
Appendix D: List of Agency Correspondence

- *New Jersey Department of Environmental Protection (NJDEP) Natural Heritage Program (NHP) Review Request Letter- May 14, 2015*
- *NJDEP NHP Review Request Letter- February 22, 2016*
- *NJDEP Office of Permit Coordination and Environmental Review Notice of Intent to Prepare and Environmental Impact Statement Comment Letter- February 24, 2016*
- *NJDEP NHP Response Letter- March 8, 2016*
- *Request for U.S. Army Corps of Engineers (USACE) 404 Permit Schedule Concurrence- March 23, 2016*
- *National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) Threatened and Endangered Species Determination Request Letter- July 19, 2016*
- *NJDEP Green Acres Program Jurisdictional Determination Request Letter- July 19, 2016*
- *NOAA NMFS Response Letter- August 4, 2016*
- *Tideland Search Certification- February 24, 2017*
- *NJDEP Green Acres Program Jurisdictional Determination Request Letter- March 28, 2017*
- *NOAA NMFS Response Letter- March 31, 2017*
- *USFWS IPaC – April 3, 2017*
- *NJ SHPO Historic Architectural Resources Background Study (HARBS) and Effects Assessment and Phase 1A Archaeological Survey Submittal Letter- June 16, 2017*
- *NJDEP Green Acres Program Jurisdictional Determination Response Letter- November 22, 2017*
- *USFWS IPaC System Report- December 19, 2017*
- *NJDEP NHP Review Response Letter- January 10, 2018*
- *NJ SHPO Supplemental Information Submittal Letter- January 26, 2018*
- *NOAA Essential Fish Habitat (EFH) Coordination- February 23, 2018*
- *Tideland Search Certification- February 23, 2018*
- *USFWS IPaC System Report- March 13, 2018*
- *NJ SHPO Consultation Comments Letter- April 24, 2018*
- *Federal Aviation Administration (FAA) Invitation for Participation- September 28, 2018*
- *NOAA NMFS: EFH Coordination – October 24, 2018*
- *NOAA NMFS: EFH Coordination – October 25, 2018*
- *FAA Response to Invitation- November 23, 2018*
- *US Environmental Protection Agency (US EPA) Response to Comments- March 19, 2019*

Appendix D: List of Agency Correspondence

New Jersey Department of Environmental Protection (NJDEP) Natural Heritage Program (NHP) Review Request Letter- May 14, 2015



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Forestry Services

Mail Code 501-04

ONLM - Natural Heritage Program

P.O. Box 420

Trenton, NJ 08625-0420

Tel. #609-984-1339

Fax. #609-984-1427

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

May 14, 2015

John Pabish
Amy S. Greene Environmental Consultants, Inc.
4 Walter E. Foran Boulevard, Suite 209
Flemington, NJ 08822-4666

Re: NJ Transit Tier III Transit Grid Project - ASGECI # 3853

Dear Mr. Pabish:

Thank you for your data request regarding rare species information for the above referenced project site in Kearny and Secaucus Towns and Jersey City, Hudson County.

Searches of the Natural Heritage Database and the Landscape Project (Version 3.1) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the topographic map(s) submitted with the Request for Data into our Geographic Information System. We do not typically verify that your project bounds are accurate, or check them against other sources.

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as 'Yes' in Table 1.

We have also checked the Landscape Project habitat mapping and Biotics Database for all occurrences of rare wildlife species or wildlife habitat within one mile of the referenced site. Please refer to Table 2 (attached) to determine if any rare wildlife species or wildlife habitat is documented within one mile of the project site. Detailed reports are provided for each category coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

For requests submitted as part of a Flood Hazard Area Control Act (FHACA) rule application, we report records for all rare plant species and ecological communities tracked by the Natural Heritage Program that may be on your project site. (In some borderline cases these records may be described as on or in the immediate vicinity of your project site.) A subset of these plant species are also covered by the FHACA rules when the records are located within one mile of the project site. One mile searches for plant species will only report occurrences for those plant species identified under the FHACA regulations as being critically dependent on the watercourse. Please refer to Table 2 (attached) to determine if any rare plant species covered by the FHACA rules have been documented. Detailed reports are provided for each category coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State's best habitats for rare and endangered species and ecological communities. Please refer to Tables 1 and 2 (attached) to determine if any priority sites are located on or within one mile of the project site.

A list of rare plant species and ecological communities that have been documented from the project site, referenced above, can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.html>. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes_2010.pdf.

If you have questions concerning the wildlife records or wildlife species mentioned in this response, we recommend that you visit the interactive NJ-GeoWeb website at the following URL, <http://www.state.nj.us/dep/gis/geoweb splash.htm> or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.

PLEASE SEE 'CAUTIONS AND RESTRICTIONS ON NHP DATA', which can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/newcaution2008.pdf>.

Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Cartica', with a horizontal line extending to the right.

Robert J. Cartica
Administrator

c: NHP File No. 15-4007461-7645

Table 1: On Site Data Request Search Results (7 Possible Reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Possibly on Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	Yes	1 page(s) included
2. On or In the Immediate Vicinity of the Project Site Based on Search of the Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
3. Natural Heritage Priority Sites On Site	No	0 pages included
4. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Species Based Patches	Yes	1 page(s) included
5. Vernal Pool Habitat on the Project Site Based on Search of Landscape Project 3.1	No	0 pages included
6. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Stream Habitat File	No	0 pages included
7. Other Animal Species On the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	Yes	1 page(s) included

**Possibly on Project Site Based on Search of
Natural Heritage Database: Rare Plant Species and
Ecological Communities Currently Recorded in the New
Jersey Natural Heritage Database**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Regional Status	Grank	Srank	Identified	Last Observed	Location
-----------------	-------------	---------------------------	-------------------------	-----------------	-------	-------	------------	---------------	----------

Vascular Plants

Ptelea trifoliata var. trifoliata	Wafer-ash		E	LP, HL	G5T5	S1	Y - Yes	2010-07-28	2009: Just below summit of Snake Hill (also known as Laurel Hill) along west side of Old Road, 1.2 miles east-northeast of where Belleville Turnpike (State Route 7) passes underneath NJ Turnpike (I-95), northwest side of NJ Turnpike, Secaucus Station, Hudson County.
-----------------------------------	-----------	--	---	--------	------	----	---------	------------	--

Total number of records: 1

<p align="center">Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Species Based Patches</p>

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<i>Aves</i>								
	Brown Thrasher	Toxostoma rufum	Breeding Sighting	2	NA	Special Concern	G5	S3B,S4N
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Northern Harrier	Circus cyaneus	Non-breeding Sighting	2	NA	Special Concern	G5	S1B,S3N
	Osprey	Pandion haliaetus	Foraging	3	NA	State Threatened	G5	S2B
	Osprey	Pandion haliaetus	Nest	3	NA	State Threatened	G5	S2B
	Peregrine Falcon	Falco peregrinus	Urban Nest	4	NA	State Endangered	G4	S1B,S3N
	Saltmarsh Sharp-tailed Sparrow	Ammodramus caudacutus	Breeding Sighting	2	NA	Special Concern	G4	S3B,S4N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N

**Other Animal Species
On the Project Site Based on
Additional Species Tracked by
Endangered and Nongame Species Program**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Grank	Srank
-----------------	-------------	---------------------------	-------------------------	-------	-------

Vertebrate Animals

Malaclemys terrapin terrapin	Northern Diamondback Terrapin			G4T4Q	S3
------------------------------	-------------------------------	--	--	-------	----

