

# **PROJECT PROGRAMMATIC AGREEMENT**

**Among**

**Federal Transit Administration (FTA)  
New Jersey Transit Corporation (NJ TRANSIT)  
New Jersey State Historic Preservation Office (NJ SHPO)**

**Regarding the  
NJ TRANSITGRID Traction Power System  
Hudson County, New Jersey**

**WHEREAS**, NJ TRANSIT is proposing to construct the NJ TRANSITGRID Traction Power System project (or “the Project”), including a microgrid (hereinafter the “Central Power Plant”) within a preferred site location at the Koppers Koke Site in the Town of Kearny, Hudson County, New Jersey, in order to enable trains to operate during a commercial grid outage on portions of the NJ TRANSIT and the National Railroad Passenger Corporation (Amtrak) systems, including some sections of the Northeast Corridor, Morris & Essex Line, and the Hudson-Bergen Light Rail (HBLR) Transit System;

**WHEREAS**, the Project involves the construction of a microgrid that will consist of an approximately 104 to 140-megawatt natural gas-fired electric power generating plant and project-related substations, transformers, and frequency converters on a preferred site location consisting of an approximately 20-acre parcel in the Koppers Koke Site with interconnections to existing high-pressure natural gas pipelines and a new metering station to be installed within a six-acre parcel located south of the Morris & Essex Line, the construction of a new traction power substation (the new Kearny Substation) to replace Amtrak’s existing Substation No. 41, the construction of a new NJ TRANSIT substation (the NJ TRANSITGRID Hoboken East Substation), and the construction of electrical transmission lines of varying sizes in either in-ground duct banks or above ground monopoles including approximately 5 miles of lines linking the Central Power Plant site to the NJ TRANSIT Mason Substation, Amtrak’s new Kearny Substation, and Henderson Street Substation; and 14.4 miles of new feeder lines that will connect the NJ TRANSITGRID Hoboken East Substation with HBLR substations;

**WHEREAS**, NJ TRANSIT is the Project sponsor and the Federal Transit Administration (FTA) is serving as the NJ TRANSITGRID lead federal agency pursuant to the National Environmental Policy Act ([NEPA], codified as 42 U.S.C. § 4321 et seq. (1969)), and is the federal agency responsible for compliance with Section 106 of the National Historic Preservation Act of 1966 (formerly at 16 U.S.C. § 470f, as amended at 54 U.S.C. § 300101 et seq. (2016), and hereinafter “Section 106”);

**WHEREAS**, pursuant to 36 CFR. § Part 800.4, FTA and NJ TRANSIT, in conjunction with the New Jersey State Historic Preservation Office (NJ SHPO), have identified the Area of Potential Effects (APE) for the Project, and determined that the APE will be the areas where potential effects on historic properties caused by the Project may occur (see Attachment 1.A through 1.C);

**WHEREAS**, historic properties within the APE were identified and evaluated by NJ TRANSIT in consultation with FTA and NJ SHPO as documented in the *Historic Architectural Resources Background Survey* (HARBS) and *Effects Assessment* (EA) Report (RGA, Inc. 2017a), Phase IA

Archaeological Survey (Phase IA) (RGA, Inc. 2017b) and supplemental cultural resource submissions (RGA, Inc. 2017c and 2017d) prepared for the Project. As part of this process, FTA and NJ TRANSIT identified properties that appear to meet the criteria for listing in the National Register of Historic Places in 36 CFR § Part 63 (herein “Historic Places Criteria”), and for which NJ SHPO has rendered determinations of eligibility and, therefore, qualify for Section 106 protection. FTA, in consultation with NJ SHPO, has also determined that these properties constitute Historic Resources and qualify for Section 106 protection (see Attachment 2);

**WHEREAS**, as documented in a letter from Katherine Marcopul (Deputy State Historic Preservation Officer, NJ SHPO) to Dara Callender (Manager, Environmental Compliance, Environment, Energy and Sustainability Unit, NJ TRANSIT) dated April 24, 2018 (see Attachment 3), FTA and NJ TRANSIT, in consultation with NJ SHPO, have identified eighty (80) historic resources in the Project APE that qualify for Section 106 protection. These historic resources are described and mapped in the HARBS and EA Report and Phase IA survey completed for this Project;

**WHEREAS**, FTA has determined that construction of this Project as proposed will adversely affect seven (7) historic resources:

- Old Main Delaware, Lackawanna and Western Railroad Historic District, multiple municipalities (NJ SHPO Opinion: 9/24/1996);
- Lower Hack Draw Bridge, Town of Kearny and City of Jersey City (NJ SHPO Opinion: 9/18/1996);
- Hackensack River Lift Bridges Historic District, Town of Kearny and City of Jersey City (NJ SHPO Opinion: 5/3/2002);
- Old and New Bergen Tunnels, City of Jersey City (NJ SHPO Opinion: 5/8/1998);
- West End Through Truss Bridges, City of Jersey City (NJ SHPO Opinion: 5/8/1998);
- West End Interlocking Tower, City of Jersey City (NJ SHPO Opinion: 1/20/1999);
- Delaware, Lackawanna and Western Railroad Boonton Line Historic District, Eastern Segment (NJ SHPO Opinion: 6/11/2013).

**WHEREAS**, in accordance with 36 CFR § Part 800.6(a)(1), FTA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation on [INSERT DATE HERE], and the ACHP has chosen [to/not] to participate in the consultation pursuant to 36 CFR § Part 800.6(a)(1)(iii) and (iv); and

**WHEREAS**, FTA, in consultation with NJ TRANSIT and NJ SHPO, has contacted and consulted with the Tribal Preservation Officers of the Delaware Nation, the Delaware Tribe, the Eastern Shawnee Tribe of Oklahoma and the Shawnee Tribe in accordance with 36 CFR § Part 800.6(a);

**WHEREAS**, NJ TRANSIT has consulted with the City of Jersey City, the City of Bayonne, the Town of Kearny, the Township of North Bergen, the City of Union City, the City of Hoboken, and the Township of Weehawken, Hudson County;

**WHEREAS**, FTA, NJ TRANSIT, and NJ SHPO have agreed to enter into a Programmatic Agreement (PA) pursuant to 36 CFR § Part 800.14(b) to implement a series of stipulations to mitigate identified Adverse Effects to above-ground historic architectural resources; to investigate, record, and document resources that will be adversely affected prior to construction; to undertake a

comprehensive corridor study of the segment of the Delaware, Lackawanna and Western Railroad Historic District located within the Project area (see Attachment 1.B), including the segment spanning from Substation No. 41 in the Town of Kearny to the Hoboken Terminal (historically, the Erie-Lackawanna Terminal) in the City of Hoboken; to design and install a multi-component historic interpretive display at an appropriate location identified in consultation between NJ TRANSIT and NJ SHPO; and to prepare an archaeological monitoring plan to be approved by NJ SHPO prior to construction and perform archaeological monitoring and documentation in accordance with said plan during construction for NJ SHPO review and concurrence;

**NOW, THEREFORE,** FTA, NJ TRANSIT, and NJ SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the undertaking on historic resources:

## **STIPULATIONS**

FTA and NJ TRANSIT, in consultation with NJ SHPO, shall ensure that the following measures are carried out:

### **I. PROTOCOLS FOR THE RECORDATION OF HISTORIC ARCHITECTURAL RESOURCES**

- A. The following resources will be documented in a manner consistent with Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER) Level III standards, including the use of digital photography, and be performed by persons meeting the professional qualifications specified in Part V of this PA:
- Old Main Delaware, Lackawanna and Western Railroad Historic District (Segment between the Western Portal of the Bergen Tunnel to the Hackensack River) and (segment between the Hackensack River and the western end of the Project area at the existing Substation No. 41);
  - Lower Hack Draw Bridge;
  - Old and New Bergen Tunnels (Western Portal);
  - West End Through Truss Bridges;
  - West End Interlocking Tower;
  - Delaware, Lackawanna and Western Railroad Boonton Line Historic District (Eastern Segment), portion within the APE for the undertaking.

The final scope and content of this recordation effort will be determined in consultation with NJ SHPO but will include a discussion of the history and development of each of these resources within the context of the development of the Delaware, Lackawanna and Western Railroad and the broader history of rail transportation in Northern New Jersey.

- B. As part of the recordation effort and in consultation with NJ SHPO, NJ TRANSIT shall actively seek out and obtain from the public and from other accessible archival sources, printed, graphic, and photographic information regarding the resources listed above in Section I.A. The compiled information will be evaluated and (as deemed appropriate during consultation) duplicated as part of the recordation documents.

- C. NJ TRANSIT will prepare a copy of the recordation documents, described in Section I.A, and will submit such documentation to NJ SHPO for review and comment. Completion of the digital photographic recordation, including NJ SHPO review and approval of same, will occur within six (6) months of the letting the main construction contract and prior to the initiation of any demolition or construction activity. NJ TRANSIT and NJ SHPO will complete all other elements of the recordation within one (1) year of letting the construction contract.
- D. NJ TRANSIT will provide archival copies of the final recordation documents to NJ SHPO, the New Jersey State Library, the Rutgers University Special Collections and University Archives, the Kearny Public Library, the Jersey City Public Library, and the Hoboken Public Library. Additional non-archival copies will be furnished to the Steamtown National Historic Site and the Erie-Lackawanna Historical Society.

## **II. PROTOCOLS FOR A CORRIDOR STUDY**

NJ TRANSIT will undertake a comprehensive corridor study of the segment of the Delaware, Lackawanna and Western Railroad Historic District located within the Project area (see Attachment 1.B). This defined segment includes the portion of the historic district spanning from Substation No. 41 in the Town of Kearny to the Hoboken Terminal (historically, the Erie-Lackawanna Terminal) in the City of Hoboken. The resources to be surveyed in depth will be those associated with the historic rail corridor which have not been previously considered in earlier studies (i.e., those resources aside from stations and bridges). These resources include but are not limited to: signal houses, historic catenaries, tunnels, viaducts, rail yards, engine houses, shop buildings, turntables, substations, and interlocking towers. Updated information only on the existence and conditions of the previously surveyed resources (stations and bridges) will also be provided. The corridor study will evaluate the historical significance and integrity of each resource to determine which are contributing elements to the Old Main Delaware, Lackawanna and Western Railroad Historic District.

NJ TRANSIT will provide a copy of the corridor study to NJ SHPO for review. Completion of the study will be initiated within six (6) months of the letting the main construction contract and prior to the initiation of any demolition or construction activity.

## **III. PROTOCOLS FOR A HISTORIC INTERPRETIVE EXHIBIT**

NJ TRANSIT shall design and install a multi-component historic interpretive display at an appropriate location at one of its facilities (example at Hoboken Terminal) in the vicinity of the proposed undertaking. The as-of-yet unidentified location will be selected through consultation between NJ TRANSIT and NJ SHPO and generally will provide the widest possible audience of railroad service consumers. The display will be a designated historic interpretive installation that shall consist of three (3) or four (4) panels or cast plaques either set into the pavement within appropriate landscape surrounds, attached to an existing building or structure, or mounted on one (1) or more kiosks or similar structures. The panels or plaques shall include text blocks, historic maps, and illustrations.

The interpretive exhibit will comprehensively address the history of rail transportation within the New Jersey Meadowlands. This topic will include discussion of the following:

- The challenges of acquiring rights-of-way and constructing embankments, tracks and bridges, the historic significance of the railway approaches to the New York City and the Greater Port of New York/New Jersey;
- The efforts and contributions of the various railroads involved with track construction and railroad operation (including the New Jersey Railroad and Transportation Company, the Central Railroad of New Jersey, the Pennsylvania Railroad, the Morris & Essex Railroad, the Hudson and Manhattan Railroad, the Delaware, Lackawanna and Western Railroad, the Erie-Lackawanna Railroad, the Penn-Central Railroad, the New York, Susquehanna and Western Railroad, the Consolidated Railroad Corporation, PATH and NJ TRANSIT);
- The history of maintenance and operations facilities (particularly the Pennsylvania Railroad's Meadows Yard) located in the Meadowlands which formerly and currently supported rail service;
- The history of the construction and operation of railroad bridges on the lower Passaic and Hudson rivers. The interpretive materials shall identify, map, and briefly discuss the no-longer-extant Newark Turnpike Bridge, the Lower Hack Bridge, the Pennsylvania Railroad Harsimus Branch Freight Bridge, the Pennsylvania Railroad (PATH) Bridge, the Portal bridge, the Dock bridge, the Newark Drawbridge, the NX Bridge, and the Point-No-Point Bridge.
- The interpretive sign will also incorporate the findings of the corridor study completed as part of Stipulation II of this PA and discuss the various types of railroad-related resources identified in the study.

