



EO-2611

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Gregory A. Remaud, Conservation Director
NYINJ Baykeeper
52 West Front Street
Keyport, NJ 07735

Dear Mr. Remaud:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is pleased to provide an update on our efforts to fulfill the requirements of Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) for the proposed abandonment of the Harsimus Branch, a short segment of rail line in Jersey City, New Jersey. With this letter, we are re-initiating Section 106 consultation and inviting your participation. We share a definition of the undertaking for this case, our list of consulting parties, and information on the Area of Potential Effects. These are critical early steps in the implementation of the Section 106 process (as codified at 36 CFR 800), which requires consideration of the effects of a federal undertaking on historic properties. Your organization or agency has been identified as a consulting party for the purpose of Section 106 consultation in this proceeding.

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Undertaking. The Board's undertaking in this case, as defined at 36 CFR 800.16(y), is the review of a Notice of Exemption submitted by Conrail, seeking authority from the Board for Conrail to abandon the Harsimus Branch. The trackage at issue is an approximately 1.36-mile portion of a line of railroad, extending from a point near Waldo Avenue in Jersey City towards the Hudson River.

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Victoria Rutson Director
Office of Environmental Analysis

Cc: New Jersey State Historic Preservation Office, Advisory Council on Historic Preservation

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

John Kilbride, President
Camden & Amboy Railroad Historical Group
W-11 Avon Drive East
East Windsor, NJ 08520-5647

Dear Mr. Kilbride:

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Ester Wintner
Civic JC, Inc.
64 Wayne St
Jersey City, NJ 07302

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Stephen Gucciardo, President
Embankment Preservation Coalition
495 Monmouth Street
Jersey City, NJ 07302

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SURFACE TRANSPORTATION BOARD
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July 31, 2015

Robert Jenkins III, Esq.
For Conrail
Mayer Brown LLP
1999 K Street, NW
Washington, D.C. 20006-1101

Dear Mr. Jenkins:

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Office of Environmental Analysis

July 31, 2015

Carlene Magurne
Hudson County Office of Cultural & Heritage Affairs
583 Newark Avenue
Jersey City, NJ 07306

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Victoria Rutson Director
Office of Environmental Analysis

Cc: New Jersey State Historic Preservation Office, Advisory Council on Historic Preservation

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Rosemary McFadden, Chairwoman
Jersey City Economic Development Corporation
30 Montgomery Street, Suite 820
Jersey City, NJ 07302

Dear Ms. McFadden:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is pleased to provide an update on our efforts to fulfill the requirements of Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) for the proposed abandonment of the Harsimus Branch, a short segment of rail line in Jersey City, New Jersey. With this letter, we are re-initiating Section 106 consultation and inviting your participation. We share a definition of the undertaking for this case, our list of consulting parties, and information on the Area of Potential Effects. These are critical early steps in the implementation of the Section 106 process (as codified at 36 CFR 800), which requires consideration of the effects of a federal undertaking on historic properties. Your organization or agency has been identified as a consulting party for the purpose of Section 106 consultation in this proceeding.

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Andy Hamilton
Mid-Atlantic Coordinator
NJ Committee for the East Coast Greenway
1099 Pebble Hill Rd
Doylestown PA 18901

Dear Mr. Hamilton:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Kirsten Greene, President
Hamilton Park Neighborhood Assoc.
PMB 166 344 Grove Street
Jersey City, NJ 07302

Dear Ms. Greene:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is pleased to provide an update on our efforts to fulfill the requirements of Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) for the proposed abandonment of the Harsimus Branch, a short segment of rail line in Jersey City, New Jersey. With this letter, we are re-initiating Section 106 consultation and inviting your participation. We share a definition of the undertaking for this case, our list of consulting parties, and information on the Area of Potential Effects. These are critical early steps in the implementation of the Section 106 process (as codified at 36 CFR 800), which requires consideration of the effects of a federal undertaking on historic properties. Your organization or agency has been identified as a consulting party for the purpose of Section 106 consultation in this proceeding.