Total number of records: 1

Table 2: Within 1 Mile for FHACA Searches (6 possible reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Rare Plant Species Covered by the Flood Hazard Area Control Act Rule Within One Mile of the Project Site Based on Search of Natural Heritage Database	Yes	1 page(s) included
2. Natural Heritage Priority Sites within 1 mile	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.1 Species Based Patches	Yes	2 page(s) included
4. Vernal Pool Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.1	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.1 Stream Habitat File	No	0 pages included
6. Other Animal Species Within One Mile of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	Yes	1 page(s) included

**Rare Plant Species Covered by the
Flood Hazard Area Control Act Rule
Within One Mile of the Project Site Based on Search of
Natural Heritage Database**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Regional Status	Grank	Srank	Identified	Last Observed
<i>Vascular Plants</i>								
Ptelea trifoliata var. trifoliata	Wafer-ash		E	LP, HL	G5T5	S1	Y - Yes	2010-07-28
Total number of records:		1						

**Rare Wildlife Species or Wildlife Habitat Within One
Mile of the Project Site Based on Search of
Landscape Project 3.1 Species Based Patches**

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Strank
Aves								
	Barn Owl	Tyto alba	Non-breeding Sighting	2	NA	Special Concern	G5	S3B,S3N
	Black-crowned Night-heron	Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Brown Thrasher	Toxostoma rufum	Breeding Sighting	2	NA	Special Concern	G5	S3B,S4N
	Cattle Egret	Bubulcus ibis	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Least Bittern	Ixobrychus exilis	Breeding Sighting-Confirmed	2	NA	Special Concern	G5	S3B,S3N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Northern Harrier	Circus cyaneus	Breeding Sighting	4	NA	State Endangered	G5	S1B,S3N
	Northern Harrier	Circus cyaneus	Non-breeding Sighting	2	NA	Special Concern	G5	S1B,S3N
	Osprey	Pandion haliaetus	Foraging	3	NA	State Threatened	G5	S2B
	Osprey	Pandion haliaetus	Nest	3	NA	State Threatened	G5	S2B
	Peregrine Falcon	Falco peregrinus	Urban Nest	4	NA	State Endangered	G4	S1B,S3N

<p align="center">Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.1 Species Based Patches</p>

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
	Pied-billed Grebe	Podilymbus podiceps	Breeding Sighting-Confirmed	4	NA	State Endangered	G5	S1B,S3N
	Savannah Sparrow	Passerculus sandwichensis	Breeding Sighting	3	NA	State Threatened	G5	S2B,S4N
	Sedge Wren	Cistothorus platensis	Breeding Sighting	4	NA	State Endangered	G5	S1B,S1N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Yellow-crowned Night-heron	Nyctanassa violacea	Foraging	3	NA	State Threatened	G5	S2B,S2N

**Other Animal Species
Within One Mile of the Project Site Based on
Additional Species Tracked by
Endangered and Nongame Species Program**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Grank	Srank
-----------------	-------------	---------------------------	-------------------------	-------	-------

Vertebrate Animals

Malaclemys terrapin terrapin	Northern Diamondback Terrapin			G4T4Q	S3
------------------------------	-------------------------------	--	--	-------	----

Total number of records: 1

Appendix D: List of Agency Correspondence

NJDEP NHP Review Request Letter- February 22, 2016

February 22, 2016
TIERIII- 1041

Submitted Via E-mail to Natlands@dep.nj.gov

State of New Jersey Department of Environmental Protection
The New Jersey Natural Heritage Program
DEP - Office of Natural Lands Management
Mail Code 501-04/ P.O. Box 420
501 E. State Street, Station Plaza #5, 4th Floor
Trenton, New Jersey 08625-0420

**RE: NJDEP Natural Heritage Review Request
NJ TransitGrid Project
Town of Kearny, City of Jersey City, Hudson County, New Jersey**

To Whom It May Concern:

On behalf of New Jersey TRANSIT (NJ TRANSIT), BEM Systems, Inc. (BEM) submits this Natural Heritage Review Request to the New Jersey Department of Environmental Protection (NJDEP) for the above referenced site. The Proposed Project is located in the town of Kearny and the city of Jersey City, in Hudson County. The microgrid power plant (Main Facility) is located between the Hackensack and Passaic Rivers.

The Proposed Project will provide an electric power generation system, called a microgrid, to provide energy to operate a portion of the NJ TRANSIT and Amtrak rail systems, including some sections of the Amtrak Northeast Corridor and NJ TRANSIT Morris & Essex line, and the NJ TRANSIT Hudson-Bergen Light Rail (HBLR) system. The Proposed Project will also be designed to support non-traction loads including the signal system on a portion of the NJ TRANSIT Main Line (so that diesel trains can operate during power outages), signal systems at NJ TRANSIT HBLR stations and at the NJ TRANSIT Hoboken Terminal, and other NJ TRANSIT signal power, tunnel ventilation, pumping, and lighting loads. Please see the enclosed USGS Site Location map (USGS Quadrangle Jersey City, NJ and Elizabeth, NJ) for a general site location.

New Jersey TRANSIT is currently proposing to:

1. Build a natural gas-fired generation plant (Main Facility). In addition to the Main Facility, project-related substations, transformers, and frequency converters will be built on the Main Facility site to accommodate the different power needs of Amtrak's Northeast Corridor and NJ TRANSIT's commuter and light rail services.
2. The Main Facility site contains no sanitary sewers. Plans for sanitary service will be developed in consultation with HCIA and other developers of the Redevelopment Area for connection to a gravity sanitary sewer located in the right-of-way of NJ Route 7 (Belleville Turnpike) or one located at the intersection of Jacobus and Pennsylvania avenues. Storm water flows will be discharged using an on-site detention basin and other best management practices to maintain peak rates of discharge and minimize the potential for erosion and sedimentation.
3. Pipeline-quality natural gas will be delivered via a new interconnection with one of the existing high pressure transmission lines that traverse a six-acre parcel in the Redevelopment Area. From the Main Facility site, the new gas line will extend eastward along the southern border of the Redevelopment Area, run beneath the Morris & Essex line, and southward within the six acre parcel to connect to an existing pipeline.
4. A double-circuit 230 kilovolt (kV) transmission line between the Main Facility site and the existing NJ TRANSIT Mason Substation will be installed running along the NJ TRANSIT right-of-way. The existing transmission towers will be evaluated for structural soundness to determine whether they can support the new transmission lines. New transmission towers may have to be installed depending on the results of the structural survey. The NJ TRANSIT Mason Substation will be expanded to accommodate two new 230 kV feeders. The Main Facility site will be coincident with the M&E Line and no property acquisition is anticipated to be required for these improvements.
5. One or two new 13 kV feeders from Henderson substation will be installed along the NJ TRANSIT HBLR right-of-way to provide a microgrid connection for the existing traction facilities. Because NJ TRANSIT's HBLR passenger stations are adjacent to the light rail lines, it will be possible to supply power to the passenger stations directly from the traction feeders using a small single-phase transformer. NJ TRANSIT's West End and Henderson 13 kV substations will be reconfigured to accommodate an additional feeder from the Main Facility site.
6. A new substation near Amtrak's Sub 41 substation will be constructed to accommodate the microgrid connections. Two new 138 kV Hz single-phase overhead circuits along NJ

TRANSIT's right-of-way, connecting the transformers and frequency converters at the Main Facility site to the new substation will be installed.

Please provide us with your findings regarding threatened and endangered species at your earliest convenience. Should you require any additional information or have any questions, please do not hesitate to call our office.

Sincerely,

Anna R. Loss

BEM Systems, Inc.