This historic information will be developed and conveyed in a tiered manner which will allow the data to be consumed and enjoyed by patrons of differing levels of interest and educational levels.

NJ TRANSIT will provide a copy of the design and proposed content for the panels or plaques of the interpretive exhibit to NJ SHPO for review and comment. The design and content of the panels or plaques will be completed within twelve (12) months of the letting the main construction contract.

The interpretive exhibit shall remain in place and be maintained in good order by NJ TRANSIT for a period of at least ten (10) years. NJ TRANSIT shall replace or repair any damaged or faded exhibit panels or plaques during that period. If due to changing plans or railroad improvements, it should become necessary to relocate the display to a new location, NJ TRANSIT shall consult with NJ SHPO to identify an appropriate new site and shall reinstall the display within three (3) months of its removal from its original location.

#### **IV. PROTOCOLS FOR ARCHAEOLOGICAL MONITORING**

A plan for archaeological monitoring and documentation during construction shall be developed and submitted to NJ SHPO for review and approval prior to the commencement of construction. Archaeological monitoring is necessary for the installation of utilities and duct banks within areas of archaeological sensitivity as defined in the report entitled, *Supplemental Information for the Phase I/A Archaeological Survey (Phase I/A)*, NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey (RGA, Inc. 2017d) and within the limits of the National Register-eligible New Jersey Junction Railroad-to-Newark-Avenue Iron Viaduct (Substructure Only). The archaeological monitoring and documentation plan shall include:

- 1) A provision that all work related to the archaeological monitoring and documentation of the site is performed by an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (36 CFR 61);
- 2) A protocol (i.e. archaeological monitoring work plan) outlining the responsibilities of FTA, NJ TRANSIT and NJ SHPO with respect to the archaeological monitoring and documentation to be performed during construction;
- 3) A provision that the archaeological monitoring report and documentation will conform to the *Guidelines for Preparing Cultural Resources Management Archaeological Reports Submitted to the Historic Preservation Office* (2000) and the Secretary of the Interior's *Standards and Guidelines for Archaeology and Historic Preservation*. The draft archaeological monitoring report shall be submitted to the NJ SHPO within six (6) months from the completion of archaeological monitoring.

In addition, FTA and NJ TRANSIT, in consultation with the archaeological consultant for the Project, shall amend the project plans and specifications to include provisions for the archaeological monitoring and documentation during construction. NJ TRANSIT shall submit that portion of the project plans and specifications to NJ SHPO for review and approval. This section shall include:

- a) the name, address, phone number, and e-mail address of the archaeological consultant;
- b) the individual who will contact the archaeological consultant;
- c) how far in advance of construction the notification will occur; and
- d) delineation of which sections of the project will be subject to archaeological documentation

The plan for archaeological monitoring and documentation shall be referenced in the Project documents and be either included or appended to them.

## **V. PROFESSIONAL QUALIFICATIONS**

FTA through NJ TRANSIT will ensure that all work prescribed by this PA is carried out by/under the direct supervision of a person or persons meeting at a minimum the appropriate Secretary of the Interior's Professional Qualifications Standards and Guidelines set forth in 48 FR § 44738-44739.

## **VI. CHANGES IN PROJECT DESIGN**

Should any plan, scope of service, or other document that has been reviewed and commented on pursuant to this PA be altered (except to finalize documents commented on in draft form), the parties to this PA shall be afforded the opportunity to review the proposed change and determine whether or not it will require that this PA be amended. FTA, through NJ TRANSIT, will furnish to NJ SHPO a plan sheet or design sketch showing the proposed change; a written description of why the change is needed, effects to historic properties, if any; and a description of alternatives considered to achieve the same goals, if needed. NJ SHPO will provide written comments to FTA through NJ TRANSIT within fifteen (15) business days of receipt of the documents. If one or more of the signatories determines that an amendment to this PA is needed, then the parties to this PA will consult in accordance with Stipulation XIV below.

## **VII. CHANGES IN PROJECT AREA/SCOPE**

In the event that NJ TRANSIT modifies the geographic boundaries of the Project area, project scope, or any project design subsequent to the approved 100% design review in Stipulation XII below, the following measures will be implemented in consultation with the signatories:

- A. NJ TRANSIT, in consultation with FTA and NJ SHPO, will assess and revise the Project APE, as needed, to incorporate any additional areas that have the potential to affect historic resources;
- B. NJ TRANSIT, in consultation with FTA, and NJ SHPO, will carry out additional investigations deemed necessary to identify historic architectural and archaeological properties that may be affected;
- C. NJ TRANSIT, in consultation with FTA and NJ SHPO, will assess the Project's potential effects on any new historic properties and explore measures to avoid, minimize, or mitigate adverse effects on these properties.
- D. NJ TRANSIT, in consultation with FTA and NJ SHPO, will ensure the preparation of appropriate reports and documents, notify Section 106 consulting parties, including Native American tribes, of any changes in the Project's effect on historic properties, and provide an opportunity for review and comment.
- E. If a change in project scope results in potential effects to historic places not addressed in this PA, FTA will consult with all consulting parties to amend this PA in accordance with Section XIV below.

## **VIII. DISCOVERY OF HUMAN SKELETAL REMAINS**

If human skeletal remains are encountered anywhere on the Project site, they will be treated in accordance with the current guidelines of the NJ SHPO, and with the applicable provisions of the New Jersey Cemetery Act of 2003, set forth at N.J.S.A. § 45:27-1 et seq. If it is determined that the skeletal remains (and any associated grave artifacts) are Native American, NJ TRANSIT will cease construction, and as soon as possible, consult with NJ SHPO and FTA over applicability and implementation of relevant procedures under the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990, set forth at 25 U.S.C. § 3001 et seq. and implementing regulations at 43 CFR § Part 10. FTA will notify Tribal representatives, and construction will not resume until such time as the significance and disposition of said discoveries can be determined.

## **IX. UNANTICIPATED DISCOVERIES OF ARCHEOLOGICAL RESOURCES**

All unanticipated historic and/or prehistoric archaeological discoveries resulting from Project activities made anywhere on the Project site will be treated in accordance with the regulations set forth at 36 CFR § Part 800.11 and CFR § Part 800.13. In the event that unanticipated discoveries of Native American archaeological resources are made during execution of the Project, NJ TRANSIT will cease construction and FTA will notify Tribal representatives. Construction will not resume until such time as the significance and disposition of said discoveries can be determined.

## **X. MONITORING AND OVERSIGHT**

Each year following the execution of this PA until it expires or is terminated (see Section XIII), NJ TRANSIT shall provide all signatories to this PA a summary report detailing work undertaken pursuant to its terms. Such report will include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FTA's efforts to carry out the terms of this PA.

## **XI. DOCUMENT REVIEW AND REPORTING**

NJ SHPO will provide comments on documents they review as set forth below:

- A. Unless otherwise stipulated in this PA, NJ SHPO will have up to thirty (30) calendar days to review and comment on all submissions stipulated in this PA, starting from the date of receipt of such documents.
- B. If NJ SHPO does not submit comments in writing to NJ TRANSIT and FTA within thirty (30) calendar days of receipt of any plans or reports, it is understood that NJ SHPO has concurred with the submission.

Engineering Plans to be submitted to NJ SHPO are as follows:

- a. 30% Design
  - b. 60% Design
  - c. 100% Design
- C. If NJ SHPO objects to or recommends revisions to submissions stipulated in this PA, NJ TRANSIT, FTA, and NJ SHPO will consult expeditiously to respond to recommendations and resolve objections.
- D. If FTA and NJ TRANSIT cannot resolve NJ SHPO objections, and if further consultation with NJ SHPO is deemed unproductive by any party, the parties will adhere to the dispute resolution procedures detailed under Section XII below.
- E. FTA, NJ TRANSIT, and NJ SHPO acknowledge that the timeframes set forth in Section XI.A. above will be the maximum allowable under normal circumstances. In exigent circumstances (such as when construction activities potentially affecting historic and/or architectural resources that are the subject of NJ SHPO or other stakeholder objections or disputes have been delayed pending resolution of said objections or disputes), each party agrees to expedite its respective document review and dispute resolution obligations.

## **XII. DISPUTE RESOLUTION**

- A. In the event any signatory or concurring party to this PA objects at any time to any actions proposed or the manner in which the terms of this PA are implemented, FTA and NJ TRANSIT will consult with such party to resolve the objection. If FTA determines that such objection cannot be resolved, FTA and NJ TRANSIT will meet with the objecting party within thirty (30) calendar days to resolve the objection.

- B. If after consultation with the objecting party FTA determines that the objection has not been satisfactorily resolved, FTA will, within fifteen (15) days of determination, forward documentation relevant to the dispute to the ACHP.
- C. Except in exigent circumstances as provided in Section XI.E above, when a dispute occurs, ACHP will provide FTA with recommendations or comments within thirty (30) calendar days after receipt of pertinent documentation. FTA will take such recommendations or comments into account in reaching a final decision regarding the dispute.
- D. Except in exigent circumstances as provided in Section XI.E above, in the event that ACHP fails to respond to FTA's requests for recommendations or comment within thirty (30) calendar days of receiving pertinent documents, FTA may resolve the dispute. Prior to reaching a final decision, FTA will prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the PA and provide them and the ACHP with a copy of such written response.
- E. In the case of disputes arising under exigent circumstances (such as when construction activities potentially affecting historic and/or architectural resources that are the subject of NJ SHPO or other stakeholder objections or disputes have been delayed pending resolution of said objections or disputes), relevant parties will endeavor to resolve any dispute within seven (7) calendar days. In particular, ACHP agrees to respond to FTA's request for recommendations or comments within five (5) business days of its receipt thereof.

### **XIII. DURATION**

This PA will expire if its terms are not carried out within ten (10) years from the date of its execution, or upon Project completion or grant closeout, whichever comes first. If within 10 years, the Project is not completed or its stipulations are not met, the signatories will consult to determine if this PA will be amended, extended, or terminated. Prior to such time, FTA through NJ TRANSIT may consult with the other signatories to reconsider the terms of the PA and amend it in accordance with Stipulation XIV below.

### **XIV. AMENDMENTS**

Any signatory to this PA may request at any time that it be amended whereupon the signatories will consult in accordance with 36 CFR § Part 800.14(b) to consider such amendment. Any resulting amendments shall be developed and executed among the signatories in the same manner as the original PA. Any amendment of this PA will go into effect only upon written agreement by all signatories.

### **XV. TERMINATION**

If this PA is not amended as provided for in Section XIV, or if any of the signatories or invited signatories propose termination of this PA for other reasons, the signatory or invited signatory party proposing termination shall, in writing, notify the other signatories to seek alternatives to termination. If within thirty (30) days, or another time period agreed to by all signatories, an amendment cannot be reached, any signatory may terminate the PA upon written notification to the other signatories.

Once this PA is terminated, and prior to work continuing on the undertaking, FTA must either (a) execute a PA pursuant to 36 CFR § Part 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § Part 800.7. FTA will notify the signatories as to the course of action it will pursue.

Execution of this PA by FTA, NJ TRANSIT, and NJ SHPO, and implementation of its terms, demonstrate that FTA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

## **XV. CONTACT INFORMATION**

For purposes of notices and consulting pursuant to this PA, the following addresses and contact information should be used for the respective agencies:

<b>NJ TRANSIT</b>	<b>FTA</b>	<b>NJ SHPO</b>
Dara Callender Manager, Env. Compliance Environment, Energy and Sustainability Unit NJ TRANSIT One Penn Plaza East Newark, NJ 07105-2246 Tel: 973-491-7205 Fax: 973-863-4538	Dan Moser Community Planner Federal Transit Administration 1 Bowling Green, Room 428 New York, NY 10004-1415 Tel: 212-668-2170 Fax: 212-668-2136	Katherine Marcopul Deputy SHPO NJ Historic Preservation Office P.O. Box 420 Trenton, NJ 08625-0420 Tel: 609-984-5816 Fax: 609-984-0578

## References

RGA, Inc.

