Service ZIP Codes 07644 and 07601 (“the Lodi Branch”);
2. Between milepost 17.30 in Elmwood Park, NJ and milepost 18.40 in Garfield, NJ traversing through United States Post Service ZIP Codes 07407 and 07026 (“the Passaic Branch”).

NYSW plans to seek Surface Transportation Board (“STB”) authorization for the abandonment of the Subject Lines by filing a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after December 1, 2020 in STB Docket No. AB 286 (Sub No. 8X).

A map of the Lodi Branch is enclosed as Exhibit A and a map of the Passaic Branch is enclosed as Exhibit B.

Based upon information in NYSW’s possession, the Subject Lines do not contain federally granted rights of way.

October 15, 2020

Page 2

No local service has been provided on either the Lodi Branch or the Passaic Branch since approximately 2010, and neither of the Subject Lines has any overhead traffic. At this time, the portions of the Subject Lines nearest to the NYSW main lines may be left in place to be used for railcar storage. The remainder of the rails will be salvaged and sold.

In advance of preparing environmental and historical reports as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to historic effects of the proposed abandonments.

We would appreciate an expression from you by November 6, 2020 that, within the area of your authority, you do not perceive that the abandonments will have a significant historical effect (or expressing any concerns that you have). If you have any questions about the railroad's proposals or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