Environmental Scientist, Permitting
& Ecological Services

Enclosures:

Completed Natural Heritage Request Form

Figure 1 – USGS Site Location Map



State of New Jersey
Mail Code 501-04
Department of Environmental Protection
Natural Heritage Data Request Form
The New Jersey Natural Heritage Program
DEP-Office of Natural Lands Management
P.O. Box 420, Trenton, New Jersey 08625-0420
(609) 984-1339
Fax No.: (609) 984-1427



PLEASE PRINT AND SUBMIT COMPLETED FORM WITH ATTACHMENTS TO THE ADDRESS ABOVE
(Fields shown in bold font must be completed in order for data request to be processed.)

1. Name: Anna Loss Agency/Company: BEM Systems
Address: 100 Passaic Avenue City: Chatam
State: NJ Zip: 07928 Daytime Phone: 908.598.2600 Ext.: 117
Cell Phone: _____ Email: ALoss@BEMSYS.COM
2. Project Name: NJ TRANSIT GRID Traction Power System
Municipality(ies): Heary and Jersey City County(ies): Hudson
Block(s): See accompanying figure Lot(s): _____
N.A.D. 1983 State Plane Coordinates (feet) 6 digits only: E (x): 606,819 N (y): 697,006
3. Project Description: Proposed project is an approximate 104-megawatt (mw) natural gas fired power plant and associated to provide traction power to enable trains to operate during widespread power outages on a portion of the NJ Transit and AMTRAK systems
4. USGS Quad: ☒ A copy of a USGS quad map(s) that clearly indicates the site boundary is included with this form. Specify name of USGS quad(s): Heary / Jersey City
(USGS quad maps are required, unless prior arrangements have been made to submit site boundaries in an alternate format. Responses will be delayed if site locations are not delineated in a suitable format.)
5. Flood Hazard Control Act Use: Is this request submitted as part of a Flood Hazard Area Control Act rule (N.J.A.C. 7:13) application? Yes ☒ No _____
6. Acknowledgement & Signature: Any material supplied by the Office of Natural Lands Management will not be published without crediting the Natural Heritage Database as the source of the material. It is understood that there will be a charge of \$70.00 per hour for the services requested. An invoice will be sent with the request response and payment should be made by check or money order payable to "Office of Natural Lands Management."

Signed _____

Date 2/15/16

Time Frame for Response:

Data requests are processed in the order in which they are received; please allow 30 days for response. If you would like to send in your data request via email, you may do so by sending it to Natlands@dep.nj.gov. Due to the number of attachments, we cannot fax results. Unless you specifically request that your response be mailed or the response is unusually large, your response will be emailed to the address you provide.

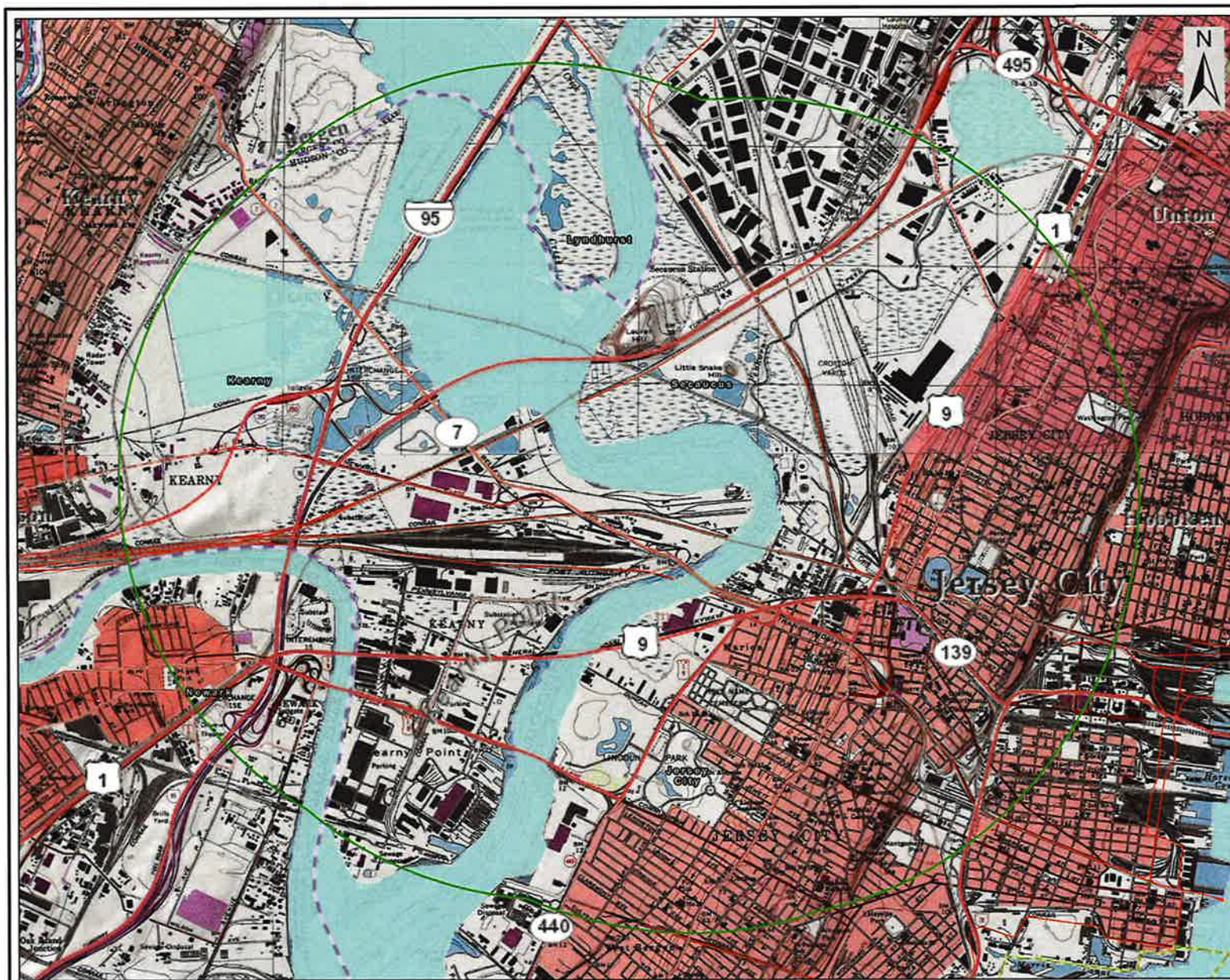
FOR OFFICE USE ONLY

DATE RECEIVED _____

Item Code: REG _____ ST _____ RTC _____ NC _____ REGEO _____ STEO _____ RTCEO _____ NCEO _____

Hrs: _____

Project Code: _____ Inv. #: _____



Legend

- Study Area - Two Mile Radius
- NJ Transit Rail Alignment
- Roads
- Municipalities

0 2,000 4,000
Feet

Service Layer Credits: Copyright: © 2013 National Geographic Society, i-cubed
Sources: Esri, DeLorme, USGS, NPS
Aerial: NJGIN (2012)