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Jeremy Jacobsen, President
Harsimus Cove Association
P.O. Box 101
Jersey City, NJ 07302

Dear Mr. Jacobsen:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Robert Cotter, PP, FAICP, Director
Historic Preservation Commission
30 Montgomery Street
14th Floor, Suite 1400
Jersey City, NJ 07302

Dear Mr. Cotter:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Thomas A. DeGise
Hudson County, County Executive
Brennan Court House Building
583 Newark Avenue, First Floor
Jersey City, NJ 07306

Dear Mr. DeGise:

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Victoria Rutson Director
Office of Environmental Analysis

Cc: New Jersey State Historic Preservation Office, Advisory Council on Historic Preservation

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Massiel Ferrara, Director
Hudson County Division of Planning
Bldg 1, Floor 2
Meadowview Complex
595 County Avenue
Secaucus, NJ 07094

Dear Ms. Ferrara:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is pleased to provide an update on our efforts to fulfill the requirements of Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) for the proposed abandonment of the Harsimus Branch, a short segment of rail line in Jersey City, New Jersey. With this letter, we are re-initiating Section 106 consultation and inviting your participation. We share a definition of the undertaking for this case, our list of consulting parties, and information on the Area of Potential Effects. These are critical early steps in the implementation of the Section 106 process (as codified at 36 CFR 800), which requires consideration of the effects of a federal undertaking on historic properties. Your organization or agency has been identified as a consulting party for the purpose of Section 106 consultation in this proceeding.

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Joe Macasek, President
Roebling Chapter, Society for Industrial Archaeology
235 West End Ave, Apt 14C
New York, NY 10023-3648

Dear Mr. Macasek:

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Mayor Steven Fulop
City Of Jersey City
City Hall 280 Grove Street
Jersey City, NJ 07302

Dear Mayor Fulop:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Justin Frohwirth, President
Jersey City Landmarks Conservancy
P.O. Box 68
Jersey City, NJ 07303-0068

Dear Mr. Frohwirth:

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Sam Pesin, President
Friends of Liberty State Park
PO Box 3407
Jersey City, NJ 07303-3407

Dear Mr. Pesin:

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Victoria Rutson Director
Office of Environmental Analysis

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Daniel Horgan, Esq.
For Marin Blvd, LLC et al.
Waters, McPherson, McNeill PC
300 Lighting Way, 7th Fl.
Secaucus, NJ 07094-3672

Dear Mr. Horgan:

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Robert Vivien, President
Newport Neighborhood Association
40 Newport Parkway, #604
Jersey city, NJ 07310

Dear Mr. Vivien:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Elkins Green
Director, Environmental Resources
NJ Department of Transportation
P.O. Box 600
Trenton, NJ 08625-0600

Dear Mr. Green:

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Veronique Hakim, Executive Director
New Jersey Transit
1 Penn Plaza East
Newark, NJ 07195

Dear Ms Hakim:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Mike Caldwell, Regional Director
National Park Service
Northeast Regional Office
U.S. Custom House
200 Chestnut Street, Fifth Floor
Philadelphia, PA 19106

Dear Mr. Caldwell:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Diane Kaese, President
Historic Paulus Hook Association
121 Grand Street
Jersey City, NJ 07302

Dear Ms. Kaese:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is pleased to provide an update on our efforts to fulfill the requirements of Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) for the proposed abandonment of the Harsimus Branch, a short segment of rail line in Jersey City, New Jersey. With this letter, we are re-initiating Section 106 consultation and inviting your participation. We share a definition of the undertaking for this case, our list of consulting parties, and information on the Area of Potential Effects. These are critical early steps in the implementation of the Section 106 process (as codified at 36 CFR 800), which requires consideration of the effects of a federal undertaking on historic properties. Your organization or agency has been identified as a consulting party for the purpose of Section 106 consultation in this proceeding.

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Sincerely,

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Victoria Rutson Director
Office of Environmental Analysis

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Jerry Britton, President
North Central Chapter
Pennsylvania Railroad Technical & Historical Society
25 Maplewood Drive
Etters, PA 17319

Dear Mr. Britton:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Jill Edelman, President
Powerhouse Arts District Neighborhood Association
140 Bay Street, Unit 6J
Jersey City, NJ 07302

Dear Ms. Edelman:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Joseph A. Simonetta, Executive Director
Preservation New Jersey
P. O. Box 7815
West Trenton, NJ 08628

Dear Mr. Simonetta:

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis***

July 31, 2015

Tom Sexton, Director
Rails-to-Trails Conservancy
Northeast Regional Office
2133 Market Street, Suite 222
Camp Hill, PA 17011

Dear Mr. Sexton:

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Oona Jackson Moore, President
The Van Vorst Park Association
83 Wayne Street
Jersey City, NJ 07302

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OEA looks forward to consulting with the parties involved in this case. To help us ensure adequate, timely communication with your agency or organization, we ask you to please provide the name and contact information, including email address, for an individual representative to whom we can direct correspondence during consultation. If your office did not previously express or confirm an interest in participating in consultation in 2009, please let us know of your interest at this time (see Table 1 for confirmed consulting party status). If you have any questions or require additional information regarding the Section 106 process, please contact Jeff Irwin at (202) 245-0299 or Jeffrey.irwin@stb.dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" written in a larger, more prominent script than the last name "Rutson".