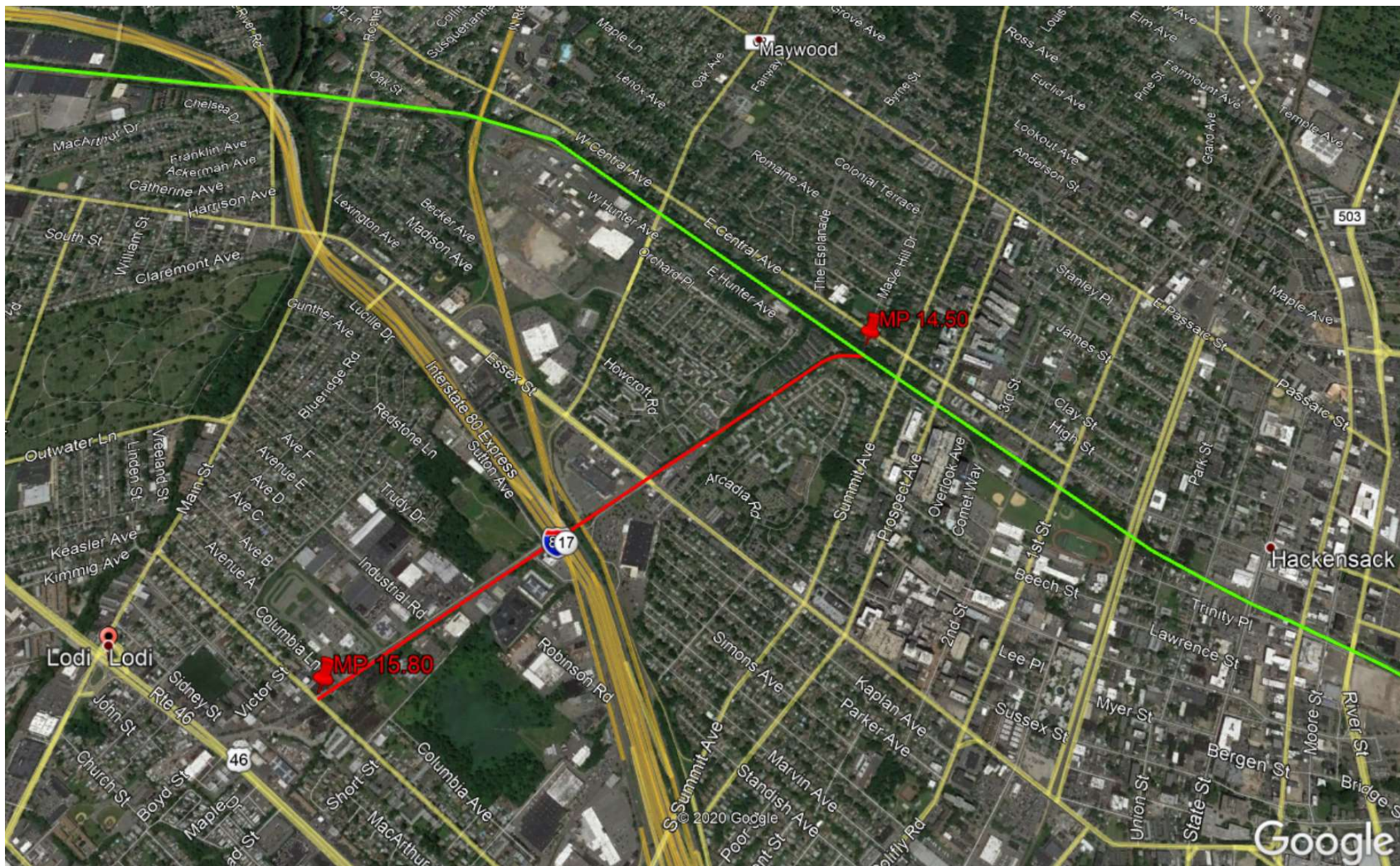
Sincerely,



Justin J. Marks
*Counsel to The New York, Susquehanna and
Western Railway*

Enclosure

EXHIBIT A



NYS&W Lodi Branch