Figure X:
Study Area (Two Miles) Topo Map

**NJ TRANSIT Grid Traction
Power System**

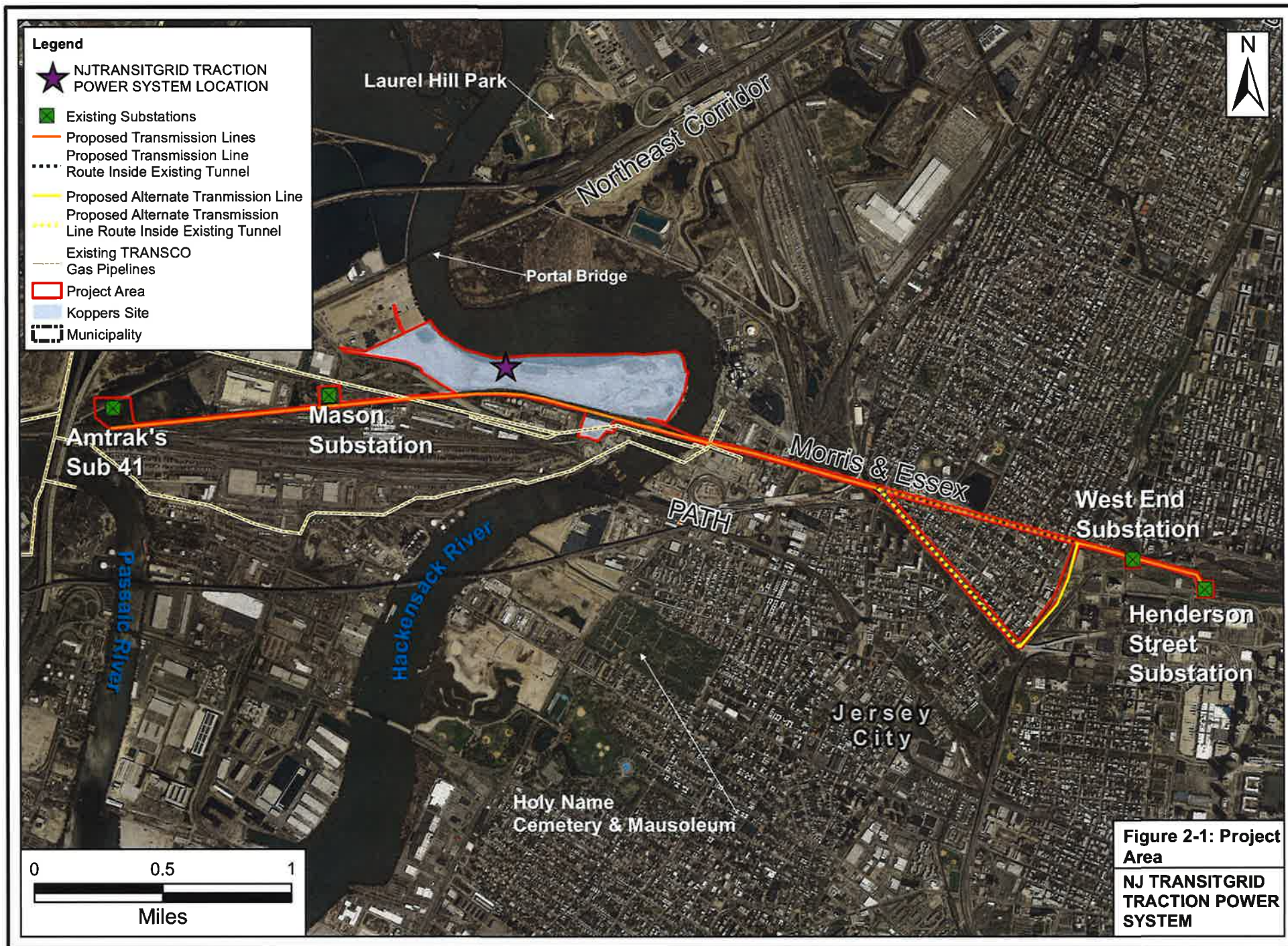
**Draft Environmental Impact
Statement**

Project No.:
TierIII-01

Date:
July 2015



100 Passaic Avenue
Chatham, NJ 07928
P. (908) 598-2600



Appendix D: List of Agency Correspondence

NJDEP Office of Permit Coordination and Environmental Review Notice of Intent to Prepare and Environmental Impact Statement Comment Letter- February 24, 2016



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF PERMIT COORDINATION AND ENVIRONMENTAL REVIEW

P.O. Box 420 Mail Code 401-07J Trenton, New Jersey 08625-0420
Telephone Number (609) 292-3600

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

February 24, 2016

Mr. Nick Marton, Project Manager
NJ Transit Resilience Program
Capital Planning and Programs Department
One Penn Plaza East, 8th floor
Newark, NJ 07105

**RE: NJ Transit Grid Traction Power System
Kearny, Hudson County
NEPA Notice of Intent to Prepare a Draft EIS
and Scoping Document Comments**

Dear Mr. Marton:

The New Jersey Department of Environmental Protection's (Department) Office of Permit Coordination and Environmental Review (PCER) distributed, for review and comment, the Notice of Intent to Prepare an Environmental Impact Statement (EIS for the proposed NJ Transit Grid Traction Power System 104 MW Natural Gas fired power plant at the Koppers Coke Redevelopment Area in Kearny, Hudson County. This notice was posted in accordance with the National Environmental Policy Act (NEPA) and the Federal Transit Administration regulations and guidance for implementing NEPA. This project will also involve construction of a natural gas connection line and transmission line construction as well as support structures. On behalf of the Department, we offer the following comments:

LAND USE REGULATIONS

The proposed preferred location for the facility is parcel #13. This is located in the Meadowlands District adjacent to the Hackensack River and the proposed transmission line routes are located partially outside the Meadowlands District. The department concurs with scoping document finding that Flood Hazard Area and Freshwater Wetlands permits may be required for this project. While any impacts will be minimized, if wetlands impacts cannot be avoided, the EIS will include NJ Transit plans to mitigate those impacts as required according to Department regulation.

It is advised that NJ TRANSIT request a pre-application meeting with the Division of Land Use Regulation (DLUR) office prior to the submission of any applications. Please contact Charlie Welch at (609) 633-2696 to arrange a pre-application meeting or to discuss any questions you may have at this time.

AIR QUALITY

The Department's Bureau of Mobile Sources has the following comment regarding the use of diesel construction equipment.

Diesel exhaust contributes the highest cancer risk of all air toxics in New Jersey and is a major source of NO_x within the state. Therefore, NJ DEP recommends that construction projects involving non-road diesel construction equipment operating in a small geographic area over an extended period of time implement the following measures to minimize the impact of diesel exhaust:

1. All on-road vehicles and non-road construction equipment operating at, or visiting, the construction site shall comply with the three minute idling limit, pursuant to N.J.A.C. 7:27-14 and N.J.A.C. 7:27-15. Consider purchasing "No Idling" signs to post at the site to remind contractors to comply with the idling limits. Signs are available for purchase from the Bureau of Mobile Sources at 609/292-7953 or <http://www.stopthesoot.org/sts-no-idle-sign.htm>.
2. All non-road diesel construction equipment greater than 100 horsepower used on the project for more than ten days should have engines that meet the USEPA Tier 4 non-road emission standards, or the best available emission control technology that is technologically feasible for that application and is verified by the USEPA or the CARB as a diesel emission control strategy for reducing particulate matter and/or NO_x emissions.
3. All on-road diesel vehicles used to haul materials or traveling to and from the construction site should use designated truck routes that are designed to minimize impacts on residential areas and sensitive receptors such as hospitals, schools, daycare facilities, senior citizen housing, and convalescent facilities

If you have any additional questions, please contact Jeff Cantor at (609) 292-2232.

NATURAL RESOURCES

The Department's Division of Fish & Wildlife's (DFW) Office of Environmental Review (OER) has the following comments.

The Department concurs with the findings of the scoping document that a full assessment of any critical habitat, plant and migratory bird species in the proposed project area will be conducted and summarized in the Draft EIS. This includes identifying any bald eagle restricted nesting areas and any general construction timing restrictions to protect nesting birds covered under the Migratory Bird Treaty Act or any identified threatened or

endangered species. Please include in the Draft EIS jpeg shape files for the site and for transmission lines.