- 2017a *Historic Architectural Background Survey (HARBS) and Effects Assessment (EA) Report, NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey, Volumes I and II.* June 2017. On file at the New Jersey State Historic Preservation Office, Trenton, New Jersey.
- 2017b *Phase 1A Archaeological Survey, NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey.* June 2017. On file at the New Jersey State Historic Preservation Office, Trenton, New Jersey.
- 2017c *Supplemental Information for the Historic Architectural Background Survey (HARBS) and Effects Assessment (EA) report, NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey, Volumes I and II.* December 2017. On file at the New Jersey State Historic Preservation Office, Trenton, New Jersey.
- 2017d *Supplemental Information for the Phase 1A Archaeological Survey (Phase 1A), NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey.* December 2017. On file at the New Jersey State Historic Preservation Office, Trenton, New Jersey.

## ATTACHMENTS

Attachment 1: Area of Potential Effect (APE);

Attachment 2: Historic Resources

Attachment 3: Katherine J. Marcopul, Deputy State Historic Preservation Officer, NJ SHPO to Manager, Environmental Compliance, Environment, Energy and Sustainability Unit, NJ TRANSIT, April 24, 2018 (HPO Project #14-1685; HPO Log #D2018-122 PROD)

**APPROVAL AND SIGNATURE PAGE FOR PROGRAMMATIC AGREEMENT**

**Among**

**Federal Transit Administration (FTA)  
New Jersey Transit Corporation (NJ TRANSIT)  
New Jersey State Historic Preservation Office (NJ SHPO)**

**Regarding the  
NJ TRANSITGRID Traction Power System  
Hudson County, New Jersey**

**FEDERAL TRANSIT ADMINISTRATION**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Stephen Goodman  
Regional Administrator, Region II

**NEW JERSEY STATE HISTORIC PRESERVATION OFFICE**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Katherine J. Marcopul  
Deputy State Historic Preservation Officer

**NEW JERSEY TRANSIT CORPORATION**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Eric Daleo  
Assistant Executive Director

**APPROVED AS TO FORM ONLY:**

By: \_\_\_\_\_

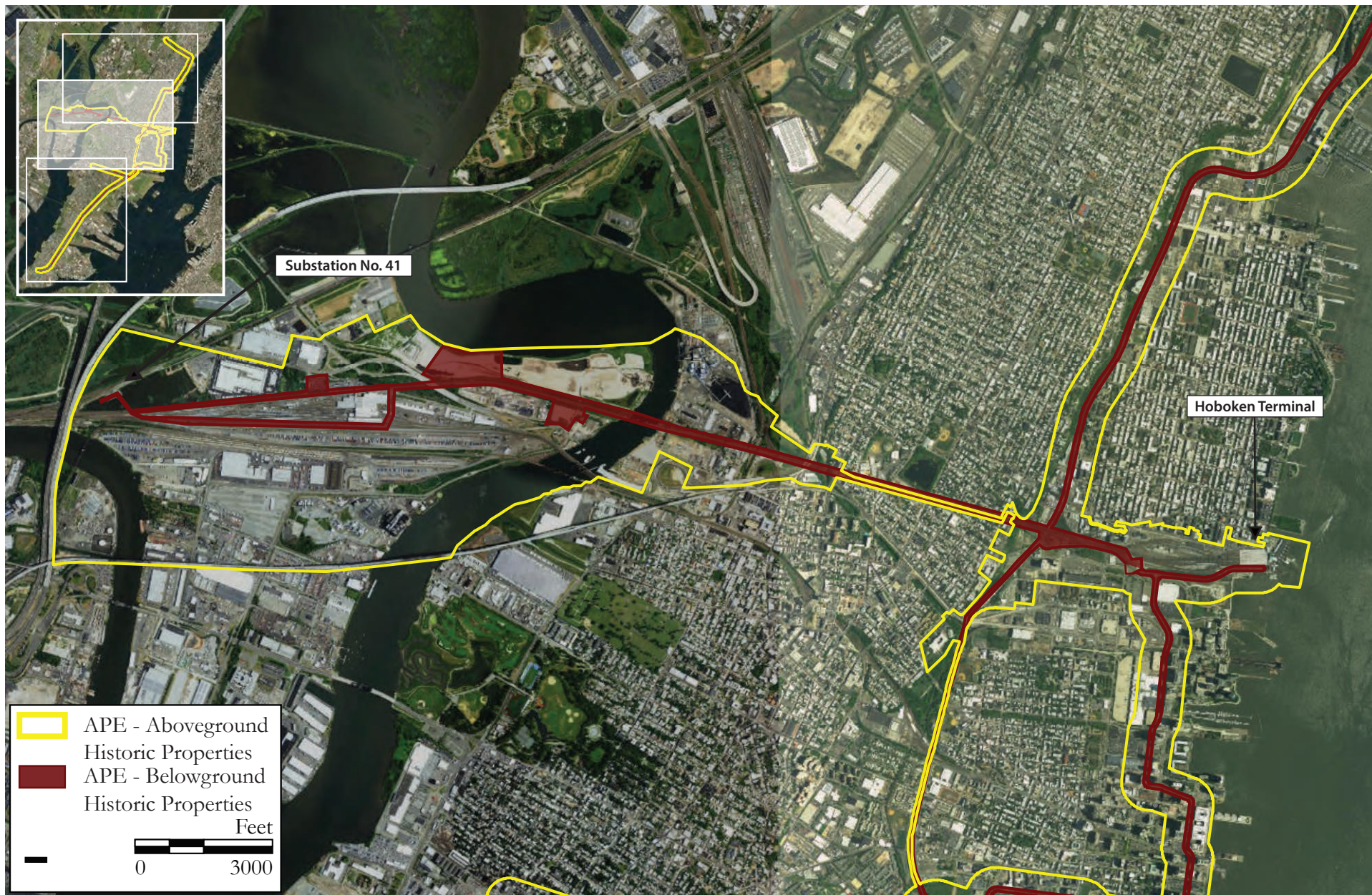
Date: \_\_\_\_\_

Gurbir S. Grewal  
Attorney General

## **ATTACHMENT 1**



Attachment 1.A: Aerial photograph depicting the APE-Aboveground and the APE-Belowground for Historic Properties (NJGIS Digital Orthographic Imagery, 2012).



Attachment 1.B: Aerial photograph depicting the APE-Aboveground and the APE-Belowground for Historic Properties (NJGIS Digital Orthographic Imagery, 2012).

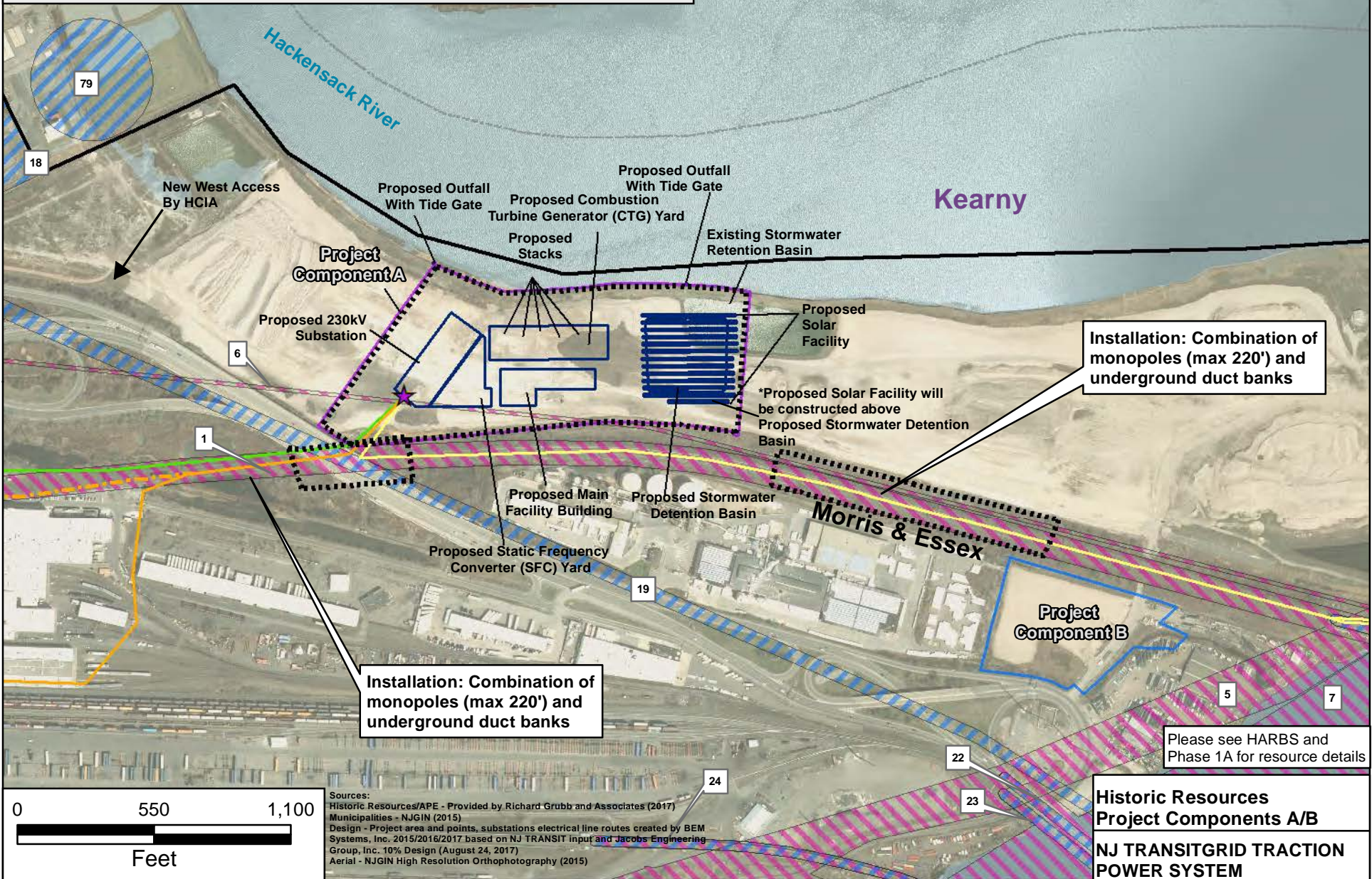


Attachment 1.C: Aerial photograph depicting the APE-Aboveground and the APE-Belowground for Historic Properties (NJGIS Digital Orthographic Imagery, 2012).

