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August 1, 2019

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: STB Docket No. AB-1273X Terminal Railroad – Abandonment Exemption – In
Bergen and Passaic Counties, N.J.

Dear Ms. Brown:

This letter and attached correspondence serve as a supplement to the Environmental and Historic Report. The attached correspondence was sent from the New Jersey State Historic Preservation Office. We apologize for the delay.

If there are any questions about this matter, please contact me directly by telephone: 202-640-6673 or email: scarlough@clarkhill.com.

Sincerely,

CLARK HILL



Sloane S. Carlough



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES
HISTORIC PRESERVATION OFFICE

MAIL CODE 501-04B

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TRENTON, NJ 08625-0420

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PHILIP D. MURPHY
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CATHERINE R. MCCABE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

April 24, 2019

Sloane S. Carlough
Clark Hill PLC
1001 Pennsylvania Avenue, Suite 1300
Washington, DC 20004

RE: New York & Greenwood Lake Railway (NYGL) abandonment
Passaic County, City of Passaic and Bergen County, City of Garfield

Dear Ms. Carlough:

The Historic Preservation Office (HPO) is in receipt of your request for technical assistance and comment regarding the above-referenced project, which involves the abandonment of the New York & Greenwood Lake Railway (NYGL) between mile post 0.0 and mile post 1.1. Your request was received by the HPO on March 25, 2019 and was dated March 21, 2019.

As requested in your letter the HPO had previously identified six (6) industrial buildings along the NYGL that are likely eligible for listing on the New Jersey and National Registers of Historic Places. Please see attached HPO correspondence dated April 3, 2007 regarding the abandonment of sections 1.1 to 1.8 of the NYGL (D2007-10) and attached historic resources map. In addition to these six previously identified resources, there are numerous other late nineteenth and early twentieth century industrial buildings associated largely with the textile industry, but also other industries such as printing, cigar making and wire making, all concentrated where the Dundee Canal and the former Bergen and Dundee Branch of the Erie Railroad (NYGL) converge. This area is potentially eligible for the National Register as an industrial historic district because it represents the peak of manufacturing production in the City of Passaic. Additionally, the textile industry in Passaic gained national attention during the 1926 Passaic textile strike. Therefore, this area along the NYGL line may constitute a National Register eligible industrial historic district under criteria A for industrial history and C for distinctive characteristics of a type of architecture. It is a similar resource to the Dundee Canal Industrial Historic District (NJR 11/5/1998 and NR 1/21/1999) just north of the project area and could be either an extension of that historic district or a historic district in its own right. Finally, this area is likely eligible under Criterion D related to the archaeological remains of the Dundee Canal formerly located under what is now Canal and South Streets, as well as other potential precontact and colonial period archaeological resources.

According to your letter of March 21, 2019 the NYGL Railway is in the planning stages of filing a petition for exemption with the Surface Transportation Board (STB) for the proposed abandonment of this section of the NYGL, therefore there is no federal funding, licensing, or permits required at this time. The HPO reviews projects for their effects on historic resources when federal funding, licensing, or permitting is involved. The HPO also reviews projects requiring Freshwater Wetlands, Waterfront Development, Upland Development, CAFRA, and Highland Preservation Area Approval permits issued by the State of New Jersey's Division of Land Use Regulation, as well as environmental assessments under Executive Order 215.

If the project is subject to regulatory review, an intensive-level survey is required to satisfy an agency's regulatory responsibilities in accordance with the HPO's Guidelines for Architectural Survey (1999). A reconnaissance-level survey does not provide sufficient information to make decisions about a property's eligibility. The study area should include the geographic area within which an undertaking may directly or indirectly cause alterations in the character, setting, or use of historic properties, if any such properties exist. Additional consultation with the HPO regarding the definition of the study area is recommended if/when the project is subject to regulatory review.

Additional Comments

This information is provided as informal notes to you and does not constitute identification-level cultural resources survey under Section 106 of the National Historic Preservation Act or other law or regulation. Further identification of cultural resources may be required under one or more historic preservation review processes depending on project funding, licensing, or permitting.

Thank you again for providing this opportunity for review and comment on the potential for this project to affect historic and archaeological resources. Please reference the HPO project number 19-2192 in any future calls, emails, submissions, or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Vincent Maresca 609-633-2395 or vincent.maresca@dep.nj.gov regarding archaeological resources or Jennifer Balson Alvarez at 609-292-1913 or jennifer.alvarez@dep.nj.gov regarding architectural resources.