If you have any additional questions, please contact Kelly Davis at (908) 236-2118.

CULTURAL RESOURCES

HPO Project No. 14-1685-2
HPO-B2016-101

The Historic Preservation Office (HPO) concurs with Section 7.9 of the December 2015 *NJ Transitgrid Traction Power System Draft Scoping Document* that the proposed undertaking is subject to review pursuant to Section 106 of the National Historic Preservation Act with the Federal Rail Administration (FRA) as the lead federal agency. The HPO looks forward to consultation with FRA and other consulting parties through the Section 106 process, and Section 4(f) as necessary, to identify National Register of Historic Places eligible and listed historic and archaeological resources (historic properties), assess project affects on historic properties, and avoid, minimize, and/or mitigate any adverse project effects on historic properties through agreement documents developed in consultation.

The project area as currently defined (Figure 1) contains the following known historic properties: Old Main Delaware, Lackawanna and Western Railroad Historic District; Lower Hack Draw Bridge; Standard Chlorine Chemical Company Site (SCCC) (28-Hd-44); Edison Battery Company Property; Jersey City Waterworks Pipeline; and Old and New Bergen Tunnels. Additionally, known historic properties are located within close proximity and/or within alternate proposed alignments.

If you have any questions, please do not hesitate to contact either Vincent Maresca at (609) 633-2395.

GREEN ACRES

1. The Green Acres Program will need to conduct a jurisdictional determination of properties subject to temporary and/or permanent impacts by the project to ascertain whether there are any Green Acres encumbrances and evaluate required approvals or exemptions for the proposed Project and the entity responsible for granting the exemptions and/or approvals. Currently these jurisdictions include, but are not limited to:
 - Properties acquired or developed for recreation and/or conservation purposes with assistance from the Federal Land and Water Conservation Fund which are subject to temporary or permanent impacts require approval from the National Park Service where areas of disturbance fall within the designated 6(f) boundary as determined by the Green Acres Program and the National Park Service.

- Properties that may include designated watershed properties require approvals or exemptions from the Watershed Property Review Board, which oversees designated watershed lands within the State.
 - Properties owned by the New Jersey Department of Environmental Protection (hereinafter referred to as the "Department") will require approval from the Department's Commissioner and the State House Commission (SHC). A project requesting the taking or disturbance of more than one acre of Department owned land must comply with the requirements of the Ogden-Rooney Statute (see *N.J.S.A. 13:1D-51-57*).
 - Any properties with a conservation restriction/easement on them will be required to adhere to the process outlined in the New Jersey Conservation Restriction and Historic Preservation Act. This process includes, but is not limited to public notification requirements of Public Hearing and conducting a Public Hearing, approval from the Department's Commissioner, and approval from the SHC for the release or amendment of the existing conservation restriction (see *N.J.S.A. 13:8B*).
 - Properties impacted that are held by a county, municipality, or non-profit and are encumbered by the Green Acres Program as funded or unfunded parkland will be subject to approvals by the State House Commission and Commissioner of the Department of Environmental Protection (see Green Acres Program rules at *N.J.A.C. 7:36-25 and 26*).
 - County owned properties that need to be diverted for this Project may be subject to compliance with the Lustbader Statute (see *N.J.S.A. 40A:12-13*).
2. Green Acres will need to perform a jurisdictional determination of properties anticipated to be affected by temporary disturbances, such as access roads and temporary work spaces, to assess that the disturbance is indeed temporary, and to evaluate the overall impact of the disturbance on the resources and access of the recreation and conservation areas. Temporary use of Green Acres-encumbered property must comply with *N.J.A.C. 7:36-25.14* as it concerns land held by a local government unit or non-profit. Temporary use on State-owned property will require a right-of-entry agreement.
 3. Tree removal associated with a temporary disturbance or a permanent conveyance will be subject to replacement in accordance with Green Acres Program requirements.
 4. The Green Acres parkland diversion or disposal process is a lengthy and time consuming process. The State House Commission generally meets four times a year. Sufficient time must be accorded to assure timely processing of a diversion application, which can take nine months to one year or more to complete, including State House Commission approval.
 5. The draft Scoping Document for the proposed NJ Transit Grid Traction Power System appears to indicate that the project area is limited to Kearny. Yet, the proposed transmission line continues into Jersey City. If this portion of proposed infrastructure is, indeed, part of the project area, the Green Acres Program will need

to conduct a jurisdictional determination of the properties alongside said transmission line to ascertain whether any of them are subject to the above-mentioned conditions.

We respectfully request a list of properties proposed for temporary and/or permanent impacts associated with the project, identifying those held by local government units (municipal, county, regional) and by the State of New Jersey, along with any properties held by nonprofit organizations by which we can complete a jurisdictional determination.

If you have any additional questions, please contact Caroline Armstrong, Program Specialist with the Green Acres Program - Bureau of Legal Services and Stewardship at 609-341-2056.

SAFE DRINKING WATER

The scoping document does not include a discussion as to the public water supply that would be needed to supply this proposed facility. The site is located in the service area of Kearny Water Department and a water main extension permit would be required. Kearny has currently about 3 MGD spare capacity so capacity may not be a problem but it would depend on the volume of water required for this project.

If you have any additional questions, please contact Steven Pudney at (609) 292-1656.

ENVIRONMENTAL JUSTICE

The Department also asks that the applicant consider in their review process for this project environmental justice and any impacts to the community (see enclosed). Environmental Justice (EJ) is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EJ is a guiding principle in the decision making process to address disproportionately high and adverse human health or environmental effects on minority communities and low-income populations. This involves, but is not limited to, conducting an EJ analysis for environmental impacts on the minority and low-income population in that area, completing a review of all potential environmental, cultural and historic resource impacts, identifying the various community groups, organizations and stakeholders of interest or impacted by the project, to develop useful public participation and outreach to inform decisions by engaging the community via public meetings, and incorporating community concerns in the decision making process.

For additional guidance, please contact Riche Outlaw at (609) 633-0747.

The NJDEP encourages New Jersey Transit to continue to work with the Department to minimize any impacts to the environment from the project and we also look forward to working with other agencies such as the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service in support of that shared goal.

In order to facilitate communication, NJ Transit has been provided with contacts for various Department programs. NJDEP encourages NJ Transit to continue to work closely with these program contacts as plans for this project develop. Those individuals as well as their areas of responsibility are listed below:

1. **Site Remediation** – Mr. Tim Bartle
2. **Sewer Service Consistency Determination** – Ms. Coleen Kokas
3. **Sewer Connection and Treatment Works Approval** - Mr. James Pontoriero
4. **Potable Water Supply** – Mr. Steve Pudney
5. **Land Use Coastal and Freshwater Wetlands and Flood Hazard Area** – Mr. Charlie Welch and Mr. Peter DeMeo
6. **Land Use Mitigation** - Susan Lockwood
7. **NJPDES DSW** – Mr. Pilar Patterson
8. **Stormwater Management** – Mr. Ron Bannister
9. **Green Acres** – Ms. Caroline Armstrong
10. **Air Permitting** – Mr. Baschir Bouzid and Mr. David Owen
11. **Air Planning and Mobile Sources** – Ms. Angela Skowronek and Mr. Jeff Cantor
12. **State Historic Preservation Office** - Mr. Vincent Maresca
13. **Threatened and Endangered Species** – Mr. Kelly Davis and Mr. Robert Cartica
14. **Tidelands** – Mr. Richard Castagna and Mr. Marty Mosen
15. **Environmental Justice** – Ms. Riche Outlaw

Thank you for giving the Department the opportunity to comment on the Notice of Intent to prepare and EIS and the Scoping Document for the proposed Nj Transit Grid Traction Power System. If you have any questions or would like to schedule a pre-application meeting at any time, please call me at (609) 292-3600 or via email at

ruth.foster@dep.nj.gov. Please also notify this office when an application is submitted to the Department so we may track the permits required to complete this project. We look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ruth W. Foster', is written over a horizontal line.

