

## **Appendix A**

### Cultural Resources



The basic steps of the Section 106 process, as revised, are as follows:

- The Section 106 process is initiated when the federal agency determines that a proposed action is an undertaking. Federal undertakings include those carried out by or on behalf of a federal agency, those carried out with federal financial assistance, those requiring a federal permit, license or approval, and those subject to state or local regulation administered pursuant to a delegation or approval by a federal agency.
- As part of the initiation of the Section 106 process, the federal agency must identify the appropriate State Historic Preservation Officer (SHPO) and consult with the SHPO in a manner appropriate to the federal agency planning process for the proposed undertaking. In addition, in consultation with the SHPO, the federal agency shall identify any other parties entitled to be consulting parties, including, as appropriate, Indian tribes, and invite them to participate as such in the Section 106 process.
- All properties that may be affected in the Area of Potential Effect (APE) for the project—the area where potential project effects may occur—and that are included in or eligible for the National Register must be identified, in consultation with the SHPO. If properties are identified that may be eligible for the National Register, but for which no determination has yet been made, the agency consults with the SHPO to determine eligibility or ineligibility.
- If there are S/NR-listed or S/NR-eligible properties (collectively, historic properties), the potential effect of the proposed project on each property must be evaluated, in conjunction with the SHPO, to determine if the project would have adverse effects on them. To determine potential effects on the historic properties, the Criteria of Adverse Effect (36 CFR 800.5(a)(1)) must be applied, in consultation with the SHPO, to determine whether adverse effects would occur. In general, a proposed project is deemed to have an adverse effect on a historic property if it would cause a change in the quality of the property that qualifies it for inclusion in the S/NR. The Advisory Council on Historic Preservation must be notified of any findings of adverse effects.
- If the analysis indicates that the proposed project would have an adverse effect on a historic property, the SHPO and other consulting parties (discussed above in the consultation process) are consulted to seek ways to avoid, minimize, or mitigate effects on historic properties. An agreement regarding the mitigation measures that will be implemented is typically effectuated through a Memorandum of Agreement (MOA) or a Programmatic Agreement (PA) between the applicant, the SHPO, and the federal agency. The Advisory Council may choose to participate in the consultation when there are substantial impacts to historic properties, when a case presents important questions of policy or interpretation, when there is a potential for procedural problems, or when there are issues of concern to Indian tribes.

#### **HBLR Route 440 Extension Environmental Assessment**

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- Execution of the MOA/PA and implementation of its terms satisfies the requirement of Section 106 that the Council be given a reasonable opportunity to comment on the undertaking as well as demonstrates that the federal agency has taken into account the effects of the action.

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## **PUBLIC PARTICIPATION PLAN**

Soliciting the views of the public and those groups/individuals with interests in historic preservation is a valued part of the Section 106 process. A Public Participation Plan has been developed to involve the public and interested parties in the identification and evaluation of historic properties that might be affected by the project.

The Public Participation Plan for the Hudson Bergen Light Rail (HBLR) Route 440 Extension project includes the following:

A letter notifying and soliciting input on the identification of historic resources in the APEs will be sent to local preservation groups/individuals with an identified interest in preservation (see attached list). A copy of and responses to the letter will be attached to the final cultural resources documentation.

Community involvement will be coordinated with the requirements of the National Environmental Policy Act. Documentation of the notification and response to all public involvement will become part of the final cultural resources documentation.

The cultural resources documentation will be circulated to the following entitled consulting parties: FTA, NJ TRANSIT, HPO, the Delaware Nation, the Delaware Tribe of Indians, Hudson County Board of Chosen Freeholders, City of Jersey City, and the Jersey City Historic Preservation Commission. No other consulting parties have been identified at this time.

The cultural resources documentation will also be sent to local preservation groups/individuals with an identified interest in historic preservation (see attached list). Responses to the report will be attached to the final cultural resources documentation.

In the event that the project results in an adverse effect to historic resources, the consulting parties will be consulted on this determination. Comment on the draft Memorandum of Agreement, if required, will also be requested from those sources.

The Public Participation Plan is commensurate with the Scope of Work, defined at this time as the construction of the HBLR Route 440 Extension, City of Jersey City, Hudson County, New Jersey.

**CONSULTING AND INTERESTED PARTIES**

**List of Consulting Parties**

Federal Transit Administration (FTA)

New Jersey Transit Corporation (NJ TRANSIT)

New Jersey Historic Preservation Office (NJHPO)

Tamara Francis  
Delaware Nation  
NAGPRA/Cultural Preservation  
PO Box 825  
Anadarko, OK 73005

Dr. Brice Obermeyer  
NAGPRA Representative  
Delaware Tribe of Indians  
1417 West Street  
Emporia, KS 66801

Thomas A. DeGise  
Hudson County Executive  
Office of the County Executive  
William J. Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306

Honorable Jerramiah Healy, Mayor  
City of Jersey City  
City Hall  
280 Grove Street  
Jersey City, New Jersey 07302

David Goodwin, Chairman  
Jersey City Historic Preservation Commission  
280 Grove Street  
Jersey City, NJ 07302

**Identified Local Historic Preservation Groups/Local Individuals with an Identified Interest in Preservation:**

William LaRosa, Director  
Hudson County Cultural Affairs and Tourism  
William J. Brennan Courthouse Building  
583 Newark Avenue, 1st Floor  
Jersey City, NJ 07306

**NJ Transit Hudson-Bergen Light Rail, Route 440 Extension  
City of Jersey City, Hudson County, New Jersey**

John J. Hallanan III, President  
Jersey City Landmarks Conservancy, Inc.  
P.O. Box 68  
Jersey City, NJ 07303-0068

Jim Mackin, President  
Roebbling Chapter  
Society for Industrial Archeology  
370 Riverside Drive, Apt. 2B  
New York, NY 10025

Richard Wilson, President  
Jersey Central Chapter, National Railway Historical Society  
P.O. Box 700  
Clark, NJ 07066

Frank T. Reilly, President  
United Railroad Historical Society of New Jersey  
c/o 460 Elm Street  
Stirling NJ 07980