NYS&W Main Line



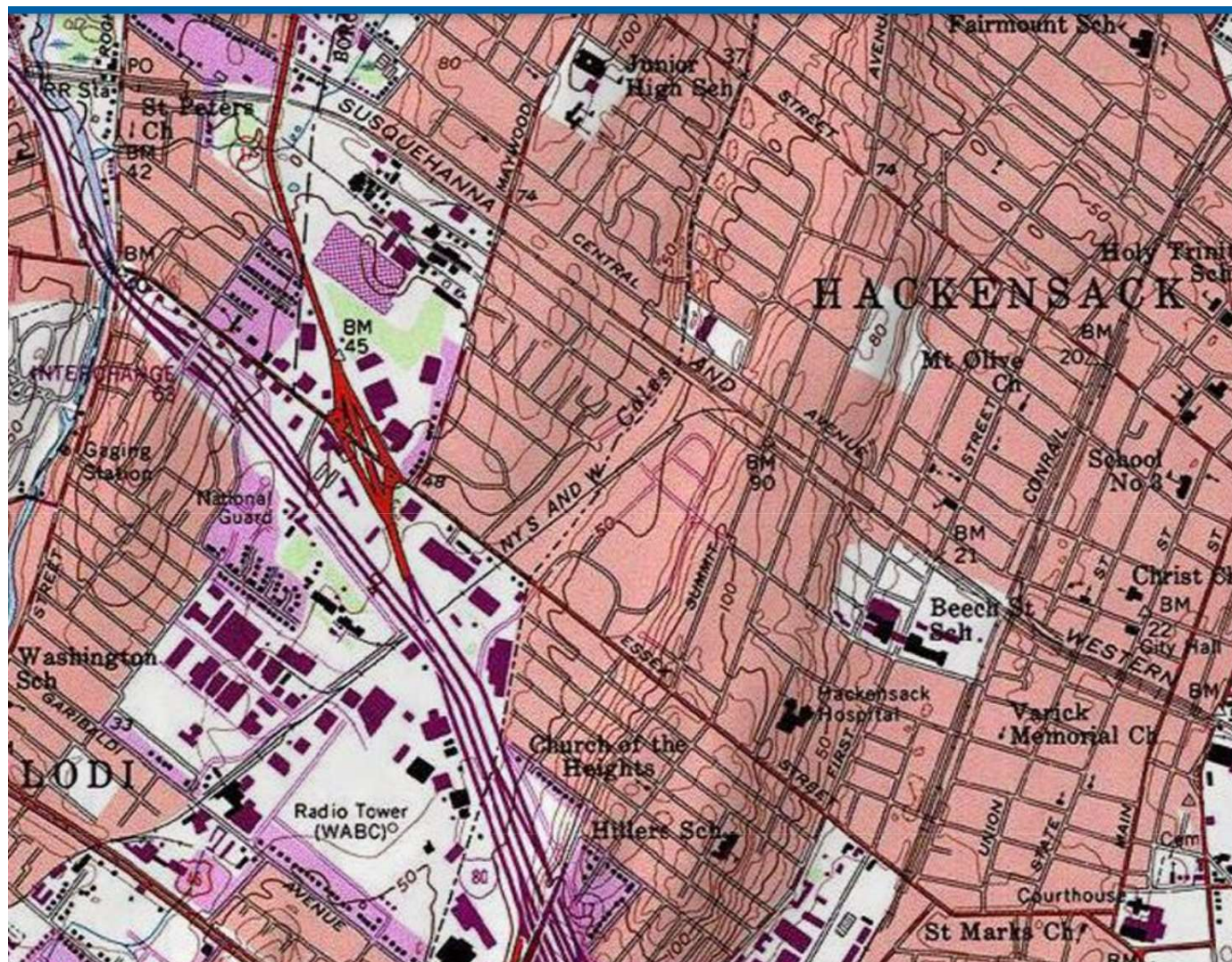
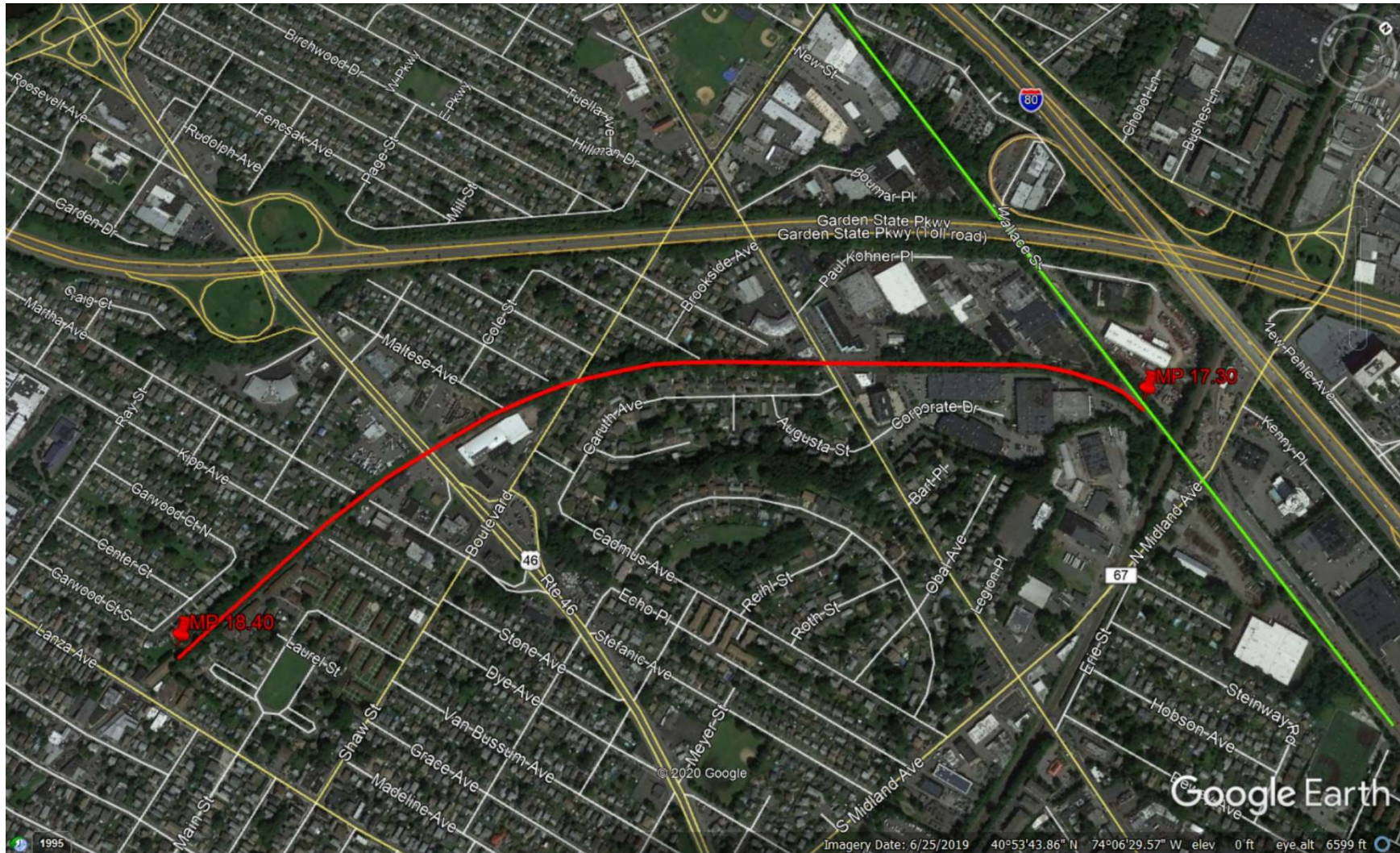


EXHIBIT B



NYS&W Passaic Branch	
NYS&W Main Line	