Ruth W. Foster, PhD., P.G, Acting Director
Office of Permit Coordination
and Environmental Review

Enclosure

C: John Gray, NJDEP-Deputy Chief of Staff
Vincent Maresca, NJDEP – HPO
Kelly Davis, NJDEP - DFW
Angela Skowronek, NJDEP – BAQP
Charlie Welch, NJDEP – DLUR
Jeff Cantor, NJDEP- Bureau of Mobile Sources
Bachir Bouzid, NJDEP Air Permitting
Tim Bartle, NJDEP SRP
Martin Mosen, NJDEP Tidelands

New Jersey Office of Environmental Justice: Guidance for Federal National Environmental Policy Act and New Jersey Executive Order No. 215 Reviews.

What is Environmental Justice?

Environmental Justice, as defined by the United States Environmental Protection Agency (USEPA), is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, income or a community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1944, 25 U.S.C.479a, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Both *Fair Treatment* and *Meaningful Involvement* are implicit within the aforementioned definition:

Fair Treatment - no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.

Meaningful Involvement - (1) potentially affected community members have an appropriate opportunity to participate in decisions about a proposed activity that will affect their human health or environment; (2) the public's input can influence the regulatory agency's decision; (3) the concerns of all participants involved will be considered in the decision-making process; and (4) the decision-makers seek out and facilitate the involvement of those potentially affected.

Correspondingly, the State of New Jersey is committed to ensuring that all of its citizens receive equal protection under the law; enjoy a healthy environment; and are given opportunities for consistent input into governmental decision-making.

Incorporating Environmental Justice into the Environmental Review Process

The Federal National Environmental Policy Act (NEPA) and State Executive Order No. 215 (EO 215) reviews for all large complex projects (including schools) across multiple Department Programs are facilitated and coordinated through the NJ Department of Environmental Protection (DEP) Office of Permit Coordination and Environmental Review (PCER).

1. Guidance Related to Environmental Justice and NEPA

In light of Federal Executive Order 12898, the Council on Environmental Quality (CEQ) issued *"Environmental Justice; Guidance under the National Environmental Policy Act, December 1997."* This guidance includes six principles for environmental justice analyses to determine any disproportionately high and adverse human health or environmental effects to low-income, minority, and tribal populations.

The principles are:

- a. consider the composition of the affected area to determine whether low-income, minority or tribal populations are present and whether there may be disproportionately high and adverse human health or environmental effects on these populations;
- b. consider relevant public health and industry data concerning the potential for multiple exposures or cumulative exposure to human health or environmental hazards in the affected population, as well as historical patterns of exposure to environmental hazards;
- c. recognize the interrelated cultural, social, occupational, historical, or economic factors that may amplify the natural and physical environmental effects of the proposed action;
- d. develop effective public participation strategies;
- e. assure meaningful community representation in the process, beginning at the earliest possible time; and
- f. seek tribal representation in the process.

2. Guidance Related to Environmental Justice and Executive Order No. 215

Pursuant to Section I of Executive Order No. 215, "[all] departments, agencies and authorities of the State of New Jersey shall prepare and submit to the Department of Environmental Protection (NJDEP) an Environmental Assessment (EA) or Environmental Impact Statement (EIS)..[as specified therein]..in support of major construction projects. Projects directly initiated by departments, agencies, or authorities of the State, as well as projects in which the State departments, agencies, or authorities are granting at least 20 percent financial assistance, shall comply with..[EO 215]."

For the purpose of determining an appropriate level of review, projects shall be categorized as follows:

a) Level 1 - projects with anticipated construction costs in excess of \$1 million shall be subject to the preparation of an EA. The assessment shall follow guidelines prepared by the NJDEP, attached to EO 215. Alternatively, an EA prepared to support a "Finding of No Significant Impact" under the NEPA may be substituted for an assessment otherwise required pursuant to the EO 215 attachment; or

b) Level 2 - projects with both construction costs in excess of \$5 million and land disturbance in excess of five acres shall be subject to the preparation of an EIS. The statement shall follow guidelines prepared by the NJDEP, attached to EO 215.

Pursuant to *Attachment to EO 215 of 1989: Guidelines for the preparation of an EIS/EA (Revised and Updated – April 23, 2002)*, an EIS/EA shall provide all of the information needed to evaluate the effects of the proposed project upon the environment.

With specific regard to Environmental Justice, a project sponsor or its consultant(s) should discuss how Environmental Justice was considered during the environmental decision making process, with particular attention given to Section III, Part E(3) of the aforementioned Attachment. Furthermore, in accordance with the requirements outlined within the *Permit Readiness Checklist* issued by the NJDEP Office of Permit Coordination and Environmental Review, a project sponsor or its consultant(s) should, at a minimum address the following questions associated with meaningful and early community engagement in a project's approval process:

- (a) What community groups and stakeholders have you identified that may be interested in or impacted by this project?
- (b) How have you or will you engage community and stakeholders in this project? Please supply individuals or stakeholder groups contacted or who have been identified for community engagement.
- (c) What are the potential impacts of this project on the community?
- (d) How do you intend to mitigate these potential impacts?
- (e) What are the community concerns or potential concerns about this project?
- (f) How do you intend to address these concerns?
- (g) As part of this project, do you plan to perform any environmental improvements in this community? If yes, describe.

Meaningful community engagement, as required by the NJDEP, should ensure that stakeholders in communities overburdened by significant environmental stressors are given a full and fair opportunity to participate in the permitting process, especially where the action could pose significant impacts to their health and environment. For guidance with enhanced techniques for community engagement, the following document is available in an electronic format online for review:

"EPA Region 2 Regional Implementation Plan to Promote Meaningful Engagement of Overburdened Communities in Permitting Activities".

I. Environmental Justice Analysis:

As referenced in Section III, Part E(3) of the aforementioned Attachment, the objective of Environmental Justice analysis (EJ Analysis), if completed, is to identify minority and low-income populations potentially affected by the Project in order to determine whether the proposed Project would result in a potentially disproportionate impact to these populations.

II. Main Steps in an Environmental Justice Analysis:

An EJ Analysis generally considers a number of factors, including proximity and exposure to environmental hazards, presence of susceptible populations, unique exposure pathways (e.g., cultural practices, subsistence diets), multiple and cumulative effects from environmental and health hazards, ability to participate in the decision-making process, and physical infrastructure (e.g., schools, access to health care). While there is no standard formula for how an EJ analysis should be conducted, there are general principles and steps that most analyses follow:

- **Step 1**—identify the affected subpopulations, including low-income populations, minority populations, or tribal communities;
- **Step 2**—engage in a public and transparent dialogue with potentially affected subpopulations;
- **Step 3**—determine the affected environment, including the geographic scale of potential impact and the demographic composition within that geographic boundary;
- **Step 4**—analyze how environmental and health effects are distributed and assess potential exposure and risk vectors;
- **Step 5**—develop and select alternatives in close collaboration with the subpopulations that may be disproportionately affected. The magnitude of disproportionate impact should be a factor in the environmentally preferable alternative; and,

- **Step 6**—evaluate immediate and long-term impacts on the affected environment and communities.