Friends of the New Jersey Railroad and Transportation Museum Inc.  
c/o William McKelvey, Director/Curator  
103 Dogwood Lane  
Berkeley Heights, NJ 07922

Canal Society of New Jersey  
P.O. Box 737  
Morristown, New Jersey 07963-0737

Dr. Richard F. Veit, President  
Archaeological Society of New Jersey  
Department of History and Anthropology  
Monmouth University  
400 Cedar Avenue  
West Long Branch, NJ 07764





**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

Ms. Marilyn G. Shazor  
Regional Administrator, Region 2  
Federal Transit Administration  
One Bowling Green  
Room 429  
New York, NY 10004-1451

Re: NJ TRANSIT Hudson-Bergen Light Rail (HBLR), NJ Route 440 Extension  
City of Jersey City, Hudson County, New Jersey

Dear Ms. Shazor:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and associated implementing regulations 36 CFR 800, NJ TRANSIT, as an applicant for Federal assistance, requests authorization to prepare information, analyses, and recommendations regarding Section 106 consultation for the referenced project. This letter is to notify the Federal Transit Administration (FTA) that NJ TRANSIT intends to seek FTA's financial assistance for the execution of the HBLR Route 440 Extension project. As such, the project is subject to Section 106 of the National Historic Preservation Act.

As was discussed on August 2, 2012 by Mr. Donald Burns of your staff and Mr. Jeremy Colangelo-Bryan of my staff, NJ TRANSIT previously discussed with FTA the intent to undertake a federal review process for this project in advance of beginning Section 106 evaluation activities. In compliance with CFR Part 800.3 of the National Historic Preservation Act, NJ TRANSIT has prepared a list of consulting parties and resource organizations (interested parties) for review, with which the New Jersey State Historic Preservation Office concurred in a letter dated July 19, 2012. NJ TRANSIT, therefore, also requests your approval of the attached list of consulting parties; a copy of that letter and the list of consulting parties are attached for your use.

NJ TRANSIT appreciates your attention in this matter. Should you require any additional information, feel free to contact Karen Schrempp, Director of Grant Administration and Compliance, at 973-491-8057.

Sincerely,

Steven H. Santoro  
Assistant Executive Director  
Capital Planning and Programs

cc: D. Burns, FTA  
K. Schrempp  
D. Callender  
J. Colangelo-Bryan

## **HUDSON-BERGEN LIGHT RAIL NJ ROUTE 440 EXTENSION**

### **CONSULTING PARTIES**

Marilyn G. Shazor  
Regional Administrator, Region 2  
Federal Transit Administration  
One Bowling Green, Room 429  
New York, NY 10004-1415

Daniel Saunders  
Deputy State Historic Preservation Officer  
Mail Code 501-04B  
State of New Jersey  
Department of Environmental Protection  
Historic Preservation Office  
P. O. Box 420  
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Tamara Francis  
Delaware Nation  
NAGPRA / Cultural Preservation  
PO Box 825  
Anadarko, OK 73005

Dr. Brice Obermeyer  
NAGPRA Representative  
Delaware Tribe of Indians  
1417 West Street  
Emporia, KS 66801

Thomas A. DeGise  
Hudson County Executive  
Office of the County Executive  
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583 Newark Avenue  
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Honorable Jerramiah Healy, Mayor  
City of Jersey City  
City Hall  
280 Grove Street  
Jersey City, New Jersey 07302

David Goodwin, Chairman  
Jersey City Historic Preservation Commission  
280 Grove Street  
Jersey City, NJ 07302

## **HUDSON-BERGEN LIGHT RAIL NJ ROUTE 440 EXTENSION**

### **RESOURCE ORGANIZATIONS**

William LaRosa, Director  
Hudson County Cultural Affairs and Tourism  
William J. Brennan Courthouse Building  
583 Newark Avenue, 1st Floor  
Jersey City, NJ 07306

John J. Hallanan III, President  
Jersey City Landmarks Conservancy, Inc.  
P.O. Box 68  
Jersey City, NJ 07303-0068

Jim Mackin, President  
Roebbling Chapter  
Society for Industrial Archeology  
370 Riverside Drive, Apt. 2B  
New York, NY 10025

Richard Wilson, President  
Jersey Central Chapter, National Railway Historical Society  
P.O. Box 700  
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Frank T. Reilly, President  
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P.O. Box 737  
Morristown, New Jersey 07963-0737

Dr. Richard F. Veit, President  
Archaeological Society of New Jersey  
Department of History and Anthropology  
Monmouth University  
400 Cedar Avenue  
West Long Branch, NJ 07764



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION II  
Connecticut (Rail Operations),  
New Jersey,  
New York

One Bowling Green  
Room 429  
New York, NY 10004-1415  
212-668-2170  
212-668-2136 (fax)

August 27, 2012

Mr. Steven H. Santoro  
Assistant Executive Director  
Capital Planning and Programs  
New Jersey Transit Corporation  
One Penn Plaza East  
Newark, N.J. 07105-2204

Re: NJ TRANSIT Hudson-Bergen Light Rail (HBLR), NJ Route 440 Extension  
City of Jersey City, Hudson County, New Jersey

Dear Mr. Santoro:

Federal Transit Administration, Region 2 Regional Administrator Marilyn G. Shazor has received your letter and has asked me to reply.

Since New Jersey Transit intends to seek federal assistance to rehabilitate the Lincoln Park Railroad Station in the Borough of Lincoln Park, Morris County. The project is subject to Section 106 of the National Historic Preservation Act of 1966, as amended, and associated implementing regulations 36 CFR 800. Under Subpart A, Section 800.2(a)(3) and 800.2(c)(4) of these regulations, the Federal Transit Administration is authorizing New Jersey Transit, as an applicant for Federal assistance, to prepare information, analyses, and recommendations regarding Section 106 consultation for the referenced project.