## **ATTACHMENT 2**

**Legend**

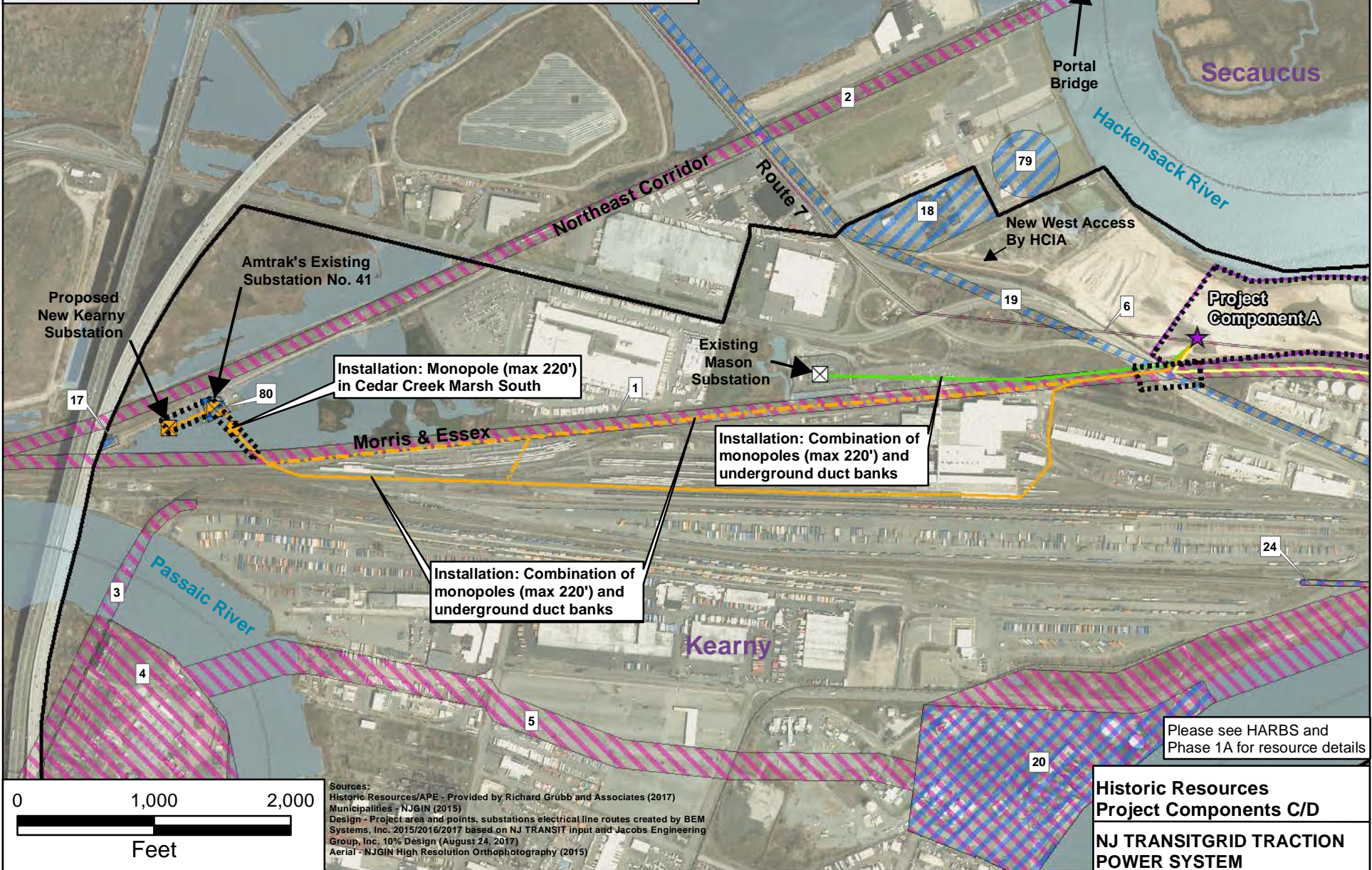
1 Resource ID	Preferred Alternative Project Component A	Preferred Alternative Project Component D	Municipality Boundary
★ Preferred Site of Main Facility Electrical Yard	Preferred Alternative Project Component B	Project Component D Optional Routing	Area Of Potential Effects (APE)
Proposed Main Facility Layout	Preferred Alternative Project Component C	Preferred Alternative Project Component E	Archaeological Sensitivity
			Historic District
			Historic Property



Sources:  
 Historic Resources/APE - Provided by Richard Grubb and Associates (2017)  
 Municipalities - NJGIN (2015)  
 Design - Project area and points, substations electrical line routes created by BEM Systems, Inc. 2015/2016/2017 based on NJ TRANSIT input and Jacobs Engineering Group, Inc. 10% Design (August 24, 2017)  
 Aerial - NJGIN High Resolution Orthophotography (2015)

**Legend**

1 Resource ID	⊗ Substation	— Preferred Alternative Project Component D	▬ Municipality Boundary
★ Preferred Site of Main Facility Electrical Yard	▭ Preferred Alternative Project Component A	— Project Component D Optional Routing	▬ Area Of Potential Effects (APE)
○ Proposed Monopole in Water (up to 220') - Location subject to change	— Preferred Alternative Project Component C	— Preferred Alternative Project Component E	▬ Archaeological Sensitivity
			▬ Historic District
			▬ Historic Property



Sources:  
 Historic Resources/APE - Provided by Richard Grubb and Associates (2017)  
 Municipalities - NJGIN (2015)  
 Design - Project area and points, substations electrical line routes created by BEM Systems, Inc. 2015/2016/2017 based on NJ TRANSIT input and Jacobs Engineering Group, Inc. 10% Design (August 24, 2017)  
 Aerial - NJGIN High Resolution Orthophotography (2015)

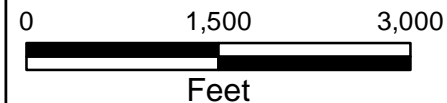
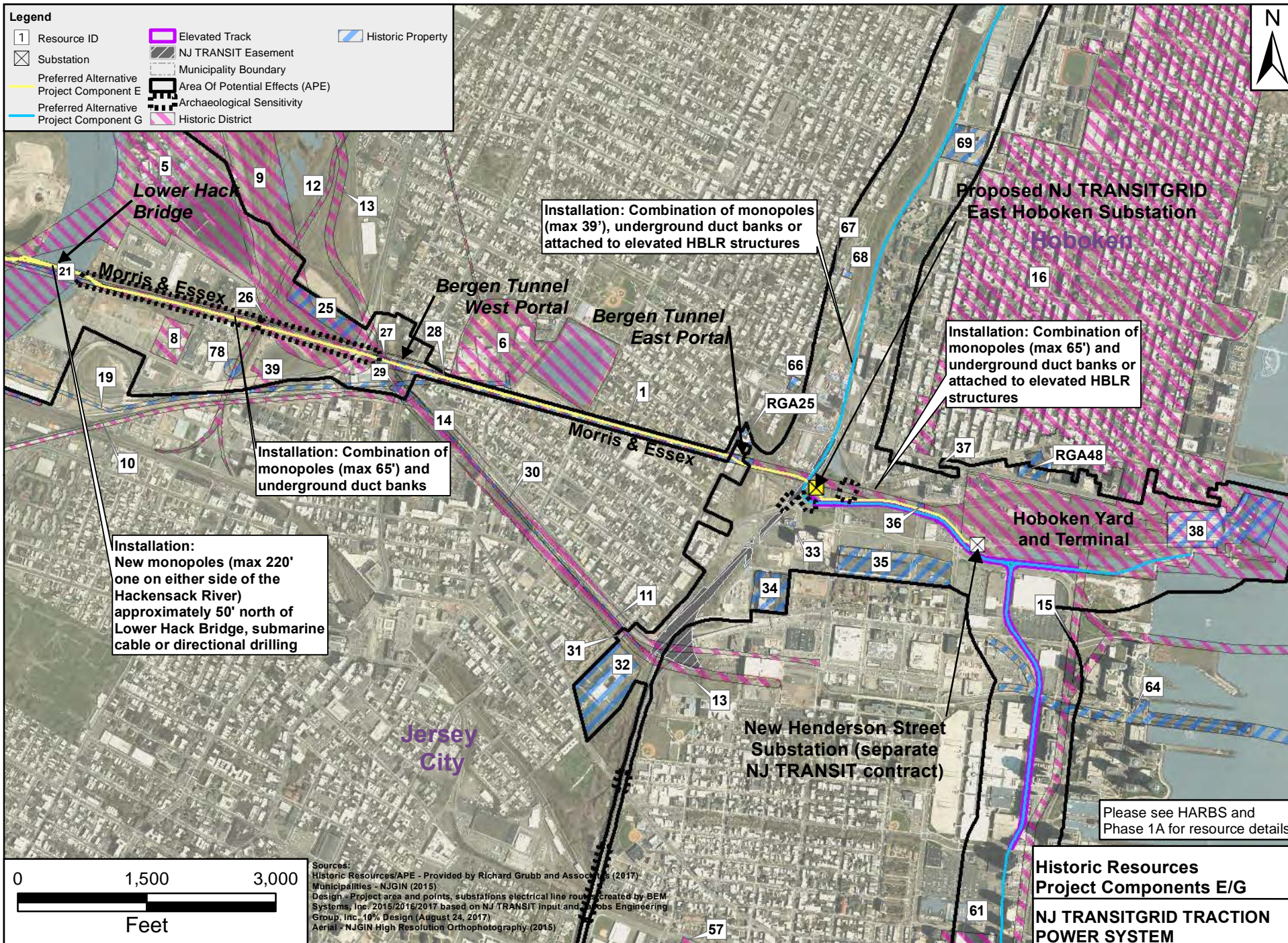
Please see HARBS and Phase 1A for resource details

**Historic Resources  
 Project Components C/D**

**NJ TRANSITGRID TRACTION  
 POWER SYSTEM**

**Legend**

1 Resource ID	Elevated Track	Historic Property
Substation	NJ TRANSIT Easement	
Preferred Alternative Project Component E	Municipality Boundary	
Preferred Alternative Project Component G	Area Of Potential Effects (APE)	
	Archaeological Sensitivity	
	Historic District	










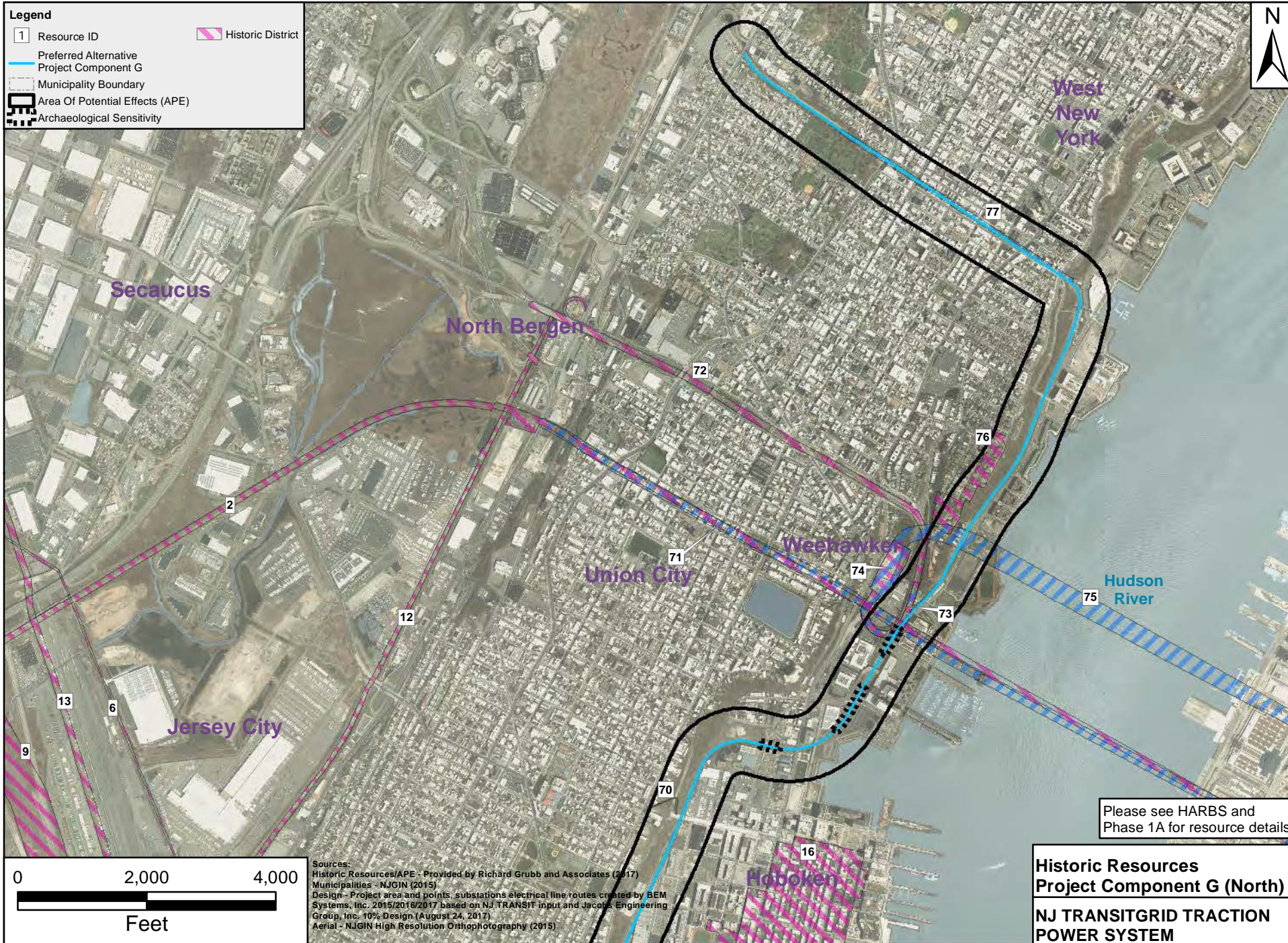
Sources:  
 Historic Resources/APE - Provided by Richard Grubb and Associates (2017)  
 Municipalities - NJGIN (2015)  
 Design - Project area and points, substations electrical line routes created by BEM Systems, Inc. 2015/2016/2017 based on NJ TRANSIT input and Jacobs Engineering Group, Inc. 10% Design (August 24, 2017)  
 Aerial - NJGIN High Resolution Orthophotography (2015)