Note: In support of the aforementioned principles, the use of "EJSCREEN", an environmental justice screening and mapping tool, developed by the USEPA assists in fostering collaboration, building transparency, and facilitating vital citizen engagement. To access the tool online, visit: <http://www2.epa.gov/ejscreen>.

III. Principles and Methodologies incorporated into Environmental Justice Analyses: Environmental Justice analyses incorporate principles and methodologies from a number of different tools. *Segmentation analysis* may be used as part of an EJ analysis to help identify vulnerable populations, as well as trends within those specific subpopulations. *Cumulative risk assessment* may be used to help analyze the distribution of environmental and health effects across different subpopulations and communities. Other tools that support EJ analysis are *health impact assessment* and *benefit-cost analysis*.

IV. Where to Find More Information about Environmental Justice Analysis:

- USEPA's Office of Environmental Justice released "*An Update on Ongoing and Future EPA Actions to Empower Communities and Advance the Integration of Environmental Justice in Decision-Making and Research*" in October, 2011, summarizing many of the actions EPA has taken to address EJ issues nationwide in recent years, as well as ongoing efforts.
- USEPA's "*Plan EJ 2014*" discusses overarching goals, strategies, and activities intended to support environmental justice initiatives across the Agency. The Plan builds on the results of two meetings: "Strengthening Environmental Justice and Decision-Making: A Symposium on the Science of Disproportionate Environmental Health Impacts" (March 17-19, 2010) and the workshop on "Analytical Methods for Assessing the Environmental Justice Implications of Environmental Regulations" (June 9-10, 2010).
- In May 2015, USEPA released the *Final Guidance on Considering Environmental Justice during the Development of a Regulatory Action*. This guidance was created to ensure understanding and foster consistency with efforts across USEPA's programs and regions to consider environmental justice and make a visible difference in America's communities.
- The Baltimore Regional Transportation Board incorporated "*Environmental Justice Concerns into Transportation Planning*" with the assistance of five different tools developed by researchers at several universities. These tools, assembled into an "*Environmental Justice and Transportation Toolkit*", allow

users to investigate accessibility of neighborhoods and engage community members in the process.

- Council on Environmental Quality, *"Environmental justice: Guidance under the National Environmental Policy Act,"* Executive Office of the President, Editor 1997, White House: Washington, DC.
- USEPA, *"Final Guidance for Consideration of Environmental Justice in Clean Air Act 309 Reviews,"* Office of Federal Activities, Editor 1999, USEPA: Washington, DC.
- USEPA, *"Final guidance for incorporating environmental justice concerns in EPA's NEPA compliance analyses,"* Office of Federal Activities, Editor 1998, US EPA: Washington, DC.
- *"USEPA Region 2 Interim Environmental Justice Policy,"* December 2000.
- *USEPA Region 2 Regional Implementation Plan to Promote Meaningful Engagement of Overburdened Communities in Permitting Activities.*
- *USEPA Activities To Promote Environmental Justice in the Permit Application Process: A Notice by the Environmental Protection Agency on May 9, 2013 - "Promising Practices for Permit Applicants Seeking EPA-Issued Permits: Ways to Engage Neighboring Communities".*
- *"EJSCREEN", an Environmental Justice Screening and Mapping Tool* publically released by USEPA on June 10, 2015. To access the tool online, visit: <http://www2.epa.gov/ejscreen>.

Environmental Justice Exemptions from the Provisions of EO 215:

With respect to the provisions of EO 215, sections 7 through 9 outline the types of projects, authorities, or commissions that are exempt from the Order.

Appendix D: List of Agency Correspondence

NJDEP NHP Response Letter- March 8, 2016



State of New Jersey

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION Division of Parks & Forestry

State Forestry Service
Mail Code 501-04
Office of Natural Lands Management – Natural Heritage Program
P.O. Box 420
Trenton, NJ 08625-0420
Tel. (609) 984-1339 FAX (609) 984-1427

BOB MARTIN
Commissioner

March 8, 2016

Anna Loss
BEM Systems, Inc.
100 Passaic Avenue
Chatham, NJ 07928

Re: NJ TransitGrid Traction Power System
Kearny Town and Jersey City, Hudson County

Dear Ms. Loss:

Thank you for your data request regarding rare species information for the above referenced project site in Kearny Town and Jersey City, Hudson County.

Searches of the Natural Heritage Database and the Landscape Project (Version 3.1) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the topographic map(s) submitted with the Request for Data into our Geographic Information System. We do not typically verify that your project bounds are accurate, or check them against other sources.

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as 'Yes' in Table 1.

We have also checked the Landscape Project habitat mapping and Biotics Database for all occurrences of rare wildlife species or wildlife habitat within one mile of the referenced site. Please refer to Table 2 (attached) to determine if any rare wildlife species or wildlife habitat is documented within one mile of the project site. Detailed reports are provided for each category coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

For requests submitted as part of a Flood Hazard Area Control Act (FHACA) rule application, we report records for all rare plant species and ecological communities tracked by the Natural Heritage Program that may be on your project site. (In some borderline cases these records may be described as on or in the immediate vicinity of your project site.) A subset of these plant species are also covered by the FHACA rules when the records are located within one mile of the project site. One mile searches for plant species will only report occurrences for those plant species identified under the FHACA regulations as being critically dependent on the watercourse. Please refer to Table 2 (attached) to determine if any rare plant species covered by the FHACA rules have been documented. Detailed reports are provided for each category coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State's best habitats for rare and endangered species and ecological communities. Please refer to Tables 1 and 2 (attached) to determine if any priority sites are located on or within one mile of the project site.

NHP File No. 16-4007461-9466

A list of rare plant species and ecological communities that have been documented from the county (or counties), referenced above, can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.html>. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes_2010.pdf.

If you have questions concerning the wildlife records or wildlife species mentioned in this response, we recommend that you visit the interactive NJ-GeoWeb website at the following URL, <http://www.state.nj.us/dep/gis/geoweb splash.htm> or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.

PLEASE SEE 'CAUTIONS AND RESTRICTIONS ON NHP DATA', which can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/newcaution2008.pdf>.

Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Cartica', with a horizontal line extending to the right.

Robert J. Cartica
Administrator

c: NHP File No. 16-4007461-9466

Table 1: On Site Data Request Search Results (7 Possible Reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Possibly on Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. On or In the Immediate Vicinity of the Project Site Based on Search of the Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
3. Natural Heritage Priority Sites On Site	No	0 pages included
4. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Species Based Patches	Yes	1 page(s) included
5. Vernal Pool Habitat on the Project Site Based on Search of Landscape Project 3.1	No	0 pages included
6. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Stream Habitat File	No	0 pages included
7. Other Animal Species On the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

<p>Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Species Based Patches</p>
--

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<hr/>								
<i>Aves</i>								
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Northern Harrier	Circus cyaneus	Non-breeding Sighting	2	NA	Special Concern	G5	S1B,S3N
	Osprey	Pandion haliaetus	Foraging	3	NA	State Threatened	G5	S2B
	Peregrine Falcon	Falco peregrinus	Urban Nest	4	NA	State Endangered	G4	S1B,S3N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N

Table 2: Within 1 Mile for FHACA Searches (6 possible reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Rare Plant Species Covered by the Flood Hazard Area Control Act Rule Within One Mile of the Project Site Based on Search of Natural Heritage Database	Yes	1 page(s) included
2. Natural Heritage Priority Sites within 1 mile	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.1 Species Based Patches	Yes	2 page(s) included
4. Vernal Pool Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.1	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.1 Stream Habitat File	No	0 pages included
6. Other Animal Species Within One Mile of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	Yes	1 page(s) included