The project will extend the existing Hudson-Bergen Light Rail (HBLR) approximately 3,700 feet from its current terminus at West Side Avenue Station to a new station to be constructed west of NJ Route 440. The extension would be elevated on a concrete and steel viaduct and fully grade separated from all city streets. Other improvements could include alterations to the existing West Side Station, including demolition and replacement of the existing pedestrian bridge, removal of the stone railroad bridge abutment and associated stair, and construction of new pedestrian access stairs and ramps.

The referenced project is subject to Section 106 of the National Historic Preservation Act of 1966, as amended, and associated implementing regulations 36 CFR 800.3 of these regulations. Federal Transit Administration concurs with New Jersey Transit's recommendation regarding Section 106 consulting parties for the HBLR NJ Route 440 Extension in the City of Jersey City, Hudson County, New Jersey.

Mr. Steven H. Santoro Letter  
Page 2 of 2  
August 27, 2012

Should you require any additional information, please contact Donald Burns, AICP, Senior Planner, at (212) 668-2203.

Sincerely,

  
Anthony G. Carr  
Deputy Regional Administrator

cc. D. Saunders, NJ SHPO  
D. Callender, NJT  
K. Schrempp, NJT  
J. Colangelo-Bryan, NJT

**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

June 18, 2012

Daniel Saunders  
Deputy State Historic Preservation Officer  
Mail Code 501-04B  
NJDEP-Historic Preservation Office  
PO Box 420  
Trenton, New Jersey 08625-0420

RE: Initiation of Section 106 Consultation  
NJ Transit Hudson-Bergen Light Rail, Route 440 Extension  
City of Jersey City, Hudson County, New Jersey

Dear Mr. Saunders:

New Jersey Transit Corporation (NJ TRANSIT) proposes to extend the exiting Hudson-Bergen Light Rail Line (HBLR) approximately 3,700 feet from its current terminus at West Side Avenue Station to a new station to be built west of NJ Route 440. The project is being planned in coordination with a planned mixed-use residential and commercial development called Bayfront, to be built along the Hackensack River waterfront (Figure 1). This letter report has been prepared in consultation with Richard Grubb & Associates, Inc., cultural resources consultants, to delineate the HBLR project's Area of Potential Effects (APE), identify consulting and interested parties, and outline a Public Participation Plan in order to initiate Section 106 consultation among the NJ TRANSIT, the FTA, and the New Jersey Historic Preservation Office (HPO) for the referenced project.

Between West Side Avenue and NJ Route 440 the proposed HBLR extension follows the alignment of the abandoned Central Railroad of New Jersey (CRRNJ) Newark and New York Branch. From NJ Route 440 to the proposed terminus at the Bayfront site, the alignment shifts to the south side of, and runs parallel with, the original railroad right-of-way. The elevated earthen embankment on which the railroad once ran between West Side Avenue and the Hackensack River has been demolished down to street level. All original sidings, undergrade bridges, and all but one stone bridge abutment originally associated with the railroad have been removed. Today, the railroad alignment is occupied by an HBLR park-and-ride lot, elevator, and pedestrian bridge associated with the existing HBLR West Side Avenue Station, as well as private access roads, parking lots, one modern industrial building, and a car dealership.

In February 2011, NJ TRANSIT completed the *Hudson-Bergen Light Rail (HBLR) Route 440 Extension-Alternatives Analysis Final Evaluation of Alternatives Report*. The report recommended Alternative 1A as identified in the report as the Locally Preferred Alternative. This alternative calls for extending the existing double-track light rail system from its current terminus at West Side Avenue, across the existing HBLR park-and-ride lot, Mallory Avenue (CR 611), a partially developed parcel, and NJ Route 440 to a new terminus at Bayfront. The extension would be elevated on a concrete and steel viaduct and fully grade-separated from all city streets. The project would also include construction of one new station at Bayfront. Related improvements may also include alterations to the existing West Side Avenue Station, including the demolition and replacement of the modern pedestrian bridge over West Side Avenue, removal of the stone railroad bridge abutment (1889) and its associated staircase (1910), and construction of new pedestrian

Daniel Saunders  
HBLR Route 440 Extension Initiation

access stairs and ADA-compliant ramps at key points on the south side of the current West Side Avenue Station. The undertaking also includes necessary reconfigurations to the NJ TRANSIT park-and-ride lot, including altered vehicle entrance points, possible new islands, restriping, and landscaping.

The APE-Archaeology extends from West Side Avenue Station for a distance of approximately 3,700 feet to the west side of NJ Route 440 and includes the areas that will be directly impacted by the proposed viaduct footings and other associated below ground disturbances (Figure 2; Plates 1-10).

The APE-Architecture includes the geographic area in which the project may directly or indirectly cause changes in the character or use of historic properties and has been delineated using current tax parcel data to denote the historic property survey boundary, so that the contents of each parcel may be fully documented and evaluated on the appropriate HPO survey forms (See Figures 2 and 3; Plates 1, 11-49).

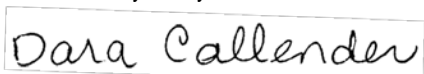
Preliminary background research indicates that two previously identified historic properties are located within the probable APE for archaeology and/or architecture:

- Former Candy Factory (SHPO Opinion: 2/28/1991)
- Morris Canal (SR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 4/27/2004).

Additionally, the APE-Architecture crosses the alignment of the former Lehigh Valley Railroad Bayonne Branch No. 2, the Jersey City Waterworks pipeline, and the Standard Oil pipeline, which all run parallel with the abandoned Morris Canal. Approximately 20 previously unevaluated resources more than 50 years of age are also located inside the APE-Architecture and include resources adjacent to the proposed alignment and buildings that have the potential to experience visual and contextual effects as a result of the proposed elevated tracks. These include extensively altered nineteenth and twentieth row house buildings, commercial establishments, small manufacturing plants, and warehouse complexes. The former CRRNJ Newark and New York Branch was previously surveyed as part of the original HBLR project and recommended not eligible for listing in the National Register due to a lack of integrity (Lynn Drobbin & Associates 1995: xvi Table B; 49-50). The Section 106 consultation process will evaluate these resources according to National Register of Historic Places (NRHP) Criteria and assess project effects on any NRHP listed or eligible resources. The results of this survey will be presented in a report that meets the survey and reporting guidelines of the New Jersey Historic Preservation Office (NJHPO).