Sincerely,



Katherine J. Marcopul
Deputy State Historic Preservation Office

cc: Honorable Hector C. Lora, Mayor of the City of Passaic (mayor@cityofpassaicnj.gov)

JBA/KC/VM/KJM



HPO-D2007-10 PROD
Log # 07-0747-1, 2, and 3

JON S. CORZINE
Governor

State of New Jersey
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Natural and Historic Resources, Historic Preservation Office
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LISA P. JACKSON
Commissioner

April 3, 2007

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Attention: Section on Environmental Analysis

Dear Mr. Williams:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the *Federal Register* on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40544-40555), I am providing **Consultation Comments** for the following proposed action:

Surface Transportation Board (STB) Number AB 10006X
New York and Greenwood Lake Railway
(formerly Bergen and Dundee Branch - New York, Lake Erie, & Western Railroad)
Abandonment of Railroad Right of Way, milepost 1.1 to milepost 1.8
City of Passaic, Passaic County, New Jersey.

SUMMARY: The abandonment of the former Bergen and Dundee Branch of the New York, Lake Erie, and Western (Erie) Railroad between mileposts 1.1 and 1.8, currently operated as the New York and Greenwood Lake Railway, will not adversely affect historic properties listed on or eligible for listing on the National Register of Historic Places.

800.4 Identification of Historic Properties

At least six (6) large industrial buildings or industrial complexes, eligible or potentially eligible for listing on the National Register of Historic Places (NRHP), abut the segment of the railroad right of way proposed for abandonment. Two of these buildings (industrial complexes) have previously been evaluated as eligible for listing on the National Register of Historic Places by the 1984 City of Passaic historic sites survey:

212 Passaic Street, a 3-story, 15 bay brick industrial mill building, built circa 1870, and a part of the larger Waterhouse Brothers woolen mill complex that occupies the property parallel to and abutting the railroad right of way along the Dundee Canal; and

219 Passaic Street, a 4-story, brick industrial building, formerly a part of the New York Belting and Packing Company, described by the City of Passaic historic sites survey as the "first rubber manufactory in the United States."

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The City of Passaic historic sites survey also evaluated four other buildings abutting the railroad right of way as "buildings of major importance" to the City of Passaic and today these surviving buildings would very likely be considered potentially eligible for listing on the National Register of Historic Places:

79 South Street (between 6th and 7th), a 5-story rectangular brick building with a "unique stylistic treatment" and possessing original integrity;

125 South Street (between 5th and 3rd), a 2-story horizontal brick industrial building, built circa 1888;

1 Market Street, a massive 7-story industrial building characterized by "modernist architecture" defined by concrete piers and "projecting bays above the roofline";

2 Market Street, a 4-story industrial building divided into 6 bays by massive brick pilasters with cast stone bases.

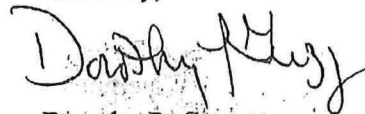
In current aerial photographs, all of the above six (6) buildings appear to be intact as described and illustrated by the 1984 City of Passaic historic sites survey.