**Historic Resources  
 Project Components E/G**

**NJ TRANSITGRID TRACTION  
 POWER SYSTEM**

**Legend**

 Resource ID	 Historic District
 Preferred Alternative	
 Project Component G	
 Municipality Boundary	
 Area Of Potential Effects (APE)	
 Archaeological Sensitivity	



Sources:  
 Historic Resources/APE - Provided by Richard Grubb and Associates (2017)  
 Municipalities - NJGIN (2015)  
 Design - Project area and points, substations electrical line routes created by BEM Systems, Inc. 2015/2016/2017 based on NJ TRANSIT input and Jacobs Engineering Group, Inc. 10% Design (August 24, 2017)  
 Aerial - NJGIN High Resolution Orthophotography (2015)

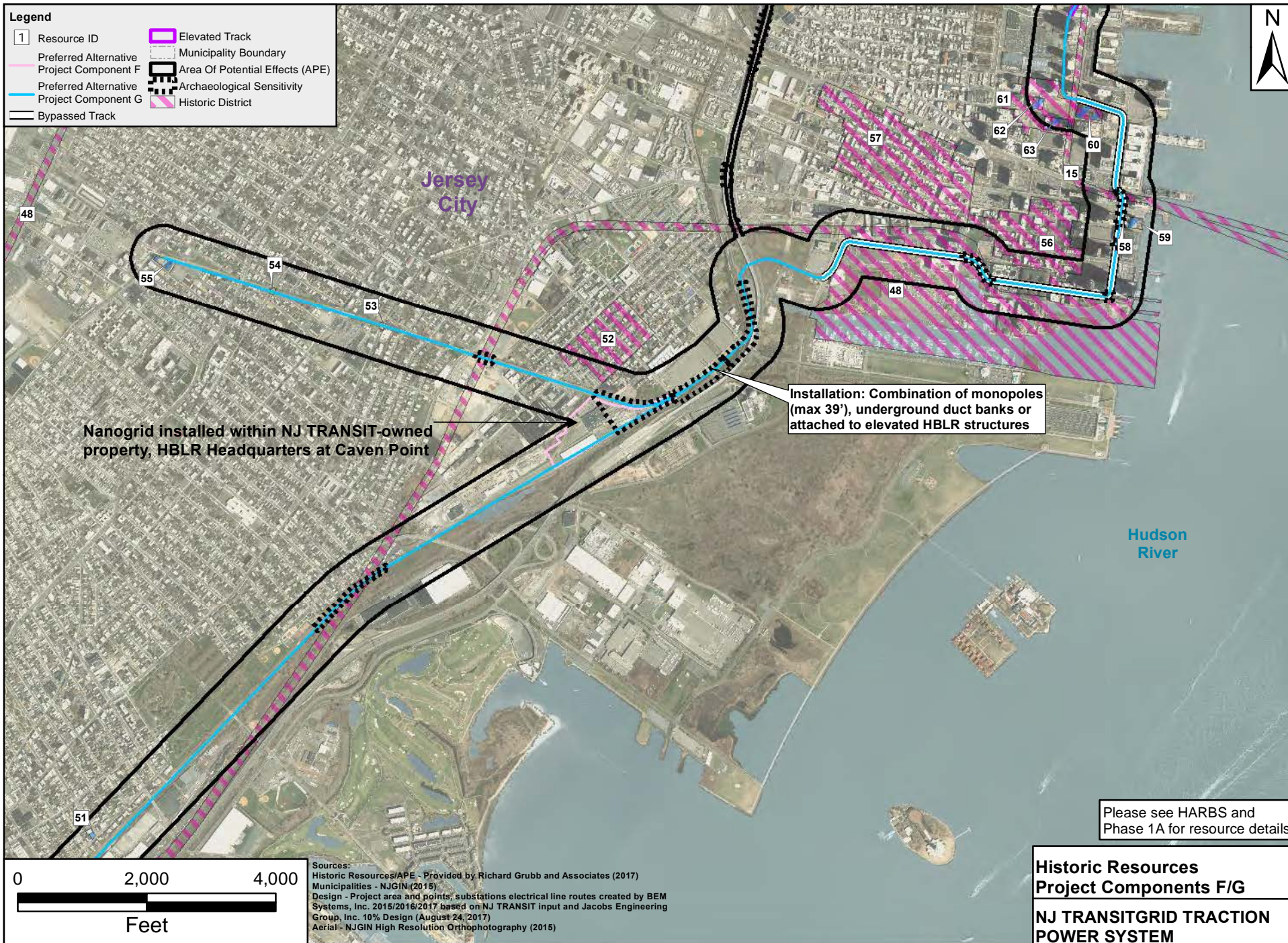
Please see HARBS and Phase 1A for resource details

**Historic Resources  
 Project Component G (North)**

**NJ TRANSIT GRID TRACTION  
 POWER SYSTEM**

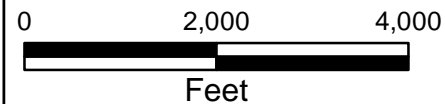
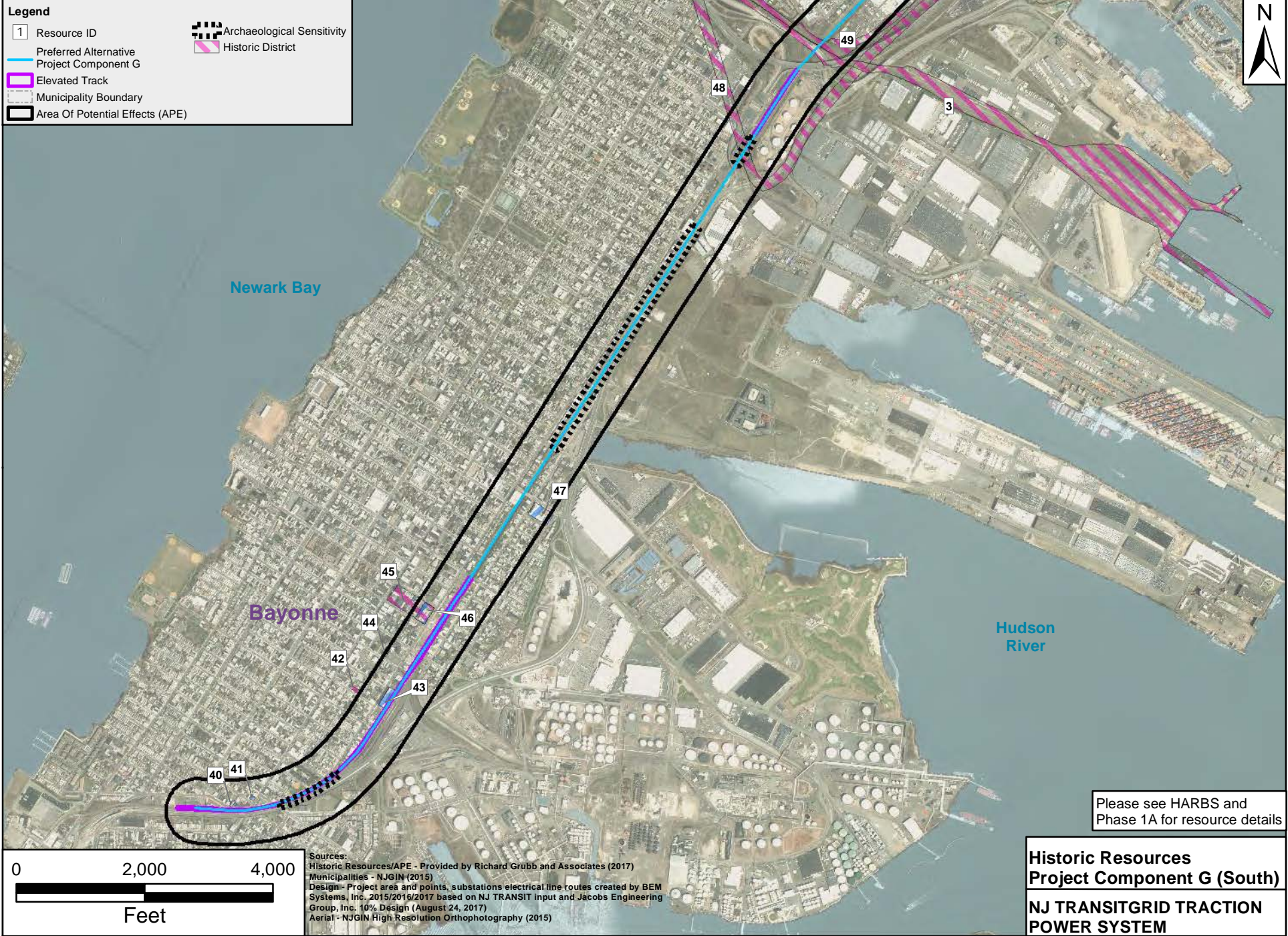
**Legend**

1 Resource ID	Elevated Track
Preferred Alternative Project Component F	Municipality Boundary
Preferred Alternative Project Component G	Area Of Potential Effects (APE)
Bypassed Track	Archaeological Sensitivity
	Historic District



**Legend**

<span style="border: 1px solid black; padding: 2px;">1</span> Resource ID	Archaeological Sensitivity
Preferred Alternative	Historic District
Project Component G	
Elevated Track	
Municipality Boundary	
Area Of Potential Effects (APE)	



Sources:  
 Historic Resources/APE - Provided by Richard Grubb and Associates (2017)  
 Municipalities - NJGIN (2015)  
 Design - Project area and points, substations electrical line routes created by BEM Systems, Inc. 2015/2016/2017 based on NJ TRANSIT input and Jacobs Engineering Group, Inc. 10% Design (August 24, 2017)  
 Aerial - NJGIN High Resolution Orthophotography (2015)

Please see HARBS and Phase 1A for resource details

**Historic Resources**  
**Project Component G (South)**  
**NJ TRANSITGRID TRACTION**  
**POWER SYSTEM**

## **ATTACHMENT 3**



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

HISTORIC PRESERVATION OFFICE

MAIL CODE 501-04B

P.O. BOX 420

TRENTON, NJ 08625-0420

TEL: # 609-984-0176 FAX: # 609-984-0578

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

CATHERINE R. McCABE  
*Acting Commissioner*

April 24, 2018

Dara Callender  
Manager, Environmental Compliance  
NJ TRANSIT  
One Penn Plaza East  
Newark, NJ 07105

Dear Ms. Callender:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published with amendments in the Federal Register on 6 July 2004 (69 FR 40544-40555), I am providing **Consultation Comments** for the following proposed undertaking:

**Hudson County, Town of Kearny, Jersey City, Hoboken, Union City  
Bayonne, Weehawken, and North Bergen  
NJ TRANSIT TransitGrid  
Federal Transit Administration (FTA)**

---

### Summary (NEW SHPO OPINIONS):

Based on the survey provided, the following properties have been given a new or revised opinion of eligibility for inclusion in the New Jersey (NJR) and National (NR) Registers of Historic Places:

- Ruth Court / Maryland Court / Plaza Court, 3139-3149 John F. Kennedy Boulevard, City of Jersey City, is eligible for inclusion in the NJR and NR under Criterion C as it embodies "distinctive characteristics of a type, period, or method of construction."
- Belvedere Court, 364-270 Palisade Avenue, City of Jersey City, is eligible for inclusion in the NJR and NR under Criteria A and C as a well-preserved example of an early luxury apartment building designed by the prominent local architectural firm of William Neumann.
- Substation 41, Amtrak Northeast Corridor, Town of Kearny, is a contributing feature of the Pennsylvania Railroad (PRR) New York to Philadelphia Historic District.
- L.O. Koven & Bro. Inc. Sheet Iron and Plate Steel Works, 100 Paterson Plank Road, City of Jersey City, is no longer eligible for inclusion in the NJR and NR due to extensive alterations.
- The following resources have been demolished and are therefore no longer eligible for inclusion in the NJR and NR:
  - Covert/Larch Historic District, City of Jersey City
  - Central Railroad of New Jersey Passenger Depot, City of Bayonne
  - Gates Avenue Bridge, City of Bayonne
  - Roundhouse, Central Railroad of New Jersey, City of Jersey City

- Central Railroad Bridge, City of Jersey City
- Conrail Bridge, City of Jersey City
- Schiavone-Bonomo Corporation, City of Jersey City
- Engine Company Number 8 Firehouse, City of Jersey City
- Firehouse Number 12, City of Jersey City
- Rogers-Pyatt Shellac Company/S.A. Wald Marine Cargo Salvors Warehouse, City of Jersey City
- PATH Exchange Place Station Entrance, City of Jersey City
- Erie Terminal Station of the Hudson and Manhattan Railroad Company ("Erie Station/Path Pavonia Station"), City of Jersey City
- 14th Street Viaduct, multiple municipalities
- Doric Temple, City of Union City

---

The consultation comments below are in reply to the following cultural resources reports received at the New Jersey Historic Preservation Office (HPO):

Davis, Allee and Lynn Alpert

June 16, 2017

*Historic Architectural Resources Background Survey (HARBS) and Effects Assessment (EA) Report, NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey, Volumes I and II. Prepared for BEM Systems, Inc., Chatham, NJ. Prepared by Richard Grubb and Associates, Cranbury, New Jersey.*

DeWhite, Sharon and Teresa Bulger

June 16, 2017

*Phase IA Archaeological Survey, NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey. Prepared for BEM Systems, Inc., Chatham, NJ. Prepared by Richard Grubb and Associates, Cranbury, New Jersey.*

Alpert, Lynn

June 16, 2017

Letter report from, Lynn Alpert, Architectural Historian, Richard Grubb and Associates, to Dr. Katherine Marcopul, Deputy State Historic Preservation Officer, New Jersey Historic Preservation Office, concerning "Historic Context and Integrity Analysis, Pennsylvania Railroad Substations in New Jersey."

Bulger, Teresa D. and Sharon D. White

December 2017

*Supplemental Information for the Phase IA Archaeological Survey (Phase IA), NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey.*

Davis, Allee and Lynn Alpert

December 20, 2017 *Supplemental Information for the Historic Architectural Resources Background Survey (HARBS) and Effects Assessment (EA) Report, NJ TransitGrid Traction Power System, City of Bayonne, Town of Kearny, City of Jersey City, City of Hoboken, Township of Weehawken, City of Union City, and Township of North Bergen, Hudson County, New Jersey, Volumes I and II. Prepared for BEM Systems, Inc., Chatham, NJ. Prepared by Richard Grubb and Associates, Cranbury, New Jersey.*

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

##### *Historic Architecture*

The submitted architectural survey examined 93 historic resources that were previously identified as listed in the NJR and/or NR, received a formal Determination of Eligibility (DOE) from the Keeper of the National Register, certified as National Register-eligible (COE) by the SHPO, or evaluated as National Register-eligible (SHPO Opinion) by the SHPO. Of these previously identified resources, the current survey determined that 14 of them have been demolished and 1 has suffered from a loss of integrity due to inappropriate alterations. In addition, 63 resources more than 50 years of age were evaluated for their potential significance. As a result of the intensive level survey, the following historic resources were identified within the Area of Potential Effects (APE) for Project Components A-G:

Listed in the NJR and/or NR:

- US Route 1 Extension [Pulaski Skyway] Historic District, multiple municipalities (NJR 6/13/2005; NR 8/12/2005)
- Jersey City High School [William Dickinson High School], City of Jersey City (NJR 12/23/1981; NR 6/1/1982)
- Engine Company #3, Truck #2 Firehouse, City of Jersey City (NJR 2/9/1984; NR 3/30/1984)
- Erie-Lackawanna Terminal, City of Hoboken (NJR 12/7/2004; NR 2/17/2005)
- Bayonne Trust Company, City of Bayonne (SHPO Opinion 12/9/1994; COE: 1/30/2002; NJR 4/20/2006; NR 8/8/2006)
- Morris Canal, multiple municipalities (SHPO Opinion: 5/27/2004; NJR 11/26/1973; NR 10/1/1974)
- Paulus Hook Historic District, City of Jersey City (NJR 8/7/1981; NR 6/21/1982)
- Van Vorst Park Historic District, City of Jersey City (NJR 8/21/1984; NR 10/11/1984)
- Hudson and Manhattan Railroad Powerhouse, City of Jersey City (COE 10/7/1999; NR 11/23/2001)
- Great Atlantic and Pacific Tea Company Warehouse, City of Jersey City (NJR 6/2/1978; NR 6/2/1978; NHL 6/2/1978)
- Butler Brothers Warehouse, City of Jersey City (SHPO Opinion 9/5/2013; NJR 10/26/2015)
- Holland Tunnel, City of Jersey City (NJR 10/13/1995; NHL 11/3/1993; NR 11/4/1993)
- Pohlmann's Hall, City of Jersey City, (NJR 7/5/1985; NR 9/5/1985)

Previously evaluated as eligible for inclusion in the NJR and/or NR:

- Old Main Delaware, Lackawanna and Western (DL&W) Railroad Historic District, multiple municipalities (SHPO Opinion 9/24/1996)

- PRR New York to Philadelphia Historic District, multiple municipalities (SHPO Opinion 10/2/2002)
- PRR New York Bay Branch Historic District, City of Newark (SHPO Opinion 4/22/2005)
- Essex Generating Station, Town of Kearny and City of Newark (SHPO Opinion 3/23/2015)
- Public Service Electric and Gas Company (PSE&G), Kearny-Essex-Marion Interconnection Historic District, Town of Kearny and City of Jersey City (SHPO Opinion 12/31/2013)
- Jersey City Water Works Historic District, multiple municipalities (SHPO Opinion 1/20/2003)
- Hackensack River Lift Bridges Historic District, Town of Kearny and City of Jersey City (SHPO Opinion 5/3/2002)
- People's Gas Light Company/PSE&G Marion Office Historic District, City of Jersey City (SHPO Opinion 3/10/1999)
- DL&W Railroad Boonton Line Historic District, multiple municipalities (SHPO Opinion 9/18/2008)
- US Routes 1 & 9 Historic District, multiple municipalities (SHPO Opinion 3/8/1996)
- New Jersey Midland Railway/New York, Susquehanna and Western Railroad Historic District, multiple municipalities (SHPO Opinion 4/25/2006 and 1/30/2015)
- Erie Railroad Main Line Historic District, multiple municipalities (SHPO Opinion 2/20/2003)
- Erie Railroad Bergen Archways Historic District, City of Jersey City (SHPO Opinion 4/27/2000)
- Hudson and Manhattan Railroad Transit System (PATH) Historic District, multiple municipalities (SHPO Opinion 3/4/2002)
- Hoboken Historic District, City of Hoboken (SHPO Opinion 12/12/2016)
- Substation 4, Town of Kearny (SHPO Opinion 9/12/1994)
- Edison Battery Company Property, Town of Kearny (SHPO Opinion 4/8/2008)
- Jersey City Water Works Pipeline, City of Jersey City (SHPO Opinion 5/7/1999)
- PSE&G Kearny Generating Station, Town of Kearny (SHPO Opinion 5/3/2002)
- Lower Hack Draw Bridge, Town of Kearny and City of Jersey City (SHPO Opinion 9/18/1996)
- Wittpenn Bridge [SI&A #0909150], Town of Kearny and City of Jersey City (SHPO Opinion 2/7/2001)
- PRR Harsimus Branch (Conrail/CSX) Bridge over the Hackensack River, Town of Kearny and City of Jersey City (SHPO Opinion 5/3/2002)
- PRR (PATH) Bridge over Hackensack River, Town of Kearny and City of Jersey City (SHPO Opinion 5/3/2002)
- St. Peter's Cemetery, City of Jersey City (SHPO Opinion 6/18/1996)
- West End Interlocking Tower, City of Jersey City (SHPO Opinion 1/20/1999)
- West-End Through Truss Bridges, City of Jersey City (SHPO Opinion 3/31/1997)
- Old and New Bergen Tunnels, City of Jersey City (SHPO Opinion 5/8/1998)
- JFK Boulevard Bridge [SI&A # 0951170], City of Jersey City (SHPO Opinion 4/27/2000)
- Erie Railroad Bergen Hill Tunnel [aka Long Dock Tunnel], City of Jersey City (SHPO Opinion 4/27/2000)
- Palisade Avenue Bridge [SI&A # 0951165], City of Jersey City (SHPO Opinion 4/27/2000)

- Holbrook Manufacturing Company, City of Jersey City (SHPO Opinion 2/28/1991)
- Continental Can Company Complex, City of Jersey City (SHPO Opinion 5/30/1997)
- Lackawanna Warehouse and Viaduct, City of Jersey City (SHPO Opinion 5/16/1995)
- Grove Street Bridge, City of Jersey City (SHPO Opinion 1/20/1999)
- Mechanic's Trust Company, City of Bayonne (SHPO Opinion 12/9/1994)
- East 17<sup>th</sup> Street Apartment Buildings Streetscape, City of Bayonne (SHPO Opinion 12/9/1994)
- Maidenform Brassiere Company, City of Bayonne (SHPO Opinion 12/9/1994)
- East 19<sup>th</sup> Street Streetscape, City of Bayonne (SHPO Opinion 12/9/1994)
- Mount Carmel Historic District, City of Bayonne (SHPO Opinion 2/28/1991)
- YMCA of Bayonne, City of Bayonne (SHPO Opinion 5/5/1997)
- Public School Number 5, City of Bayonne (SHPO Opinion 2/28/1991)
- Lehigh Valley Railroad Historic District, multiple municipalities (SHPO Opinion 3/15/2002)
- PRR New York Bay Branch Historic District, multiple municipalities (SHPO Opinion 9/10/2014)
- Hanover National Bank Repository, City of Jersey City (COE 5/18/2006)
- Communipaw-Lafayette Historic District, City of Jersey City (SHPO Opinion 2/17/1995)
- Ocean Avenue Bridge (SI&A #0950163), City of Jersey City (SHPO Opinion 5/16/1995)
- Bergen Avenue Bridge (SI&A #0900011), City of Jersey City (SHPO Opinion 5/16/1995)
- Former Candy Factory, City of Jersey City (SHPO Opinion 2/28/1991)
- One Exchange Place (Bank Building), City of Jersey City (SHPO Opinion 2/28/1991)
- Commercial Trust Company Bank, City of Jersey City (SHPO Opinion 5/16/1995)
- Warehouse Historic District, City of Jersey City (SHPO Opinion 2/28/1991)
- L.O. Koven & Brothers Sheet Iron and Plate Steel Works, City of Jersey City (SHPO Opinion 2/28/1991)
- 269-271 Ogden Avenue, City of Jersey City (SHPO Opinion 2/28/1991)
- 268-272 Ogden Avenue, City of Jersey City (SHPO Opinion 2/28/1991)
- Ferguson Brothers Manufacturing Company, City of Hoboken (SHPO Opinion 10/16/1998)
- Old Hillside Road Trolley Horseshoe Curve, multiple municipalities (SHPO Opinion 5/21/1999)
- North (Hudson) River Tunnels, multiple municipalities (SHPO Opinion 11/12/1998)
- NJ Route 3 (NJ 495) Highway Approach to Lincoln Tunnel Historic District, Weehawken Township (SHPO Opinion 11/17/1999)
- NJ Route 495 Viaduct (SI&A 3800031), Weehawken Township (SHPO Opinion 5/16/1995)
- Lincoln Tunnel Entrance and Ventilation Buildings, Weehawken Township (SHPO Opinion 2/28/1991)
- Lincoln Tunnel, Weehawken Township (SHPO Opinion 2/25/2003)
- King's Bluff Historic District, Weehawken Township (SHPO Opinion 5/16/1995)
- West Shore Railroad Tunnel, multiple municipalities (SHPO Opinion 2/28/1991)
- R. Neumann & Co. Factory Complex/300 Observer Highway, City of Hoboken (SHPO Opinion 12/9/2016)