If you have any questions or comments regarding this consultation initiation letter, please contact me at 973-491-7205. A concurrence line has been provided to facilitate your review.

Yours very truly,



Dara Callender  
Supervising Compliance Specialist

Attachments

Cc (w/o attachments): Julia P. Cowing, AKRF  
Dina Rybak, AKRF  
Philip A. Hayden, RGA  
Jeremy Colangelo-Bryan, NJ TRANSIT



Daniel Saunders  
HBLR Route 440 Extension Initiation

RE: Initiation of Section 106 Consultation  
NJ Transit Hudson-Bergen Light Rail, Route 440 Extension  
City of Jersey City, Hudson County, New Jersey

\_\_\_\_\_ I concur that the APE, description of efforts to involve the public, and the list of consulting and interested parties are appropriate, and that the initiation of Section 106 consultation is concluded.

\_\_\_\_\_ I do not concur for the following reasons:

\_\_\_\_\_  
Daniel Saunders  
Deputy State Historic Preservation Officer

\_\_\_\_\_  
Date

## **PUBLIC PARTICIPATION PLAN**

Soliciting the views of the public and those groups/individuals with interests in historic preservation is a valued part of the Section 106 process. A Public Participation Plan has been developed to involve the public and interested parties in the identification and evaluation of historic properties that might be affected by the project.

The Public Participation Plan for the Hudson Bergen Light Rail (HBLR) Route 440 Extension project includes the following:

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The cultural resources documentation will be circulated to the following entitled consulting parties: Hudson County Board of Chosen Freeholders, City of Jersey City, FTA, NJ TRANSIT, and the HPO. No other consulting parties have been identified at this time.

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In the event that the project results in an adverse effect to historic resources, the consulting parties will be consulted on this determination. Comment on the draft Memorandum of Agreement, if required, will also be requested from those sources.

The Public Participation Plan is commensurate with the Scope of Work, defined at this time as the construction of the HBLR Route 440 Extension, City of Jersey City, Hudson County, New Jersey.

## **CONSULTING AND INTERESTED PARTIES**

### **List of Consulting Parties**

Federal Transit Administration (FTA)

New Jersey Transit Corporation (NJ TRANSIT)

New Jersey Historic Preservation Office (NJHPO)

Tamara Francis  
Delaware Nation  
NAGPRA/Cultural Preservation  
PO Box 825  
Anadarko, OK 73005

Dr. Brice Obermeyer  
NAGPRA Representative  
Delaware Tribe of Indians  
1417 West Street  
Emporia, KS 66801

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583 Newark Avenue  
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Honorable Jerramiah Healy, Mayor  
City of Jersey City  
City Hall  
280 Grove Street  
Jersey City, New Jersey 07302

### **Identified Local Historic Preservation Groups/Local Individuals with an Identified Interest in Preservation:**

William LaRosa, Director  
Hudson County Cultural Affairs and Tourism  
William J. Brennan Courthouse Building  
583 Newark Avenue, 1st Floor  
Jersey City, NJ 07306

David Goodwin, Chairman  
Jersey City Historic Preservation Commission  
280 Grove Street  
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P.O. Box 68  
Jersey City, NJ 07303-0068

Jim Mackin, President  
Roebbling Chapter  
Society for Industrial Archeology  
370 Riverside Drive, Apt. 2B  
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Richard Wilson, President  
Jersey Central Chapter, National Railway Historical Society  
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Frank T. Reilly, President  
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c/o William McKelvey, Director/Curator  
103 Dogwood Lane  
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P.O. Box 737  
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Dr. Richard F. Veit, President  
Archaeological Society of New Jersey  
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## State of New Jersey

MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES  
HISTORIC PRESERVATION OFFICE

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CHRIS CHRISTIE  
*Governor*

BOB MARTIN  
*Commissioner*

KIM GUADAGNO  
*Lt. Governor*

July 19, 2012

Dara Callender, P.E.  
Supervising Compliance Specialist  
NJ Transit  
One Penn Plaza East  
Newark, NJ 07105-2246

Dear Ms. Callender:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 777698-77739) and as amended on July 6, 2004 (69 FR 40544-40555), I am providing Initial Consultation Comments for the following proposed project:

**City of Jersey City, Hudson County  
NJ Transit Hudson-Bergen Light Rail Route 440 Extension  
Federal Transit Administration (FTA)**

The project proposes to extend the existing Hudson-Bergen Light Rail Line (HBLR) approximately 3,700 feet from its current terminus at West Side Avenue Station to a new station to be constructed west of NJ Route 440. I note that the project will be coordinated with a mixed-use residential and commercial development called "Bayfront," which is planned for the Hackensack River waterfront. The extension would be elevated on a concrete and steel viaduct and fully grade separated from all city streets. In addition to the new station (to be constructed at Bayfront) the project may include other improvements, such as alterations to the existing West Side Station (including demolition and replacement of the existing pedestrian bridge), removal of the stone railroad bridge abutment and associated stair, and construction of new pedestrian access stairs and ramps.

### 800.3 Initiation of the Section 106 Process

I concur that the New Jersey Historic Preservation Office (NJHPO), the Federal Transit Administration (FTA), the City of Jersey City, Hudson County, the Delaware Nation and the Delaware Tribe of Indians, are the appropriate parties for the initiation of consultation. Public

involvement activities may identify additional consulting parties and resource organizations. As described in the submitted materials, the public involvement plan for the proposed project consists of providing all parties with a draft copy of the Historic Architectural Resources Background Study (HARBS)/Effects Assessment Report to solicit input on historic properties. Information from this consultation will be used to prepare a final HARBS. In the event of an Adverse Effect determination, the consulting parties and resource organizations will be consulted and comments on a draft Memorandum of Agreement (MOA) will be solicited. With the addition of the Jersey City Historic Preservation Commission to the list of Consulting Parties, and the addition of the listed consulting parties, the Delaware Nation and the Delaware Tribe of Indians, to the Public Participation Plan, the HPO approves the public involvement plan.