800.5 Assessment of Adverse Effects

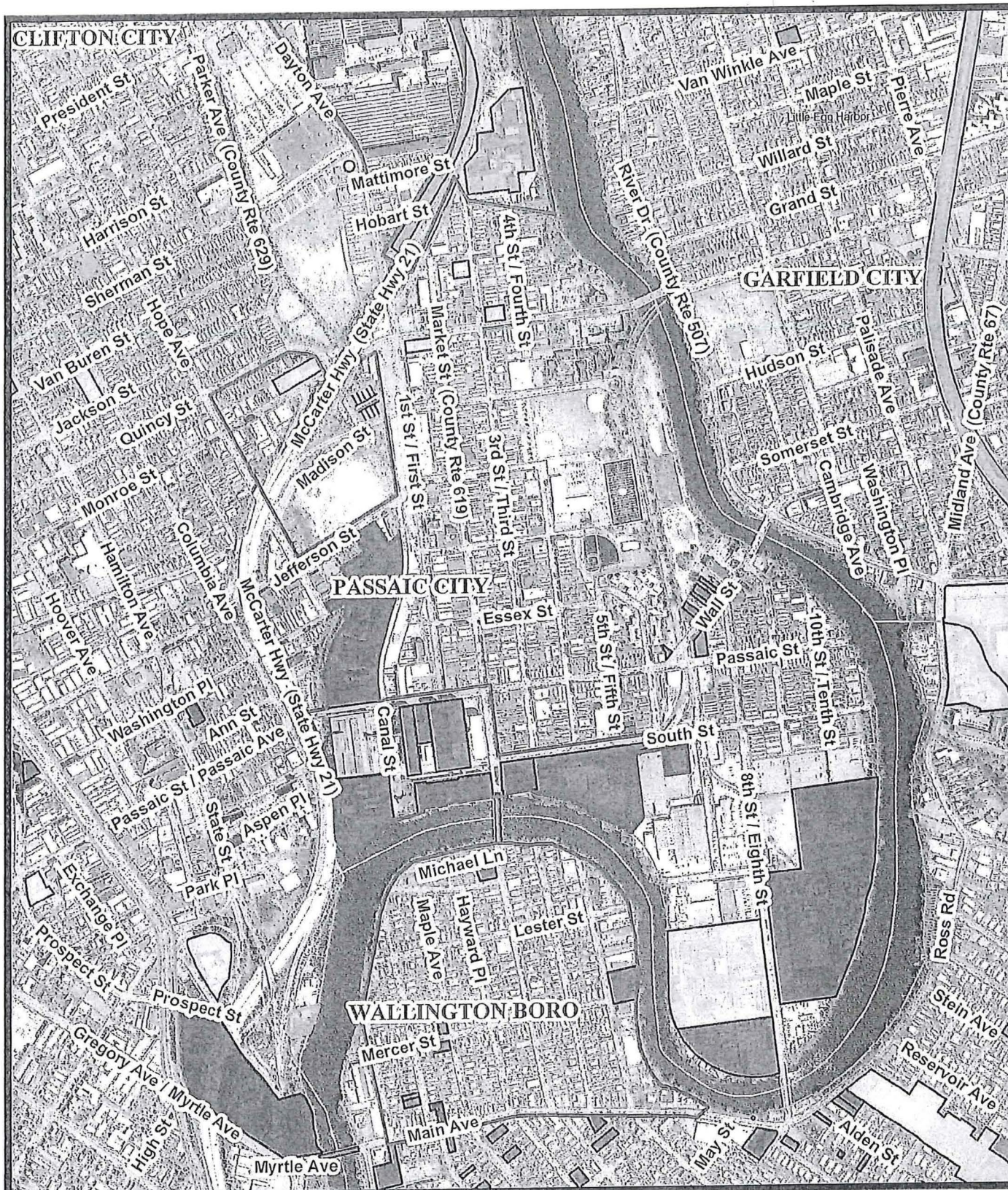
West of approximately the intersection of 5th Street and South Street, the railroad right of way is not clearly delineated in block and lot tax maps and 2006 aerial photographs do not reveal the presence of an intact railroad with track or grade crossings. The right of way and its relation to the industrial buildings abutting the right of way can easily be seen in the aerial photographs. Because the apparent absence of any railroad track appears to preclude service to the identified historic buildings and the right of way, even without track or structures, does not appear to be a surviving remnant of a previously significant railroad line (the former Bergen and Dundee Branch railroad), I concur with the conclusion that the abandonment of the former Bergen and Dundee Branch of the Erie Railroad between mileposts 1.1 and 1.8, currently operated as the New York and Greenwood Lake Railway, will not adversely affect any properties listed on or eligible for listing on the National Register of Historic Places.

If you have any questions regarding the assessment of historic resources or effects, please contact Charles Scott at (609) 633-2396.

Sincerely,



Dorothy P. Guzzo
Deputy State Historic
Preservation Officer



Historic Resources Map

Passaic City
Passaic County, New Jersey

Boundary and Tax Map

Scale: 1:10,000

0 200 400 800 Feet

Date: NAD 1983 State Plane New Jersey

Legend	
	National Historic Landmark
	Listed
	NR Eligible
	Locally Designated
	Identified
	National Historic Landmark INDV
	National Historic Landmark HD
	Listed INDV
	Listed HD
	Eligible INDV
	Eligible HD
	Local Landmark
	Locally Designated HD
	Identified INDV
	Identified HD



NJDEP,
Historic Preservation Office
April 2019

