
From: Rutson, Vicki
Sent: Wednesday, January 03, 2018 3:05 PM
To: Charlene Dwin Vaughn (cvaughn@achp.gov); Sarah Stokely; Kate.marcopul (Kate.marcopul@dep.nj.gov); Tingey, Andrea
Cc: Wayland, Joshua; Miller, Barbara; Hunt, Theodore
Subject: Summary of our December 1, 2017 conference call
Attachments: Summary of Dec 1 conference call.docx

EO-2969

Apologies for the length of time this has taken. If you have a moment, please take a look at these notes and make sure that you are comfortable that they reflect your understanding of the call. If you have modifications, please get them to me by cob Friday, Jan. 12. A big THANK YOU for your time and effort to answer our questions. And a very happy New Year to you all.

Vicki Rutson

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Dear conference call participants,

The purpose of this email is to document the conference call between the staffs of the Advisory Council on Historic Preservation (ACHP), New Jersey Historic Preservation Office (the NJ SHPO), the Surface Transportation Board's (the Board's) Office of the General Counsel and Office of Environmental Analysis (OEA), and OEA's third-party contractor, RGA, Inc. (RGA) on December 1, 2017. The call was organized to clarify for all parties the specifics of additional work being requested by the NJ SHPO to complete the identification phase of the Section 106 process in the Harsimus Branch abandonment case [AB 167 (Sub-No. 1189X)]. Please let us know if this or any of the information below is inconsistent with your understanding of the discussion.

The participants on the conference call were Sara Stokely from ACHP; Kate Marcopul and Andrea Tingey from the NJ SHPO; Vicki Rutson, Phillis Johnson-Ball, and Josh Wayland from OEA; Barbara Miller from the Board's Office of the General Counsel; and Damen Tvaryanas, Allee Davis, and Theresa Bulger from RGA.

OEA explained the purpose of the call—to ensure that the parties on the call agree on how to address the NJ SHPO's comments on the Cultural Resources Identification Report (CRI Report) that OEA issued in May 2017. In addition to ensuring agreement on how best to move forward, OEA noted that the railroad applicant, Consolidated Rail Corporation (Conrail) has expressed concern regarding the extent and necessity of the additional requested work. OEA noted that it is important for OEA to be able to clearly articulate the SHPO's requests and for OEA to ensure that OEA and RGA's proposed approach to addressing those requests is consistent with the NJ SHPO's expectations. OEA asked that RGA describe the proposed approach for addressing three of the NJ SHPO's requests for which additional clarification was needed.

RGA first described the proposed approach for addressing the NJ SHPO's request that OEA and RGA reevaluate properties within the APE that may also fall within the boundaries of the Italian Village neighborhood, which may be eligible for listing in the National Register of Historic Places (the National Register) as a historic district. RGA clarified that an evaluation of those properties would require some limited analysis of the broader Italian Village neighborhood, including developing an historic context for the proposed Historic District and evaluating the overall integrity of the district. This analysis would require a program of background research, including review of Sandborn Fire Insurance maps and other historic maps, an analysis of ethnic settlement patterns using census data, research conducted at local and regional libraries, consultation with the NJ SHPO and other stakeholders, and the preparation of a narrative discussing the Italian Village neighborhood in general and of specific properties in particular. RGA estimates that approximately one to two days of fieldwork within the Italian Village neighborhood to take photographs of the proposed district would also be required. The importance of properties within the APE as contributing resources to the proposed Italian Village Historic District could then be assessed and documented.

The NJ SHPO concurred that RGA's description of the proposed approach is consistent with the request described in their comments.

RGA then described the proposed approach for addressing the NJ SHPO's request that 12 properties within the APE that were previously determined to be National Register-eligible be reassessed for historic integrity. RGA proposes to conduct field visits to each property, take updated photos, and prepare an approximately two-page write-up for each property that would include a National Register-eligibility determination.

The NJ SHPO clarified that the concern about the continued historic integrity of the previously-identified properties was raised by a consultant retained by the owners of the Embankment properties, a consulting party to the Section 106 process. The NJ SHPO further clarified that, consistent with other recent projects, the NJ SHPO would be satisfied with an abbreviated approach and so does not require full documentation of each of the properties, if OEA is amenable to that strategy. OEA concurred with the NJ SHPO that a baseline assessment would be sufficient to confirm that the previously identified properties within the APE retain sufficient historic integrity for continued National Register-eligibility. Based on this discussion, RGA agreed to modify the proposed approach to include less detailed documentation than originally proposed.

RGA described a proposed approach for addressing the NJ SHPO's comments regarding Public School No. 4 that would involve more extensive research into the body of work of architect John T. Rowland. RGA anticipates a narrative report that would not exceed approximately 15 pages to support OEA's conclusion that Public School No. 4 is National Register eligible under Criterion C of the National Register Criteria for Evaluation. The NJ SHPO noted that the justification for the National Register eligibility of Public School No. 4 in the CRI Report was insufficient to support an eligibility determination under Criterion C. The NJ SHPO mentions Rowland's association with Jersey City government and queries whether the property may be eligible under Criterion A.

ACHP asked the parties whether the NJ SHPO was consulted regarding the development of the original scope of work for the identification phase of the Section 106 process. RGA confirmed that consultation did take place during the development of an initial identification plan in 2009, but that documentation of such consultation may no longer exist. OEA noted that significant changes in staffing have occurred over the course of the project at many of the organizations/agencies involved, but that consultation has been ongoing with the NJ SHPO and other consulting parties since the project was reinitiated in 2014.

At RGA's request, the NJ SHPO confirmed that a report addendum based on the work set forth in the NJ SHPO comments and clarified during the conference call would permit the NJ SHPO to issue final comments on OEA's findings regarding the identification of National Register-eligible properties within the APE. OEA would then be able to complete the identification phase of the Section 106 process.

Call ended.