Victoria Rutson Director
Office of Environmental Analysis

Cc: New Jersey State Historic Preservation Office, Advisory Council on Historic Preservation

Table 1. Consulting Parties (*confirmed interest in consultation 2009).

Advisory Council on Historic Preservation*	National Park Service, Northeast Regional Office
Camden & Amboy Railroad Historical Group	New Jersey State Historic Preservation Office*
City of Jersey City*	New Jersey Department of Transportation
Civic JC*	New Jersey Transit
Consolidated Rail Corporation (Conrail)*	Newport Neighborhood Association*
Hamilton Park Neighborhood Association*	NJ Committee for the East Coast Greenway*
Harsimus Cove Association*	NY/NJ Baykeeper*
Harsimus Embankment Preservation Coalition*	Pennsylvania Railroad Technical & Historical Society*
Historic Paulus Hook Association*	Powerhouse Arts District Neighborhood Association
Hudson County, Planning Division*	Preservation New Jersey*
Hudson County, County Executive	Rails-to-Trails Conservancy*
Hudson County, Office of Cultural and Heritage Affairs*	Roebling chapter, Society for Industrial Archaeology
Jersey City Economic Development Corporation	The Friends of Liberty State Park*
Jersey City Historic Preservation Commission	The Village Neighborhood Association*
Jersey City Landmarks Conservancy*	Van Vorst Park Association*
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Marin Blvd, LLC et al. (LLCs)*	Van Vorst Park Association*



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

July 31, 2015

Rob Crow, President
The Village Neighborhood Association
365 Second Street
Jersey City, NJ 07302

Dear Mr. Crow:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is pleased to provide an update on our efforts to fulfill the requirements of Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) for the proposed abandonment of the Harsimus Branch, a short segment of rail line in Jersey City, New Jersey. With this letter, we are re-initiating Section 106 consultation and inviting your participation. We share a definition of the undertaking for this case, our list of consulting parties, and information on the Area of Potential Effects. These are critical early steps in the implementation of the Section 106 process (as codified at 36 CFR 800), which requires consideration of the effects of a federal undertaking on historic properties. Your organization or agency has been identified as a consulting party for the purpose of Section 106 consultation in this proceeding.

In 2009, OEA issued an Environmental Assessment for public review and comment. In 2010, however, the Board issued an order holding the proceeding in abeyance while the courts addressed the issue of whether the Harsimus Branch constituted a railroad line subject to Board abandonment authority. In 2014, after findings by the U.S. District Court and the Court of Appeals confirming that Consolidated Rail Corporation (Conrail) requires the Board's authority to abandon the Harsimus Branch, the Board reinstituted the proceeding.

Undertaking. The Board's undertaking in this case, as defined at 36 CFR 800.16(y), is the review of a Notice of Exemption submitted by Conrail, seeking authority from the Board for Conrail to abandon the Harsimus Branch. The trackage at issue is an approximately 1.36-mile portion of a line of railroad, extending from a point near Waldo Avenue in Jersey City towards the Hudson River.

The scope of analysis to support the Section 106 review in an abandonment undertaking is typically limited to the removal of a line from the national rail transportation system and the immediate effects of traffic diversion and salvage. Under long-established precedent, post-abandonment land use of a right-of-way is outside of the scope of OEA's analysis. However, in the Harsimus case, prior to the Board's involvement, the tracks were salvaged, structures were removed, and most of the right-of-way was sold. The historic embankment is now owned by a private developer with plans for residential development. These circumstances limit potential preservation or mitigation options. Given the history of this proceeding and course of events, OEA believes that a broader than normal scope of review is appropriate and plans to undertake limited consideration of some effects of reasonably foreseeable land use in our analysis of the effects of abandonment (see Area of Potential Effect below).

Consulting Parties. OEA identified a number of known and potential consulting parties for the Harsimus Branch abandonment in 2009. Table 1 lists the consulting parties. We are contacting all consulting parties at this

time and requesting current contact information for the consultation process. In addition to these consulting parties, the public maintains an important role in the Section 106 process. We will share information with the public about our review and make documents available on our website.

Area of Potential Effect. A key step in Section 106 compliance is the definition of an Area of Potential Effect (APE), within which an undertaking may affect historic properties. The APE for the Harsimus Branch abandonment has been defined as the rail right-of-way and a broader surrounding area in which historic properties near the rail line may be affected by future development. A report commissioned by Conrail in 2008 describes and illustrates this APE in detail. The APE report is available for all consulting parties and the public to review on the Board's website at http://www.stb.dot.gov/stb/environment/key_cases.html.

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