Previously evaluated as eligible for inclusion in the NJR and/or NR, but no longer extant:

- Covert/Larch Historic District, City of Jersey City (SHPO Opinion 3/10/1999)
- Central Railroad of New Jersey Passenger Depot, City of Bayonne (SHPO Opinion 9/11/1975)
- Gates Avenue Bridge (SI&A# 82003274), City of Bayonne (SHPO Opinion 12/9/1994)

- Roundhouse for the Central Railroad of New Jersey, City of Jersey City (SHPO Opinion 10/1/1975)
- Central Railroad Bridge, City of Jersey City (SHPO Opinion 2/28/1991)
- Conrail Bridge, City of Jersey City (SHPO Opinion 5/16/1995)
- Schiavone-Bonomo Corporation, City of Jersey City (SHPO Opinion 5/16/1995)
- Engine Company Number 8 Firehouse, City of Jersey City (SHPO Opinion 6/12/1980)
- Firehouse Number 12, City of Jersey City (SHPO Opinion 5/16/1995)
- Rogers-Pyatt Shellac Company/S.A. Wald Marine Cargo Salvors Warehouse, City of Jersey City (SHPO Opinion 2/17/1995)
- PATH Exchange Place Station Entrance, City of Jersey City (SHPO Opinion 2/28/1991)
- Erie Terminal Station of the Hudson and Manhattan Railroad Company ("Erie Station/Path Pavonia Station"), City of Jersey City (SHPO Opinion 11/23/1983; DOE 6/26/1984)
- 14th Street Viaduct, multiple municipalities (SHPO Opinion 10/16/1998)
- Doric Temple, City of Union City (SHPO Opinion 10/18/1995)

It is my opinion as New Jersey Deputy State Historic Preservation Officer that the following resource, previously evaluated as eligible for inclusion in the NJR and NR, no longer meets the NJR/NR eligibility criteria, and is therefore not eligible for inclusion in the NJR/NR:

- L.O. Koven & Bro. Inc. Sheet Iron and Plate Steel Works (RGA-E1), 100 Paterson Plank Road, City of Jersey City. On February 28, 1991, the New Jersey SHPO evaluated this property as eligible for inclusion in the NJR/NR under Criterion C for its significance in the area of architecture as an excellent example of the industrial vernacular style and as part of an integrated and well-preserved group of industrial buildings. As indicated in the June 16, 2017 *Historic Architectural Resources Background Survey (HARBS) and Effects Assessment (EA) Report*, the property was extensively renovated in 2007, with some architecturally incompatible additions and a loss of historic fabric. Based on the extent and nature of the renovations, the property does not retain sufficient architectural integrity to meet NJR and NR Criterion C.

It is my opinion as New Jersey Deputy State Historic Preservation Officer that there is insufficient information at this time to issue an opinion of the eligibility for inclusion in the NJR/NR for the following resource that was identified in the June 16, 2017 *Historic Architectural Resources Background Survey (HARBS) and Effects Assessment (EA) Report* as eligible for inclusion in the NJR/NR:

- Bayonne Garden Apartments Historic District (RGA-52), 15-18 12<sup>th</sup> Street, City of Bayonne. The apartment complex is a simple, rather unadorned example of early twentieth garden apartment buildings. The architect, Andrew J. Thomas, does not appear to meet the test for "work of a master."

Based on the cultural resources report, it is my opinion as New Jersey Deputy State Historic Preservation Officer that the following resources are eligible for inclusion in the NJR/NR:

- **Ruth Court / Maryland Court / Plaza Court (RGA-18)**, 3139-3149 John F. Kennedy Boulevard, City of Jersey City. Built ca. 1920, this Tudor Revival-style apartment building meets NR Criterion C as it embodies "distinctive characteristics of a type, period, or method of construction." Located in the "Heights" neighborhood of Jersey City, this four-story multi-bay apartment house was a prevalent early twentieth century building type in urban areas. In addition, the building's detailing reflects the prevalent Tudor Revival style.

- **Belvedere Court (RGA-25)**; 364-270 Palisade Avenue, Jersey City. Built in 1914, this Spanish Colonial Revival apartment house is significant as a well-preserved example of an early luxury apartment building in the Heights section of Jersey City. Designed by the prominent local architectural firm of William Neumann, the apartment house reflects the transition to high-rise modern apartment buildings in burgeoning residential neighborhoods. It is eligible for inclusion in the NJR / NR under eligibility Criteria A and C.
- **Substation 41**, Amtrak Northeast Corridor, City of Kearny. Constructed in the 1930s as part of the PRR's electrification of its main line between New York and Philadelphia, this resource is a contributing feature to the NR-eligible PRR New York to Philadelphia Historic District. As part of the current project, the substation was evaluated for the extent to which the Northeast Corridor's 1930s substations retain five aspects of their historic fabric: setting, function, superstructure, control house, and original equipment. Substation 41 retains all or part of its setting, function, and superstructure (although with some new components) and has what appears to be four original transformers (two American Brown Boveri Company service transformers and two General Electric type E-116 instrument potential transformers).

These are **new SHPO Opinions of Eligibility**.

### *Archaeology*

Thank you for providing the HPO with the opportunity to review and comment on the potential for the above-referenced undertaking to affect historic properties.

The additional information contained within the December 2017 supplemental report includes appropriate archaeological recommendations within the APE organized by project component and additional information regarding the archaeological sensitivity of each project component. The proposed project consists of the installation of monopoles of varying heights with associated duck banks throughout the APE. The installation of monopoles and utilities/duck banks will be undertaken using different construction techniques. In the case of the monopoles, ground disturbance will involve the use of a truck-mounted drill where an auger is drilled into the ground, turning up soils from subsurface deposits. For the installation of the utilities and duck banks, ground disturbance would include the mechanical excavation of trenches to a maximum depth of five feet. The report recommends archaeological monitoring for the installation of the monopoles and utilities/duck banks in areas of archaeological sensitivity within the APE.

*The HPO concurs with a portion of the above assessment. Recent projects of a similar nature reviewed by the HPO have found that archaeological monitoring of mechanically excavated monopoles is not effective in recovering useful archaeological data. Therefore, the HPO only recommends archaeological monitoring for the installation of utilities and duct banks within areas of archaeological sensitivity as identified in this report. In addition, the New Jersey Junction Railroad-to-Newark Avenue Iron Viaduct (Substructure Only) is located within Project Component F, Section 1 and is eligible for inclusion in the NJR and NR. If utility and/or duct banks are proposed within this eligible resource, archaeological monitoring will be required.*

### **800.5 Assessing Adverse Effects**

The assessment of the proposed project's potential effects is based on review of the following design documents:

- NJ Transitgrid Morris & Essex Line Distribution, 10% submittal plans, 8/24/17

- NJ Transitgrid Morris & Essex Transmission, 20% submittal plans, 2/27/18
- NJ TRANSIT Microgrid – Distribution-HBLR South, 10% submittal plans, 8/24/17
- NJ TRANSIT Microgrid – Distribution-HBLR North, 10% submittal plans, 8/24/17

The various project components (described in the survey report as A-G) were evaluated for their potential effects. Components A-E have the potential to affect the National Register-eligible Old Main DL&W Railroad Historic District as well as resources within the corridor's viewshed. Component F extends south to Caven Point, using either an existing NJ Turnpike right-of-way or the existing Hudson Bergen Light Rail (HBLR) line. Component G extends north along the HBLR. These two project components, especially Component G, come in close proximity to numerous historic resources, and have the potential to visually affect these resources. The potential effects are discussed below under the individual historic resources.

Based on a review of the preliminary project plans, the proposed project, including Components A-G, will not have an effect on the following resources listed in or eligible for inclusion in the NJR/NR:

- Jersey City Water Works Historic District, multiple municipalities (SHPO Opinion 1/20/2003)
- Erie Railroad Bergen Archways Historic District, City of Jersey City (SHPO Opinion 4/27/2000)
- Hudson and Manhattan Railroad Transit System (PATH) Historic District, multiple municipalities (SHPO Opinion 3/4/2002)
- Jersey City Water Works Pipeline, City of Jersey City (SHPO Opinion 5/7/1999)
- Wittpenn Bridge [SI&A #0909150], Town of Kearny and City of Jersey City (SHPO Opinion 2/7/2001)
- PRR Harsimus Branch (Conrail/CSX) Bridge over the Hackensack River, Town of Kearny and City of Jersey City (SHPO Opinion 5/3/2002)
- PRR (PATH) Bridge over Hackensack River, Town of Kearny and City of Jersey City (SHPO Opinion 5/3/2002)
- JFK Boulevard Bridge [SI&A # 0951170], City of Jersey City (SHPO Opinion 4/27/2000)
- Palisade Avenue Bridge [SI&A # 0951165], City of Jersey City (SHPO Opinion 4/27/2000)
- Morris Canal, multiple municipalities (SHPO Opinion: 5/27/2004; NJR 11/26/1973; NR 10/1/1974)
- Hudson and Manhattan Railroad Transit System (PATH) Historic District, multiple municipalities (SHPO Opinion 3/4/2002)
- Holland Tunnel, City of Jersey City (NJR 10/13/1995; NHL 11/3/1993; NR 11/4/1993)
- L.O. Koven & Brothers Sheet Iron and Plate Steel Works, City of Jersey City (SHPO Opinion 2/28/1991)
- North (Hudson) River Tunnels, multiple municipalities (SHPO Opinion 11/12/1998)
- Lincoln Tunnel, Weehawken Township (SHPO Opinion 5/16/1995)
- West Shore Railroad Tunnel, multiple municipalities (SHPO Opinion 2/28/1991)

The proposed project, including Components A-G, will have an effect, but not adverse, on the following resources listed in or eligible for inclusion in the NJR/NR:

- PRR New York to Philadelphia Historic District, multiple municipalities (SHPO Opinion 10/2/2002)

The proposed project is within close proximity to the PRR New York to Philadelphia Historic District; however, the proposed poles will not be placed on this historic district and will only have a minor visual effect.

- Substation 4, Town of Kearny (SHPO Opinion 9/12/1994). This substation, a contributing feature of the PRR New York to Philadelphia Historic District, is located in close proximity to the western end of the project and will be within direct viewshed of Amtrak's new Substation 41. However, the visual effect will not be adverse due to the industrial nature of both substations and the immediately surrounding area. In addition, there will be no direct physical effect on Substation 4.
- Substation 41, Town of Kearny. This substation, a contributing feature of the Old Main DL&W Railroad Historic District, will retain most of its historic elements, including use, setting, and superstructure (with some new superstructure added). Its original control house was lost in a fire; the existing structures to be removed are modern. Although there are two transformers that are believed to be original, the loss of these two pieces of equipment is considered acceptable.
- PRR New York Bay Branch Historic District, City of Newark (SHPO Opinion 4/22/2005)
- Essex Generating Station, Town of Kearny and City of Newark (SHPO Opinion 3/23/2015)
- Public Service Electric and Gas Company (PSE&G), Kearny-Essex-Marion Interconnection Historic District, Town of Kearny and City of Jersey City (SHPO Opinion 12/31/2013)
- People's Gas Light Company/PSE&G Marion Office Historic District, City of Jersey City (SHPO Opinion 3/10/1999)
- US Route 1 Extension [Pulaski Skyway] Historic District, multiple municipalities (NJR 6/13/2005; NR 8/12/2005)
- US Routes 1 & 9 Historic District, multiple municipalities (SHPO Opinion 3/8/1996)
- New Jersey Midland Railway/New York, Susquehanna and Western Railroad Historic District, multiple municipalities (SHPO Opinion 4/25/2006 and 1/30/2015)
- Erie Railroad Main Line Historic District, multiple municipalities (SHPO Opinion 2/20/2003)
- Edison Battery Company Property, Town of Kearny (SHPO Opinion 4/8/2008)
- PSE&G Kearny Generating Station, Town of Kearny (SHPO Opinion 5/3/2002)
- St. Peter's Cemetery, City of Jersey City (SHPO Opinion 6/18/1996)
- Erie Railroad Bergen Hill Tunnel [aka Long Dock Tunnel], City of Jersey City (SHPO Opinion 4/27/2000)
- Jersey City High School [William Dickinson High School], City of Jersey City (NJR 12/23/1981; NR 6/1/1982)
- Holbrook Manufacturing Company, City of Jersey City (SHPO Opinion 2/28/1991)
- Continental Can Company Complex, City of Jersey City (SHPO Opinion 5/30/1997)
- Lackawanna Warehouse and Viaduct, City of Jersey City (SHPO Opinion 5/16/1995)
- Grove Street Bridge, City of Jersey City (SHPO Opinion 1/20/1999)

