
SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 167 (Sub-No. 1185X)

December 13, 2010

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:
(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

(X) NEW COMMENTS WERE RECEIVED

OEA served an Environmental Assessment (EA) for this proceeding on July 7, 2006 for public review and comment. In the EA, OEA recommended 3 environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments

The New Jersey State Historic Preservation Office (SHPO), provided its opinion in a May 25, 2006 letter to OEA, indicating that the entire rail line proposed for abandonment in this proceeding, known as the Robbinsville Industrial Track (RIT), is eligible for listing in the National Register of Historic Places and is a contributing element of the Camden and Amboy Railroad historic districts. Consequently, OEA recommended that a Section 106 condition be imposed requiring Conrail to keep the line in place until completion of the Section 106 process of the National Historic Preservation Act. The following Section 106 condition was subsequently imposed in the Board's October 20, 2006 Decision in this proceeding:

Conrail shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures (including tracks and ties) within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years of older) until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

OEA received a letter dated September 30, 2008 from the SHPO indicating that Conrail could remove track within the area of a NJ Department of Transportation Bridge Replacement Project located at milepost 34.05, plus a few hundred feet on either side. Consequently, OEA recommended that the Board modify the Section 106 condition which the Board did in a decision issued on October 28, 2008 as follows:

Conrail shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures (including tracks and ties) within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years of older) until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f. Conrail may, however, proceed with salvage and the NJDOT may proceed with construction activities within the Route 33 Bridge Replacement Project Area (located at milepost 34.05, plus a few hundred feet on either side) in accordance with plans submitted by the NJDOT to the SHPO, and as discussed in a September 30, 2008 letter from the SHPO to the Board. Conrail shall report back to SEA regarding any further consultations it has with the SHPO and any other section 106 consulting parties for the remaining segments of the project right-of-way for which the section 106 process has yet to be completed.

We now request that the above Section 106 condition be modified once again, based on a November 19, 2010 letter from the SHPO to the Board (see attached, EI-18430). In its letter, the SHPO states that Conrail can proceed with the further removal of rail along the line, aside for one small section of track located in the historic district of Windsor, before the finalization of a section 106 Memorandum of Agreement for the project. The SHPO did not indicate in its letter the actual mileposts where track could be removed but later agreed, in a follow-up email thread between Conrail and OEA, that Conrail could salvage track between milepost 32.20 to 37.90 with the exception of the track between milepost 37.23 and 37.33 within the Windsor Historic District (see attached, EI-18431). Based on this recent correspondence from the SHPO, OEA requests that the current Section 106 condition be revised as follows:

Conrail shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures (including tracks and ties) within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (National Register) (generally, 50 years of older) until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f. Conrail may, however, proceed with salvage to allow NJDOT to proceed with construction activities within the Route 33 Bridge Replacement Project Area (located at milepost 34.05, plus a few hundred feet on either side) in accordance with plans submitted by the NJDOT to the SHPO, and as discussed in a September 30, 2008 letter from the SHPO to the Board. Additionally, as agreed to by the SHPO, Conrail may salvage the rail between 32.20 and 37.90 with the exception of the track located between milepost 37.23 and 37.33 within the Windsor Historic District. Conrail shall report back to OEA regarding any further consultations it has with the SHPO and any other section 106 consulting parties for the remaining segments of the project right-of-way for which the section 106 process has yet to be completed.

Conclusions

OEA recommends that the conditions recommended in the EA, as modified by the recommendations in this document, be imposed in any decision granting abandonment authority. The conditions are:

1. **Conrail shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures (including tracks and ties) within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years of older) until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f. Conrail may, however, proceed with salvage to allow NJDOT to proceed with construction activities within the Route 33 Bridge Replacement Project Area (located at milepost 34.05, plus a few hundred feet on either side) in accordance with plans submitted by the NJDOT to the SHPO, and as discussed in a September 30, 2008 letter from the SHPO to the Board. Additionally, as agreed to by the SHPO, Conrail may salvage the rail between 32.20 and 37.90 with the exception of the track located between milepost 37.23 and 37.33 within the Windsor Historic District. Conrail shall report back to OEA regarding any further consultations it has with the SHPO and any other section 106 consulting parties for the remaining segments of the project right-of-way for which the section 106 process has yet to be completed.**
2. **Conrail shall notify the National Geodetic Survey at least 90 days prior to beginning salvage activities in order to plan for the possible relocation of geodetic station markers.**
3. **Conrail shall consult with Washington Township regarding salvaging and abandonment prior to commencement of any salvage activities.**

If the above conditions are imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

OEA CONTACT: Catherine Glidden, 202-245-0293 *CG*

EI-18430



HPO-K2010-144
06-1368

CG

State of New Jersey

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

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BOB MARTIN
Commissioner

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

November 19, 2010

Honorable Ann K. Quinlan
Acting Secretary
Surface Transportation Board
Patriots Plaza
395 E Street SW
Washington, DC 20423

Re: Notice of Exemption in STB Docket No. AB-167 (Sub-No. 1185X) under 49 CFR 1152 Subpart F – Exempt Abandonments to abandon a portion of a line of railroad known as the Robbinsville Industrial Track (the “Line”), between milepost 32.20+/- and milepost 37.90+/- in the municipalities of Hamilton Township (“Hamilton”) and Robbinsville Township (“Robbinsville”), Mercer County, New Jersey, a distance of approximately 5.7 miles (“Rail Line Abandonment”)

Dear Acting Secretary Quinlan:

The New Jersey Historic Preservation Office (HPO) has been in consultation with Conrail on the proposed abandonment of the Robbinsville Industrial Track. I write to inform you that we have reached an agreement in principal with Conrail on the terms of an MOA for the project. While the MOA is being finalized, I support an interim order from the STB allowing for the removal of the tracks (except in one small section in the historic district of Windsor).