#### **800.4 Identification of Historic Properties**

##### **Historic Architecture**

I agree with the Area of Potential Effect (APE) for Architectural History for the project as delineated on the submitted map. The proposed APE appears to include all the properties that would be physically and visually impacted by the proposed project.

I also agree that Hudson County Cultural Affairs and Tourism, the Jersey City Landmarks Conservancy, the Society of Industrial Archaeology, the Jersey Central Chapter National Railway Historical Society, the United Railroad Historical Society of New Jersey, the Friends of the New Jersey Railroad and Transportation Museum, the Canal Society and the Archaeological Society of New Jersey, are organizations with a potential interest in and knowledge of historic properties within the APE and should be considered information resources for the pending cultural resources evaluation.

##### **Archaeology**

The project proposes to install an elevated track system to extend the service of the Hudson-Bergen Light Rail Line (HBLR) between the current terminus of the HBLR and Route 440. The APE direct effects for archaeology lies within the former elevated right of way of the Central Railroad of New Jersey (CRRNJ) Newark and New York Branch including 19<sup>th</sup> century industrial properties. The portion of the project which intersects with Route 440 has the potential to affect the National Register of Historic Places listed Morris Canal, which lies below the current road surface. The potential exists for archaeological remains of the CRRNJ and Morris Canal may still be present at this location. Therefore, the potential exists for CRRNJ, Morris Canal, and 19<sup>th</sup> century industrial resources within the APE. In consequence, a Phase IA archaeological survey will identify areas of low, moderate- and high potential within the APE direct effects.

Phase IA Report conclusions shall specifically address potential for archaeological resources eligible for inclusion in the National Register of Historic Places within the APE. The conclusions shall include recommendations and a detailed rationale for one of the following: 1) no further investigation; 2) subsurface testing to identify the location of buried cultural resources (Phase I testing); 3) subsurface testing to evaluate the National Register eligibility of identified

archaeological sites in the project site (Phase II testing); or 4) monitoring during construction. If additional archaeological survey is advised, the report shall include specific recommendations regarding the nature and focus of those investigations.

#### **Additional Comments**

The Historic Preservation Office (HPO) looks forward to continued consultation on this project. If you have any questions, please contact Patty Chrisman of my staff at (609) 984-0850 or at [Patty.Chrisman@dep.state.nj.us](mailto:Patty.Chrisman@dep.state.nj.us) for questions regarding historic architecture. Please contact Vincent Maresca at (609) 633-2395 or at [Vincent.Maresca@dep.state.nj.us](mailto:Vincent.Maresca@dep.state.nj.us) for questions regarding archaeology. Please refer to HPO project number 12-1571 in any future emails, telephone calls, or written correspondence in order to expedite our review and response.

Sincerely,



Daniel D. Saunders  
Deputy State Historic Preservation Officer

C: Anthony Carr, FTA  
Jeremy Colangelo-Bryan, NJ Transit  
Julia P. Cowing, AKRF  
Dina Rybak, AKRF  
Philip A. Hayden, RGA





**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

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September 10, 2012

Daniel Saunders  
Deputy State Historic Preservation Officer  
Mail Code 501-04B  
NJDEP-Historic Preservation Office  
5 Station Plaza  
501 East State Street  
Trenton, New Jersey 08625-0420

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey  
HPO Project # 12-1571

Dear Mr. Saunders:

New Jersey Transit Corporation (NJ TRANSIT) proposes to extend the existing Hudson-Bergen Light Rail Line (HBLR) approximately 3,700 feet between West Side Avenue Station and a new station to be built west of NJ Route 440 near the Hackensack River waterfront. The project includes construction of an elevated viaduct, one new station, and alterations to the existing West Side Avenue Station and adjoining HBLR park-and-ride lot.

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The proposed alignment follows the former right-of-way of the Central Railroad of New Jersey (CRRNJ) Newark and New York Railroad Branch. The former CRRNJ Newark and New York Branch was previously surveyed as part of the original HBLR project and recommended not eligible for listing in the National Register due to a lack of integrity (Lynn Drobbin & Associates 1995: xvi Table B; 49-50). There are two previously identified historic properties located inside a possible Area of Potential Effects (APE). They include the Former Candy Factory (SHPO Opinion: 2/28/1991) and the Morris Canal (SR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 4/27/2004). In addition to these known resources, the Phase IA archaeological survey concluded that portions of the APE-Archaeology have a moderate to high sensitivity for prehistoric archaeological resources. High sensitivity for historic archaeological resources exists in areas where the APE-Archaeology crosses the Morris Canal (SR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 4/27/2004), the Standard Oil Pipeline, and the New York & New Jersey Water Company Pipeline corridors. (It should be noted that the historic architectural resources background study found 34 previously surveyed and newly identified properties of more than 50 years of age inside the APE-Architecture, including the previously identified Former Candy Factory. Other than the Former Candy Factory, these properties were determined to be not eligible for listing in the National Register.)

Section 106 entitles parties with a demonstrated interest in history or historic preservation to review, provide comments, and suggest mitigation measures, if necessary, for the project. Enclosed for your review is the *Historic Architectural Resources Background Study (HARBS)/Phase IA Archaeological Survey and Effects Assessment Report for the NJTRANSIT Hudson-Bergen Light Rail Route 440 Extension [HPO Project No.12-1571]*. If you have any additional information concerning the resources identified in the enclosed report, are aware of any other significant historic,

architectural, or archaeological resources that may be affected by the project, can identify properties that are highly valued by the community, or would like to suggest measures to enhance the project, please respond with your comments within 30 days of receipt of this letter and enclosed documents.

Should you have any questions or require additional information, feel free to contact me at (973)491-7205.