- Engine Company #3, Truck #2 Firehouse, City of Jersey City (NJR 2/9/1984; NR 3/30/1984)
- Erie-Lackawanna Terminal, City of Hoboken (NJR 12/7/2004; NR: 2/17/2005)
- Hoboken Yard / Henderson Street Substation
- Belvedere Court (RGA-25), 264-270 Palisade Avenue, City of Jersey City
- R. Neumann & Co. Factory Complex/300 Observer Highway, City of Hoboken (SHPO Opinion 12/9/2016)
- Hoboken Historic District, City of Hoboken (SHPO Opinion 12/12/2016)
- Mechanic's Trust Company, City of Bayonne (SHPO Opinion 12/9/1994)
- Bayonne Trust Company, City of Bayonne (SHPO Opinion 12/9/1994; COE: 1/30/2002; NJR 4/20/2006; NR 8/8/2006)
- East 17<sup>th</sup> Street Apartment Buildings Streetscape, City of Bayonne (SHPO Opinion 12/9/1994)
- Maidenform Brassiere Company, City of Bayonne (SHPO Opinion 12/9/1994)
- East 19<sup>th</sup> Street Streetscape, City of Bayonne (SHPO Opinion 12/9/1994)
- Mount Carmel Historic District, City of Bayonne (SHPO Opinion 2/28/1991)
- YMCA of Bayonne, City of Bayonne (SHPO Opinion 5/5/1997)
- Public School Number 5, City of Bayonne (SHPO Opinion 2/28/1991)
- Lehigh Valley Railroad Historic District, multiple municipalities (SHPO Opinion 3/15/2002)
- PRR New York Bay Branch Historic District, multiple municipalities (SHPO Opinion 9/10/2014)
- Hanover National Bank Repository, City of Jersey City (COE 5/18/2006)
- Communipaw-Lafayette Historic District, City of Jersey City (SHPO Opinion 2/17/1995)
- Ocean Avenue Bridge (SI&A #0950163), City of Jersey City (SHPO Opinion 5/16/1995)
- Bergen Avenue Bridge (SI&A #0900011), City of Jersey City (SHPO Opinion 5/16/1995)
- Former Candy Factory, City of Jersey City (SHPO Opinion 2/28/1991)
- Paulus Hook Historic District, City of Jersey City (NJR 8/7/1981; NR 6/21/1982)
- Van Vorst Park Historic District, City of Jersey City (NJR 8/21/1984; NR 10/11/1984)
- One Exchange Place (Bank Building), City of Jersey City (SHPO Opinion 2/28/1991)
- Commercial Trust Company Bank, City of Jersey City (SHPO Opinion 5/16/1995)
- Hudson and Manhattan Railroad Powerhouse, City of Jersey City (COE 10/7/1999; NR 11/23/2001)
- Warehouse Historic District, City of Jersey City (SHPO Opinion 2/28/1991)
- Great Atlantic and Pacific Tea Company Warehouse, City of Jersey City (NJR 6/2/1978; NR 6/2/1978; NHL 6/2/1978)
- Butler Brothers Warehouse, City of Jersey City (SHPO Opinion 9/5/2013; NJR 10/26/2015)
- Pohlmann's Hall, City of Jersey City, (NJR 7/5/1985; NR 9/5/1985)
- 269-271 Ogden Avenue, City of Jersey City (SHPO Opinion 2/28/1991)
- 268-272 Ogden Avenue, City of Jersey City (SHPO Opinion 2/28/1991)
- Ferguson Brothers Manufacturing Company, City of Hoboken (SHPO Opinion 10/16/1998)

- Old Hillside Road Trolley Horseshoe Curve, multiple municipalities (SHPO Opinion 5/21/1999)
- NJ Route 3 (NJ 495) Highway Approach to Lincoln Tunnel Historic District, Weehawken Township (SHPO Opinion 11/17/1999)
- NJ Route 495 Viaduct (SI&A 3800031), Weehawken Township (SHPO Opinion 5/16/1995)
- Lincoln Tunnel Entrance and Ventilation Buildings, Weehawken Township (SHPO Opinion: 2/28/1991)
- King's Bluff Historic District, Weehawken Township (SHPO Opinion 5/16/1995)

Project Components F and G's use of the HBLR line will involve the installation of new utility poles that will be similar to the HBLR's existing poles in design and color, although taller. The existing poles are approximately 25' in height; the proposed poles will be approximately 39' in height. Based on a review of the analysis in the June 16, 2017 *Historic Architectural Resources Background Survey (HARBS) and Effects Assessment (EA) Report*, it is my opinion as Deputy State Historic Preservation Officer that the proposed Components F and G will not constitute an adverse effect on resources listed in or eligible for inclusion in the NJR and NR.

The proposed project, specifically Project Components D and E, will have an **adverse effect** on the following resources listed in or eligible for inclusion in the NJR/NR:

- Old Main DL&W Railroad Historic District, multiple municipalities (SHPO Opinion 9/24/1996)
  - Rail corridor from Hoboken to Kearny. The rail corridor will be directly affected through the construction of approximately 60 new monopoles and 8 new portals. The effect on the rail corridor has been analyzed in three segments:
    - East of the Bergen Tunnels. The effect will be minimal due to the fact that there will be only be five new poles between the tunnels' eastern portals and the new proposed Hoboken East Substation. Between the substation and the Hoboken Yard, the line will run on the existing HBLR; within the Hoboken Yard the power will utilize poles being constructed as part of a separate project.
    - Portion of the rail corridor between the Bergen Tunnels' western portals and the Hackensack River. This portion of the rail line has maintained a high level of integrity, both in terms of the line itself and its setting. The 24 new poles, although only proposed to be a maximum of 65' tall, will be significantly taller than the rail corridor's existing catenaries and signal bridges and will have a cumulative adverse effect on the rail corridor as well as the following resources in the portion of the corridor immediately west of the Bergen Tunnels: Bergen Tunnels' western portal, the West End Through Truss Bridges, the West End Interlocking Tower, and the DL&W Railroad Boonton Line Historic District. In addition, the proposed 175' monopole immediately east of the Lower Hack Draw Bridge will have an adverse effect on the rail corridor. The adverse effect is based on a cumulative visual effect.

The physical alterations to the West End Truss Bridges and the Bergen Tunnels, two resources that contribute to the Old Main DL&W Railroad Historic District, have been planned to be in accordance with the *Secretary*

*of the Interior's Standards for Rehabilitation ("Standards")*. Therefore, the project's direct physical effect on these contributing resources will not be adverse.

- Portion of the rail corridor between the Hackensack River and the western end of the project at Substation 41. This portion of the rail line has maintained a high level of integrity within the corridor right-of-way, although its setting has been compromised due to the construction of multiple surrounding poles ranging in height from 105' to 300'. The 29 new poles, proposed to be a maximum of 175' tall, will be substantially taller than the rail corridor's existing catenaries and signal bridges and will have a cumulative adverse effect on the rail corridor. In addition, the proposed 175' monopole immediately west of the Lower Hack Draw Bridge will have an adverse effect on the rail corridor.
- Lower Hack Draw Bridge, Town of Kearny and City of Jersey City (SHPO Opinion 9/18/1996), and the Hackensack River Lift Bridges Historic District, Town of Kearny and City of Jersey City (SHPO Opinion 5/3/2002). In order for the line to cross the Hackensack River, the project includes construction of two 175' monopoles in close proximity to the bridge, one on the east river bank and one on the west river bank. The Lower Hack Draw Bridge, which is individually eligible for inclusion in the National Register of Historic Places and is a contributing element of the Old Main DL&W Railroad Historic District as well as the Hackensack River Lift Bridges Historic District, will be adversely affected due to the height of the monopoles in close proximity to the bridge.

#### **800.6 Resolution of Adverse Effects**

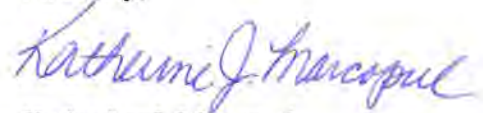
In accordance with 36 CFR 800.6, the HPO appreciates NJ TRANSIT's consideration of steps to avoid or minimize adverse effects to the Old Main DL&W Railroad Historic District and some of its contributing features, including the possible use of the southern route around NJ TRANSIT's Meadowlands Maintenance Complex, thereby reducing the visual effect to the rail corridor. According to our review of the current plans, running all poles along the rail corridor would require construction of 17 poles and 8 portals on rail line; using the combined route with some of the poles on the southern route would reduce the number to 12 poles and 8 portals on the rail line; and using the southern route would further reduce the number to 8 poles and 1 portal on the rail line.

We look forward to continuing to consult with you to review other possible steps to avoid, minimize, or mitigate the adverse visual effects to the Old Main DL&W Railroad Historic District, the Bergen Tunnels' western portal, the West End Through Truss Bridges, the West End Interlocking Tower, the Lower Hack Draw Bridge, the Hackensack River Lift Bridges Historic District, and the DL&W Railroad Boonton Line Historic District, and to including these provisions within a Memorandum of Agreement (MOA). When developed, the MOA should include, at a minimum, mitigation measures, provisions for the HPO to review and approve project plans as they are further developed, and the requirement for archaeological monitoring in accordance with an archaeological monitoring work plan that is submitted to the HPO for review and comment.

**Additional Comments**

Thank you again for providing the opportunity to review and comment on this project. The HPO looks forward to receiving a draft MOA for review and comment, as well as an *Application for Project Authorization Under the New Jersey Register of Historic Places Act* (N.J.S.A. 13:1B-15.128 et seq.) pertaining to any properties listed in the New Jersey Register of Historic Places. Please reference the HPO project number 14-1685 in any future calls, emails, submissions, or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Meghan Baratta at (609) 292-1253 or Vincent Maresca of my staff at (609) 633-2395.

Sincerely,



Katherine J. Marcopul  
Deputy State Historic  
Preservation Officer

KJM/MMB/VM/NLZ

C:

Stephen Goodman, Regional Administrator, Region 2 Administrator, Federal Transit Administration  
Nicholas Marton, Sr., Director, NJ TRANSITGRID, NJ TRANSIT  
Harold Olarte, Program Manager, BEM Systems, Inc.  
Damon Tvaryanas, Principal Senior Historian, RGA, Inc.  
Robert Cotter, Director, Jersey City Historic Preservation Commission  
Dennis English, Chairperson, Hoboken Historic Preservation Commission  
Mayor Alberto Santos, Town of Kearny  
James P. Bruno, Esq., Castano Quigley LLC  
Bayonne Historic Preservation Commission  
Mayor Brian P. Stack, City of Union City  
Mayor Nicholas J. Sacco, Township of North Bergen  
Weehawken Historical Commission  
Neckole Alligood, Tribal Historic Preservation Officer, Delaware Nation  
Blair Fink, Delaware Tribe Historic Preservation Office  
Robin Dushane, Tribal Historic Preservation Officer, Eastern Shawnee Tribe of Oklahoma  
Kim Jumper, Tribal Historic Preservation Officer, Shawnee Tribe of Oklahoma  
Justin Frohwirth, President, City of Jersey City Landmarks Conservancy  
Robert Foster, Director, Hoboken Historical Museum  
William LaRosa, Director, Hudson County Office of Cultural Affairs & Tourism  
Mr. Richard Wilson, President, Jersey Central Chapter, National Railway Historical Society  
Jim Mackin, President, Roebling Chapter, Society for Industrial Archeology  
Dr. Ilene Grossman-Bailey, President, Archaeological Society of New Jersey  
Gerard Karabin, City Historian, Union City Museum of History