

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

MEMORANDUM

1/15/2014

TO: Office of Proceedings

FROM: Victoria Ruston, Director
Office of Environmental Analysis

RECOMMENDATION: STB Docket No. AB 286 (Sub-No. 7X): Removal of Existing Section 106 Condition.

The New Jersey (SHPO) has provided the opinion that the abandonment in the above proceeding will have **No Adverse Effect** to historic properties pursuant to Section 106 of the National Historic Preservation Act (see attached SHPO letter). OEA concurs with this assessment.

Our **No Adverse Effect** assessment is based on the NJ SHPO opinion and the results of the document, "*Cultural Resources Survey for the Proposed NYS&W Railway Bicycle & Pedestrian Path*" that was prepared on behalf of Morris County, New Jersey. The study established that the portion of the New York, Susquehanna & Western Railway right-of-way between Mileposts 22.1 and 26.3 (the area of potential effect for the abandonment) is not eligible for listing in the National Register of Historic Places. We also conclude that the proposed abandonment would not affect the significance, integrity of character of the nearby New Jersey and National Register of Historic Places listed Pompton Plains Railroad Station. This conclusion is also based on the results of the cultural resources study and SHPO opinion.

Accordingly, OEA recommends that the existing historic preservation condition be removed.

Attachment (1)

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December 26, 2013

Ms. Victoria Rutson
Office of Economic and Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Attention: Section on Environmental Analysis

Dear Ms. Rutson:

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), I am providing **Consultation Comments** for the following proposed action:

STB Number AB-286 (Sub. No. 6X) 7
New York, Susquehanna & Western Railway Corporation
Greenwood Lake Branch
Abandonment of Railroad Right of Way Mileposts 22.1 to 26.3
Passaic and Morris Counties, New Jersey.

SUMMARY: The proposed abandonment of the New York, Susquehanna & Western Railway (the former New York and Greenwood Lake Railroad) between Mileposts 22.1 and 26.3 will have **no adverse effect** upon the New Jersey and National Registers of Historic Places listed **Pompton Plains Railroad Station**.

800.4 Identification of Historic Properties

The right of way proposed for abandonment was previously surveyed for the presence of historic resources for the proposed NYS&W Railway Bicycle & Pedestrian Path. A "*Cultural Resources Survey for the Proposed NYS&W Railway Bicycle & Pedestrian Path*" (prepared by Jean Howson and Richard L. Porter of the RBA Group and submitted to the County of Morris in October 2000) evaluated the historic significance and integrity of the right of way in Riverdale Borough, Pequannock Township, and Wayne Township and identified one historic property, the Pompton Plains Railroad Station, as eligible for inclusion in the National Register of Historic

Places (NRHP). Subsequently, in 2007/2008 this property was listed on the New Jersey and National Registers of Historic Places.

800.5 Assessment of Adverse Effects

Based on the document "*Cultural Resources Survey for the Proposed NYS&W Railway Bicycle & Pedestrian Path*," and Historic Preservation Office letter HPO-E2001-95 PROD, May 8, 2001 (copy attached), the New York, Susquehanna & Western Railway right of way between Mileposts 22.1 and 26.3 does not qualify as eligible for inclusion in the National Register of Historic Places.

I also concur with the conclusion that the abandonment of the New York, Susquehanna & Western Railroad between Mileposts 22.1 and 26.3 will not adversely affect the historic significance, character or integrity of the New Jersey and National Registers of Historic Places listed Pompton Plains Railroad Station.

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

Sincerely,



Daniel D Saunders
Deputy State Historic
Preservation Officer

C: County of Morris
County of Passaic
Township of Wayne
Township of Pequannock
NJ Department of Transportation
Ms. Carol Lydon, (Clark, Hill, Thorp, Reed-Attorneys)