Very truly yours,

*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJTRANSIT

Enclosures

cc: Julia P. Cowing, AKRF(w/o enclosures)  
Dina Rybak, AKRF (w/o enclosures)  
Philip A. Hayden, RGA (w/o enclosures)  
Jeremy Colangelo-Bryan, NJ TRANSIT (w/o enclosures)

**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

Thomas A. DeGise  
Hudson County Executive  
Office of the County Executive  
William J. Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Mr. DeGise:

New Jersey Transit Corporation (NJ TRANSIT) proposes to extend the existing Hudson-Bergen Light Rail Line (HBLR) approximately 3,700 feet between West Side Avenue Station and a new station to be built west of NJ Route 440 near the Hackensack River waterfront. The project includes construction of an elevated viaduct, one new station, and alterations to the existing West Side Avenue Station and adjoining HBLR park-and-ride lot.

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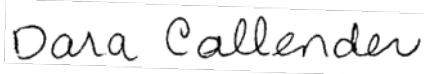
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Should you have any questions or require additional information, feel free to contact me at (973)491-7205.

Very truly yours,

A handwritten signature in black ink that reads "Dara Callender". The signature is written in a cursive, flowing style. The first name "Dara" is written in a larger, more prominent script than the last name "Callender". The signature is contained within a thin black rectangular border.

Dara Callender  
Supervising Compliance Specialist  
NJTRANSIT

Enclosures

cc: Julia P. Cowing, AKRF(w/o enclosures)  
Dina Rybak, AKRF (w/o enclosures)  
Philip A. Hayden, RGA (w/o enclosures)  
Jeremy Colangelo-Bryan, NJ TRANSIT (w/o enclosures)  
Daniel Saunders, NJHPO (w/o enclosures)

**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

Frank T. Reilly, President  
United Railroad Historical Society of New Jersey  
c/o 460 Elm Street  
Stirling NJ 07980

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Mr. Reilly:

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Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
September 10, 2012  
Page 2

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Very truly yours,

*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJTRANSIT

Enclosures

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**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

David Goodwin, Chairman  
Jersey City Historic Preservation Commission  
280 Grove Street  
Jersey City, NJ 07302

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Mr. Goodwin:

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*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJTRANSIT

Enclosures

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**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

Canal Society of New Jersey  
P.O. Box 737  
Morristown, New Jersey 07963-0737

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

To Whom It May Concern:

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Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
September 10, 2012  
Page 2

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*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJTRANSIT

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**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

Honorable Jerramiah Healy, Mayor  
City of Jersey City  
City Hall  
280 Grove Street  
Jersey City, New Jersey 07302

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Honorable Healy:

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**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

Jim Mackin, President  
Roebling Chapter  
Society for Industrial Archeology  
370 Riverside Drive, Apt. 2B  
New York, NY 10025

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Mr. Mackin:

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Daniel Saunders, NJHPO (w/o enclosures)

**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

John J. Hallanan III, President  
Jersey City Landmarks Conservancy, Inc.  
P.O. Box 68  
Jersey City, NJ 07303-0068

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Mr. Hallanan:

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Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
September 10, 2012  
Page 2

would like to suggest measures to enhance the project, please respond with your comments within 30 days of receipt of this letter and enclosed documents.

Should you have any questions or require additional information, feel free to contact me at (973)491-7205.

Very truly yours,

*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJTRANSIT

Enclosures

cc: Julia P. Cowing, AKRF (w/o enclosures)  
Dina Rybak, AKRF (w/o enclosures)  
Philip A. Hayden, RGA (w/o enclosures)  
Jeremy Colangelo-Bryan, NJ TRANSIT (w/o enclosures)  
Daniel Saunders, NJHPO (w/o enclosures)



**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**NJ TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

Dr. Richard F. Veit, President  
Archaeological Society of New Jersey  
Department of History and Anthropology  
Monmouth University  
400 Cedar Avenue  
West Long Branch, NJ 07764

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Dr. Veit:

New Jersey Transit Corporation (NJ TRANSIT) proposes to extend the existing Hudson-Bergen Light Rail Line (HBLR) approximately 3,700 feet between West Side Avenue Station and a new station to be built west of NJ Route 440 near the Hackensack River waterfront. The project includes construction of an elevated viaduct, one new station, and alterations to the existing West Side Avenue Station and adjoining HBLR park-and-ride lot.

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resources that may be affected by the project, can identify properties that are highly valued by the community, or would like to suggest measures to enhance the project, please respond with your comments within 30 days of receipt of this letter and enclosed documents.

Should you have any questions or require additional information, feel free to contact me at (973)491-7205.

Very truly yours,

*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJTRANSIT

Enclosures

cc: Julia P. Cowing, AKRF (w/o enclosures)  
Dina Rybak, AKRF (w/o enclosures)  
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Jeremy Colangelo-Bryan, NJ TRANSIT (w/o enclosures)  
Daniel Saunders, NJHPO (w/o enclosures)

**Chris Christie**, Governor  
**Kim Guadagno**, Lieutenant Governor  
**James S. Simpson**, Board Chairman  
**James Weinstein**, Executive Director

**TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

Richard Wilson, President  
Jersey Central Chapter, National Railway Historical Society  
P.O. Box 700  
Clark, NJ 07066

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Mr. Wilson:

New Jersey Transit Corporation (NJ TRANSIT) proposes to extend the existing Hudson-Bergen Light Rail Line (HBLR) approximately 3,700 feet between West Side Avenue Station and a new station to be built west of NJ Route 440 near the Hackensack River waterfront. The project includes construction of an elevated viaduct, one new station, and alterations to the existing West Side Avenue Station and adjoining HBLR park-and-ride lot.

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Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
September 10, 2012  
Page 2

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Very truly yours,

*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJ TRANSIT

Enclosures

cc: Julia P. Cowing, AKRF (w/o enclosures)  
Dina Rybak, AKRF (w/o enclosures)  
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**James Weinstein**, Executive Director

**TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

William LaRosa, Director  
Hudson County Cultural Affairs and Tourism  
William J. Brennan Courthouse Building  
583 Newark Avenue, 1st Floor  
Jersey City, NJ 07306

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Mr. LaRosa:

New Jersey Transit Corporation (NJ TRANSIT) proposes to extend the existing Hudson-Bergen Light Rail Line (HBLR) approximately 3,700 feet between West Side Avenue Station and a new station to be built west of NJ Route 440 near the Hackensack River waterfront. The project includes construction of an elevated viaduct, one new station, and alterations to the existing West Side Avenue Station and adjoining HBLR park-and-ride lot.

