

From: CZorbaugh@bakerandmiller.com
To: [Navecky, David](#); [Tabachnick, Alan](#)
Subject: Fw: [EXTERNAL] Project #20-0922-1&2, HPO G2020-41 - Norfolk Southern Railway Abandonment in Hudson and Essex Counties - NY&GL Railway Milepost 2.9 in Jersey City to Milepost 11.5 in Montclair
Date: Monday, July 20, 2020 1:49:48 PM
Attachments: [ATT00001.png](#)
[ATT00007.png](#)

Good Afternoon Dave,

I am forwarding this correspondence from the SHPO last week. I believe it is in response to an additional consult letter NSR sent and not the E&HR, since the SHPO states it received a letter (and does not acknowledge receipt of the E&HR) and further states "Norfolk Southern is in the planning stages of filing a petition for exemption with the Surface Transportation Board (STB) for the proposed abandonment of a section of the NYGL Railway for use as a trail, therefore there is no federal funding, licensing, or permits required at this time." However, I am in the process of reviewing and reconciling this initial response with the documents provided to the SHPO. I will touch base later in the week once I figure out exactly what the SHPO is responding to in this response. For now, I am just providing you a copy of this initial response.

Best,

Crystal

----- Forwarded by Crystal Zorbaugh/bakermiller on 07/20/2020 01:40 PM -----

From: "Hoag, Laura E." <Laura.Hoag@nscorp.com>
To: "CZorbaugh@bakerandmiller.com" <CZorbaugh@bakerandmiller.com>
Date: 07/16/2020 01:14 PM
Subject: Fwd: [EXTERNAL] Project #20-0922-1&2, HPO G2020-41 - Norfolk Southern Railway Abandonment in Hudson and Essex Counties - NY&GL Railway Milepost 2.9 in Jersey City to Milepost 11.5 in Montclair

Sent from my iPhone

Begin forwarded message:

From: "Marcopul, Kate" <Kate.Marcopul@dep.nj.gov>
Date: July 16, 2020 at 10:40:15 AM EDT
To: "Hoag, Laura E." <Laura.Hoag@nscorp.com>
Cc: "Baratta, Meghan" <Meghan.Baratta@dep.nj.gov>, "Alvarez, Jennifer" <Jennifer.Alvarez@dep.nj.gov>, "Maresca, Vincent" <Vincent.Maresca@dep.nj.gov>
Subject: [EXTERNAL] Project #20-0922-1&2, HPO G2020-41 - Norfolk Southern Railway Abandonment in Hudson and Essex Counties - NY&GL Railway Milepost 2.9 in Jersey City to Milepost 11.5 in Montclair

This e-mail serves as the official correspondence of the New Jersey Historic Preservation Office as we switch to a temporary remote work environment in response to the ongoing novel coronavirus (COVID-19) outbreak

HPO Project #20-0922-1&2, HPO G2020-41

Laura E. Hoag
Director
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

Re: Norfolk Southern Railway Abandonment in Hudson and Essex Counties
New York & Greenwood Lake Railway Milepost 2.9 in Jersey City to Milepost
11.5 in Montclair (approximately 8.6 miles)
AB-290 (Sub-No. 408X)

Dear Ms. Hoag,

The New Jersey State Historic Preservation Office (HPO) is in receipt of your request for technical assistance and comment regarding the above-referenced project dated May 26, 2020 and received on June 5, 2020.

According to your letter of May 26, 2020 Norfolk Southern is in the planning stages of filing a petition for exemption with the Surface Transportation Board (STB) for the proposed abandonment of a section of the NYGL Railway for use as a trail, 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. The technical assistance herein is provided as informal notes to you. These notes do not constitute project review under any state or federal law.

Architecture

The proposed abandonment is for an approximately 8.6 mile section of the former Erie New York & Greenwood Lake Railway (NYGL) between Jersey City and Montclair in Hudson and Essex Counties that was once a primary commuter line to New York City as well as a lucrative freight line for ice from Greenwood Lake, iron, and zinc ore. Currently, there are three bridges, and several miles of the line that have been identified by the HPO as potentially eligible for listing on the New Jersey and National Registers of Historic Places. The three identified bridges are a drawbridge at milepost 4.17 over the Hackensack River that was built in 1889; a

swing span bridge at milepost 7.57 over the Passaic River that was built in 1896; and a concrete span bridge at milepost 8.85 over Branch Brook Park Dr. and Second River that was built in 1932. Additionally, fifteen of the sixteen bridges listed in the information provided are older than 50 years of age.

If the project is subject to regulatory review, an intensive level survey of this section of the NYGL Railway is required to satisfy an agency's regulatory responsibilities in accordance with the HPO's *Guidance for Architectural Survey (1999)*. A reconnaissance level survey does not provide sufficient information to make decisions about property eligibility. The study area should include the geographical 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. Additionally, consultation with the HPO regarding the definition of the study area is recommended if/when the project is subject to regulatory review. In this case, all character defining features of the NYGL Railway such as bridges, culverts, retaining walls, buildings, structures, catenary, etc. should be surveyed as well as any adjacent properties that may be affected.

Archaeology

The approximate eastern three-quarters of the rail alignment is located within existing or former tidal marsh with a low archaeological sensitivity. The area of the Passaic River containing the existing Erie Lackawanna-Greenwood Lake Branch Railroad (WR Draw) Bridge (Bridge 7.57) does possess high archaeological sensitivity for terrestrial and maritime archaeological resources. If the undertaking is subject to regulatory review, the HPO recommends phased archaeological survey be performed in the areas of ground disturbance immediately surrounding the bridge and any other areas that will likely be disturbed as part of the undertaking in Arlington.

Additional Comments

Thank you for providing this opportunity for review and comment on the potential for this project to affect historic resources. If you have any questions or want to discuss this project further, please feel free to contact Jennifer Balson Alvarez at jennifer.alvarez@dep.nj.gov regarding architecture or Vincent Maresca at vincent.maresca@dep.nj.gov regarding archaeology.

Sincerely,

Katherine J. Marcopul, Ph.D., CPM

Administrator and

Deputy State Historic Preservation Officer

Historic Preservation Office

NJ Department of Environmental Protection

501 East State Street, Trenton, NJ 08625

kate.marcopul@dep.nj.gov

T (609) 984-0176 | F (609) 984-0578



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KJM/MMB/JBA/VM