Thank you for your consideration in this matter. Please do not hesitate to contact me at (609) 633-2397 with any questions.

Sincerely,

Daniel D. Saunders
Deputy State Historic
Preservation Officer

C: John Enright, Conrail
Catherine Glidden



RE: Robbinsville Industrial Track Rail Removal
Dan Saunders to: John.Enright, Catherine.Glidden
cc: Timm

11/29/2010 09:34 AM

Catherine,
I support John's characterization below of where things stand.
Dan

>>> "Enright, John" <John.Enright@Conrail.com> 11/29/2010 9:30:18 AM >>>
Catherine,

We wanted to remove the tracks before any snow fell. While the MOA is in pretty good shape (Dan and I discussed some additional changes last Wednesday) I think (and Dan can confirm this or correct me if I am wrong) the MOA wouldn't get executed until after the public meeting took place which won't be until after the first of the year. I recognize that this is request is somewhat of an imposition, especially given the time of year but if there is any way an interim order could be issued - I do not think that much drafting would be involved. I would think that the Order would merely have to say that the SHPO and Conrail have represented to the Board that all of the material terms of an MOA have been reached between the parties that will allow the preservation of a corridor for the entirety of the Line and are in agreement that the preservation of the corridor does not necessitate that the rails remain intact except for a small portion in the Windsor Historic District. I am probably oversimplifying but I am around if you want to discuss it further. I appreciate all your input and assistance.

John

From: Catherine.Glidden@stb.dot.gov [mailto:Catherine.Glidden@stb.dot.gov]
Sent: Monday, November 29, 2010 8:03 AM
To: Enright, John
Cc: 'Dan Saunders'; Enright, John; 'Timm@robbinsville-twp.org'
Subject: RE: Robbinsville Industrial Track Rail Removal

John,

How soon do you expect to execute this MOA? We obviously need to see it too. Can you wait until the MOA is signed or do we need to put out another Decision? It's just a busy time of year. How soon do you want to remove the tracks?

Cathy

Catherine Glidden
Environmental Protection Specialist
Office of Environmental Analysis
Surface Transportation Board
Washington, DC 20423
(202) 245-0293

From: "Enright, John" <John.Enright@Conrail.com>
To: "Enright, John" <John.Enright@Conrail.com>,
"Catherine.Glidden@stb.dot.gov" <Catherine.Glidden@stb.dot.gov>, 'Dan

Saunders' <Dan.Saunders@dep.state.nj.us>
Cc: "'Timm@robbinsville-twp.org'" <Timm@robbinsville-twp.org>
Date: 11/24/2010 11:22 AM
Subject: RE: Robbinsville Industrial Track Rail Removal

Catherine/Dan:

I have not heard back from the Township. However, in their letter to me dated October 15, 2009, they requested that "Conrail would allow a 100-300' section of track to remain in the vicinity of Windsor as a "park" with a plaque commemorating the Camden Amboy". I propose that to provide some flexibility as to exactly where that 100 to 300 feet of track is preserved, that the STB order require that Conrail not remove five hundred feet of track in the historic district. Once, the Township determines the exact location, in the final order, if some additional track can be removed so be it but this will give enough flexibility and time to the Town to make that determination. Accordingly, the order should provide that Conrail not remove from milepost 37.23 to milepost 37.33 (this is approximately 500 feet centered around Church Street, the heart of the historic district. To summarize, under the proposed interim order, Conrail would be allowed to remove the track from milepost 32.20 to 37.90 with the exception of milepost 37.23 to 37.33. Let me know if this is sufficiently clear. I will be talking to Dan at 1:00 today regarding the MOA. Thanks.

John

From: Enright, John
Sent: Monday, November 22, 2010 9:54 AM
To: 'Catherine.Glidden@stb.dot.gov'; Dan Saunders
Subject: RE: Robbinsville Industrial Track Rail Removal

Yes Catherine, Conrail supports this. The mileposts of the abandonment are 32.20 to 37.90. The historic district is located between MP 36.43 and 37.36. I don't think that Robbinsville needs to have the track preserved for the entirety of the historic district but I will attempt to get that answer today. Thanks.

John

From: Catherine.Glidden@stb.dot.gov [mailto:Catherine.Glidden@stb.dot.gov]
Sent: Monday, November 22, 2010 8:31 AM
To: Dan Saunders
Cc: Enright, John
Subject: Re: Robbinsville Industrial Track Rail Removal

Okay, thanks. I will just need to have the milepost numbers for the section for which removal is approved and for the section that needs to remain in place. I will need this in order to put in a request with our Office of Proceedings. John, I am assuming this is what you want rather than waiting for the MOA approval to be completed?

Cathy

Catherine Glidden
Environmental Protection Specialist
Office of Environmental Analysis

Surface Transportation Board
Washington, DC 20423
(202) 245-0293

From: "Dan Saunders" <Dan.Saunders@dep.state.nj.us>
To: <John.Fnright@Conrail.com>
Cc: <Catherine.Glidden@stb.dot.gov>
Date: 11/19/2010 04:48 PM
Subject: Robbinsville Industrial Track Rail Removal

Letter attached. Have a great weekend.
Dan

Daniel D. Saunders
Acting Administrator and
Deputy State Historic Preservation Officer
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