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Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
September 10, 2012  
Page 2

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Very truly yours,

*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJ TRANSIT

Enclosures

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**TRANSIT**  
One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

September 10, 2012

Friends of the New Jersey Railroad and Transportation Museum Inc.  
c/o William McKelvey, Director/Curator  
103 Dogwood Lane  
Berkeley Heights, NJ 07922

Re: Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
Jersey City, Hudson County, New Jersey

Dear Mr. McKelvey:

New Jersey Transit Corporation (NJ TRANSIT) proposes to extend the existing Hudson-Bergen Light Rail Line (HBLR) approximately 3,700 feet between West Side Avenue Station and a new station to be built west of NJ Route 440 near the Hackensack River waterfront. The project includes construction of an elevated viaduct, one new station, and alterations to the existing West Side Avenue Station and adjoining HBLR park-and-ride lot.

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Phase IA Archaeological Survey and Intensive-level Architectural Survey  
NJ TRANSIT Hudson-Bergen Light Rail, NJ Route 440 Extension  
September 10, 2012  
Page 2

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*Dara Callender*

Dara Callender  
Supervising Compliance Specialist  
NJTRANSIT

Enclosures

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Dina Rybak, AKRF (w/o enclosures)  
Philip A. Hayden, RGA (w/o enclosures)  
Jeremy Colangelo-Bryan, NJ TRANSIT (w/o enclosures)  
Daniel Saunders, NJHPO (w/o enclosures)





## State of New Jersey

MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES  
HISTORIC PRESERVATION OFFICE

P.O. Box 420

Trenton, NJ 08625-0420

TEL. (609) 984-0176 FAX (609) 984-0578

CHRIS CHRISTIE  
*Governor*

BOB MARTIN  
*Commissioner*

KIM GUADAGNO  
*Lt. Governor*

November 21, 2012

Dara Callender, P.E.  
Supervising Compliance Specialist  
NJ Transit  
One Penn Plaza East  
Newark, NJ 07105-2246

Dear Ms. Callender:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 777698-77739) and as amended on July 6, 2004 (69 FR 40544-40555), I am providing **Continuing Consultation Comments** for the following proposed project:

**City of Jersey City, Hudson County  
NJ Transit Hudson-Bergen Light Rail Route 440 Extension  
Federal Transit Administration (FTA)**

---

The comments below are in response to the following cultural resource survey report received at the Historic Preservation Office (HPO):

Gall, Michael J. and Philip A. Hayden  
September 5, 2012 *Historic Architectural Resources Background Study (HARBS), Phase IA Archaeological Survey and Effects Assessment Report, NJ Transit Hudson-Bergen Light Rail Route 440 Extension, City of Jersey City, Hudson County, New Jersey. Prepared by Richard Grubb & Associates, Inc.*

**SUMMARY:** Through this review one (1) **previously identified** historic property listed in the New Jersey and National Registers of Historic Places, and one (1) **previously identified** historic property eligible for listing, have been identified within the project's Area of Potential Effects (APE).

### 800.4 Identification of Historic Properties

#### Historic Architecture

I concur with the findings of the submitted HARBS that the following previously identified historic properties listed in or eligible for listing in the New Jersey Register of Historic Places (NJRHP) and the National Register of Historic Places (NRHP) are located within the boundaries of the APE for the Hudson Bergen Light Rail Route 440 Extension Project:

- **Morris Canal**, multiple municipalities, multiple counties, NJRHP 11/26/1973; NRHP 10/1/1974; SHPO Opinion 4/27/2004;
- **Former Candy Factory**, 374-378 West Side Avenue & 346-370 Claremont Avenue, Jersey City, Hudson County (SHPO Opinion 2/28/1991)

The project proposes the demolition of an existing bridge abutment and pair of staircases (not eligible), and the construction of a new bridge abutment, new access stair, and ADA-compliant ramp, adjacent to the New Jersey and National Register of Historic Places eligible Former Candy Factory. The design of the new elements is not sufficiently advanced for an assessment by the Historic Preservation Office (HPO) for impacts to the historic property. The HPO looks forward to review of these design elements and an effects assessment as the project progresses.

While consultation to identify all historic properties within the Project's APE is still ongoing, I note that the HARBS includes the following proposed conditions for a conditional no adverse effect determination:

1. The proposed work shall be performed in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards)*;
2. The HPO shall review and comment on the final design plans as they may affect the eligibility of the Former Candy Factory.

The HPO suggests the addition of the following condition:

- NJ Transit shall select materials, finishes, textures and treatments for the proposed new construction near the Former Candy Factory, through consultation with the HPO.

## Archaeology

I concur with the above referenced report's findings for areas of high Pre-Contact and historic period archaeological sensitivity (Figures 5.1 and 5.2) within the APE. The report recommends the following methodology:

### Pre-Contact Period Archaeology

1. Geomorphological examination of geotechnical boring logs for the identification of intact soils within the area of high archaeological sensitivity.
2. A program of phased archaeological investigation (i.e., Phase IB, Phase II, etc.) of probable intact Pre-Contact period soil horizon(s) within the project's horizontal and vertical APE.



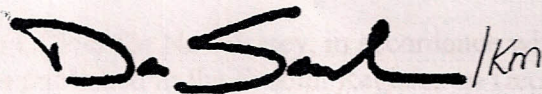
## Historic Period Archaeology

1. Archaeological monitoring during construction within the area of high historic period archaeological sensitivity to document any remains of the Morris Canal, Standard Oil Pipeline, and the New York & New Jersey Water Company Pipeline. No monitoring for a late-19<sup>th</sup> century building is necessary.

## Additional Comments

Thank you for the opportunity to review the submitted HARBS. The HPO looks forward to continued consultation on this project and the submission of detailed plans as the project advances, archaeological monitoring plan, and opportunity to comment on any archaeological reporting. If you have any questions, please contact Patty Chrisman of my staff at (609) 984-0850 or at [Patty.Chrisman@dep.state.nj.us](mailto:Patty.Chrisman@dep.state.nj.us) for questions regarding historic architecture. Please contact Vincent Maresca at (609) 633-2395 or at [Vincent.Maresca@dep.state.nj.us](mailto:Vincent.Maresca@dep.state.nj.us) for questions regarding archaeology. Please refer to HPO project number 12-1571 in any future emails, telephone calls, or written correspondence in order to expedite our review and response.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Saunders", followed by a forward slash and the initials "Km".

Daniel D. Saunders  
Deputy State Historic  
Preservation Officer

C: Anthony Carr, FTA  
Jeremy Colangelo-Bryan, NJ Transit  
Julia P. Cowing, AKRF  
Dina Rybak, AKRF  
Philip A. Hayden, RGA





U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION II  
New Jersey and  
New York

One Bowling Green  
Room 428  
New York, NY 10004-1415  
212-668-2170  
212-668-2136 (fax)

March 20, 2013

Mr. Reid Nelson  
Director, Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
Old Post Office Building  
1100 Pennsylvania Avenue NW, Suite 803  
Washington D.C. 20004

Re: New Jersey Transit, Hudson-Bergen Light Rail 440 Extension Project Section 106 Process

Dear Mr. Nelson:

The Federal Transit Administration, Region II Office (FTA) invites you to participate in the Section 106 consultation process for the New Jersey Transit (NJ TRANSIT), Hudson-Bergen Light Rail 440 Extension Project (HBLR 440 Extension). FTA and NJTRANSIT are preparing an Environmental Assessment (EA) under the National Environmental Policy Act.

The project will extend the existing Hudson-Bergen Light Rail approximately 3,700 feet from its current terminus at West Side Avenue Station to a new station to be constructed west of NJ Route 440. The extension would be elevated on a concrete and steel viaduct and fully grade separated from all city streets. Other improvements could include alterations to the existing West Side Station, including demolition and replacement of the existing pedestrian bridge, removal of the stone railroad bridge abutment and associate stair, and construction of new pedestrian access stairs and ramps.

The project may have adverse effects on historic resources and has the potential to have adverse effects on other historic and archaeological resources during its construction period. The determination of effects for historic resources includes a list of resources. This was accomplished by researching properties listed on or determined eligible for listing on the National Registers of Historic Place. Similarly, potential historic buildings were identified via a field survey and documenting research performed in the area of potential effect (APE). Potential physical and contextual impacts were subsequently assessed for these resources. All work was determined in consultation with the New Jersey State Historic Preservation Officer (SHPO).

The Phase 1A Archaeological Assessment contains a detailed historical account of the development of the project area in New Jersey and its relation to archaeological and historic resources that could be potentially affected by the Project.

The architectural survey conducted as part of the Phase 1A investigation identified 34 structures more than 50 years of age in the APE-Architecture. Of these, only one met the criteria for listing in the National Register of Historic Places as an above-ground historic property: the former Candy Factory on West Side Avenue adjacent to the HBLR station. The former Candy Factory (now the Board of Education Building) has been determined eligible for listed on the National Register of Historic Places (SHPO Opinion: 2/28/1991) under Criterion C for architecture.

In the study area, the APE Archaeology crosses several potential resources:

- The former location of the Morris Canal, which is now listed on the State and National Registers of Historic Places, which is significant for its innovative engineering and its transportation contributions toward fostering the transformation of New Jersey into an industrial state.
- A location formerly occupied by a pipeline used by Standard Oil, the first major oil pipeline system in the United States; and Corridors that once housed the New York & New Jersey Water Company Pipeline, which provided drinking water to Newark in the 1890s.
- In addition, a circa 1887 building, which was once located on the west side of the Morris Canal and may have been related to the iron industry present in the area at the time, and may fall within the APE-Archaeology west of Route 440.

A draft Programmatic Agreement (PA) was reviewed by New Jersey SHPO in February 2013. The EA, Historic Architectural Resources Background Study and Effects Assessment, Phase 1A Archaeological Assessment and draft PA document potential effects of the project. The historic and archaeological information is located in the following EA chapters and supporting documentation:

- Chapter 2 – Project Alternatives
- Chapter 3- Historic Resources
- Chapter 3 - Archaeological Resources
- Appendix A – Cultural Resources Correspondence
- Draft Programmatic Agreement
- Historic Architectural Resources Background Study and Effects Assessment

Under your regulations (36 CFR Sec. 800.6 (a) (1) (C)), please notify the FTA if the Advisory Council on Historic Preservation (ACHP) chooses to participate in the Section 106 consultation process. Please contact Mr. Donald Burns of our staff at (212) 668-2203, if ACHP would like to participate in the Section 106 consultation process for this project and/or provide specific comment on the draft PA (attached).

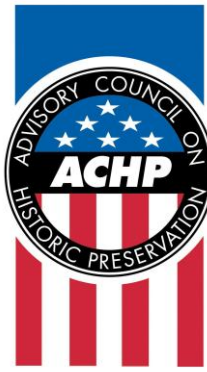
Sincerely,



Anthony G. Carr  
Deputy Regional Administrator

c: Charles Scott, NJSHPO w/o attachments  
Jeremy Colangelo-Bryan, NJT w/o attachments  
Dara Callender, NJT w/o attachments  
File

Attachments



Preserving America's Heritage

March 29, 2013

Mr. Anthony G. Carr  
Deputy Regional Administrator  
Federal Transit Administration  
One Bowling Green, Room 428  
New York, NY 10004-1415

**Ref: *Proposed Hudson-Bergen Light Rail 440 Extension Project, New Jersey***

Dear Ms. Carr:

On March 25, 2013, the Advisory Council on Historic Preservation (ACHP) received your notification regarding the adverse effects of the referenced undertaking on properties listed on and eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the New Jersey SHPO and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the opportunity to review this undertaking. If you have any questions, please contact Louis Brodnitz at 202-606-8527, or via email at [lbrodnitz@achp.gov](mailto:lbrodnitz@achp.gov).

Sincerely,

*Raymond V. Wallace*

Raymond V. Wallace  
Historic Preservation Technician  
Office of Federal Agency Programs