**Rare Plant Species Covered by the
Flood Hazard Area Control Act Rule
Within One Mile of the Project Site Based on Search of
Natural Heritage Database**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Regional Status	Grank	Srank	Identified	Last Observed
-----------------	-------------	------------------------------	----------------------------	--------------------	-------	-------	------------	------------------

Vascular Plants

Ptelea trifoliata var. trifoliata	Wafer-ash		E	LP, HL	G5T5	S1	Y - Yes	2010-07-28
--------------------------------------	-----------	--	---	--------	------	----	---------	------------

Total number of records: 1

**Rare Wildlife Species or Wildlife Habitat Within One
Mile of the Project Site Based on Search of
Landscape Project 3.1 Species Based Patches**

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Strank
Aves								
	Barn Owl	Tyto alba	Non-breeding Sighting	2	NA	Special Concern	G5	S3B,S3N
	Black-crowned Night-heron	Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Brown Thrasher	Toxostoma rufum	Breeding Sighting	2	NA	Special Concern	G5	S3B,S4N
	Cattle Egret	Bubulcus ibis	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Least Bittern	Ixobrychus exilis	Breeding Sighting-Confirmed	2	NA	Special Concern	G5	S3B,S3N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Northern Harrier	Circus cyaneus	Non-breeding Sighting	2	NA	Special Concern	G5	S1B,S3N
	Osprey	Pandion haliaetus	Foraging	3	NA	State Threatened	G5	S2B
	Osprey	Pandion haliaetus	Nest	3	NA	State Threatened	G5	S2B
	Peregrine Falcon	Falco peregrinus	Urban Nest	4	NA	State Endangered	G4	S1B,S3N
	Pied-billed Grebe	Podilymbus podiceps	Breeding Sighting-Confirmed	4	NA	State Endangered	G5	S1B,S3N

<p align="center">Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.1 Species Based Patches</p>

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Strank
<i>Osteichthyes</i>	Saltmarsh Sharp-tailed Sparrow	Ammodramus caudacutus	Breeding Sighting	2	NA	Special Concern	G4	S3B,S4N
	Sedge Wren	Cistothorus platensis	Breeding Sighting	4	NA	State Endangered	G5	S1B,S1N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Tricolored Heron	Egretta tricolor	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Yellow-crowned Night-heron	Nyctanassa violacea	Foraging	3	NA	State Threatened	G5	S2B,S2N
	Shortnose Sturgeon	Acipenser brevirostrum	Migration Corridor - Adult Sighting	5	Federally Listed Endangered	State Endangered	G3	S1

**Other Animal Species
Within One Mile of the Project Site Based on
Additional Species Tracked by
Endangered and Nongame Species Program**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Grank	Srank
-----------------	-------------	---------------------------	-------------------------	-------	-------

Vertebrate Animals

Malaclemys terrapin terrapin	Northern Diamondback Terrapin			G4T4Q	S3
------------------------------	-------------------------------	--	--	-------	----

Total number of records: 1

Appendix D: List of Agency Correspondence

*Request for U.S. Army Corps of Engineers (USACE) 404 Permit Schedule
Concurrence- March 23, 2016*



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

Region II
New York
New Jersey

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

March 23, 2016

Mr. Jim Cannon
Biologist, Regulatory Branch
United States Army Corps of Engineers, New York District
26 Federal Plaza, Room 1937
New York, NY 10278-0090

SUBJECT: NJ Transitgrid Traction Power System Project
Request for 404 Permit Schedule Concurrence for Infrastructure Permitting Dashboard

The Federal Transit Administration (FTA) seeks concurrence from the United States Army Corps of Engineers (USACE) for the proposed milestone schedule provided below for the Clean Water Act Section 404 permit (Permit) for the proposed NJ Transitgrid Power Traction System project (Project). As you know, USACE is a Cooperating Agency in the NEPA review of this proposed Project and is also the jurisdictional agency for the Permit. FTA requests this concurrence by April 1, 2016 in order to comply with the submission requirements of the Office of Management and Budget's Infrastructure Permitting Dashboard.

Proposed Project Permit schedule:

- | | |
|--|--------------|
| • Initial Application Received | October 2016 |
| • Issuance of Decision for Permit/Approval | October 2017 |

Thank you for your anticipated assistance. Please feel free to contact me at 212-668-2180 or Mr. John McKee at 212-824-2427 if you have any questions.

Sincerely,

Nina Chung
Community Planner

cc: John Geitner, NJ Transit

Appendix D: List of Agency Correspondence

National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) Threatened and Endangered Species Determination Request Letter- July 19, 2016

July 19, 2016
TIERIII-1041

Ms. Karen Greene
Habitat Conservation Division - Northeast Region
National Marine Fisheries Service
James J. Howard Marine Sciences Laboratory
74 Magruder Road
Highlands, New Jersey 07732

**RE: NMFS Threatened and Endangered Species Determination Request
NJ TRANSITGRID Traction Power System
Town of Kearny and City of Jersey City, Hudson County, New Jersey**

Dear Ms. Greene:

On behalf of New Jersey TRANSIT (NJ TRANSIT), BEM Systems, Inc. (BEM) submits this Threatened and Endangered Species Determination Request to the National Marine Fisheries Service (NMFS) for the above referenced site. The Project site spans from Kearny, across the Hackensack River, and into Jersey City, as shown on the Project Area Map, on which an approximate 104-megawatt (MW) natural gas fired electric power generating plant (the Main Facility) is proposed to be constructed, with associated utility lines, stormwater features, parking areas and access drives.

The Project proposes to construct an electric power generation system, called a microgrid, to provide energy to operate a portion of the NJ TRANSIT and Amtrak rail systems, including some sections of the Amtrak Northeast Corridor and NJ TRANSIT Morris & Essex line, and the NJ TRANSIT Hudson-Bergen Light Rail (HBLR) system. Additional proposed features include:

- The construction of a new Kearny Substation to replace the existing Substation and subsequent transmission cables and poles which will require placing fill within the Cedar Creek Marsh;
- The installation of a stormwater outfall within the existing bulkhead and below the mean high water line of the Hackensack River;
- The installation of submarine cables across the Hackensack River to the eastern portion of the Project site via directional drilling and;
- The installation of a natural gas pipeline;

The only construction activities that have the potential to impact the Hackensack and/or Passaic River would be perforating the existing bulkhead for a stormwater outfall and the directional drilling for the submarine cable. There would be increased potential for on-site erosion, sedimentation and impacts to adjoining natural resources, which would be mitigated by development of a Soil Erosion and Sedimentation Control Plan, implementation of Best Management Practices (BMPs), and strict adherence to state and federal permit conditions. Any temporary disturbance required for construction of the Build

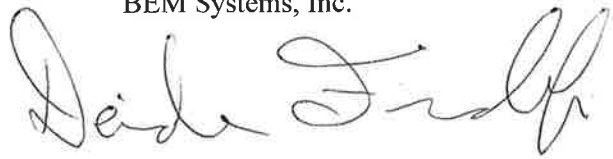
ARIZONA
FLORIDA
LOUISIANA
NEW JERSEY
VIRGINIA

Alternatives within natural resource areas would be restored with native vegetation and stabilized. Any limited temporary loss of vegetation in the riparian zones required for access would be mitigated by restoring in-kind, through seed stabilization and plantings to provide native species diversification and restore ecologic functions. Any permanent wetland disturbances would be mitigation for through the purchase of wetland mitigation bank credits.

Based on the information provided above, please provide our office with your findings regarding a threatened and endangered species determination at your earliest convenience. Should you require any additional information or have any questions, please do not hesitate to call our office.

Sincerely,

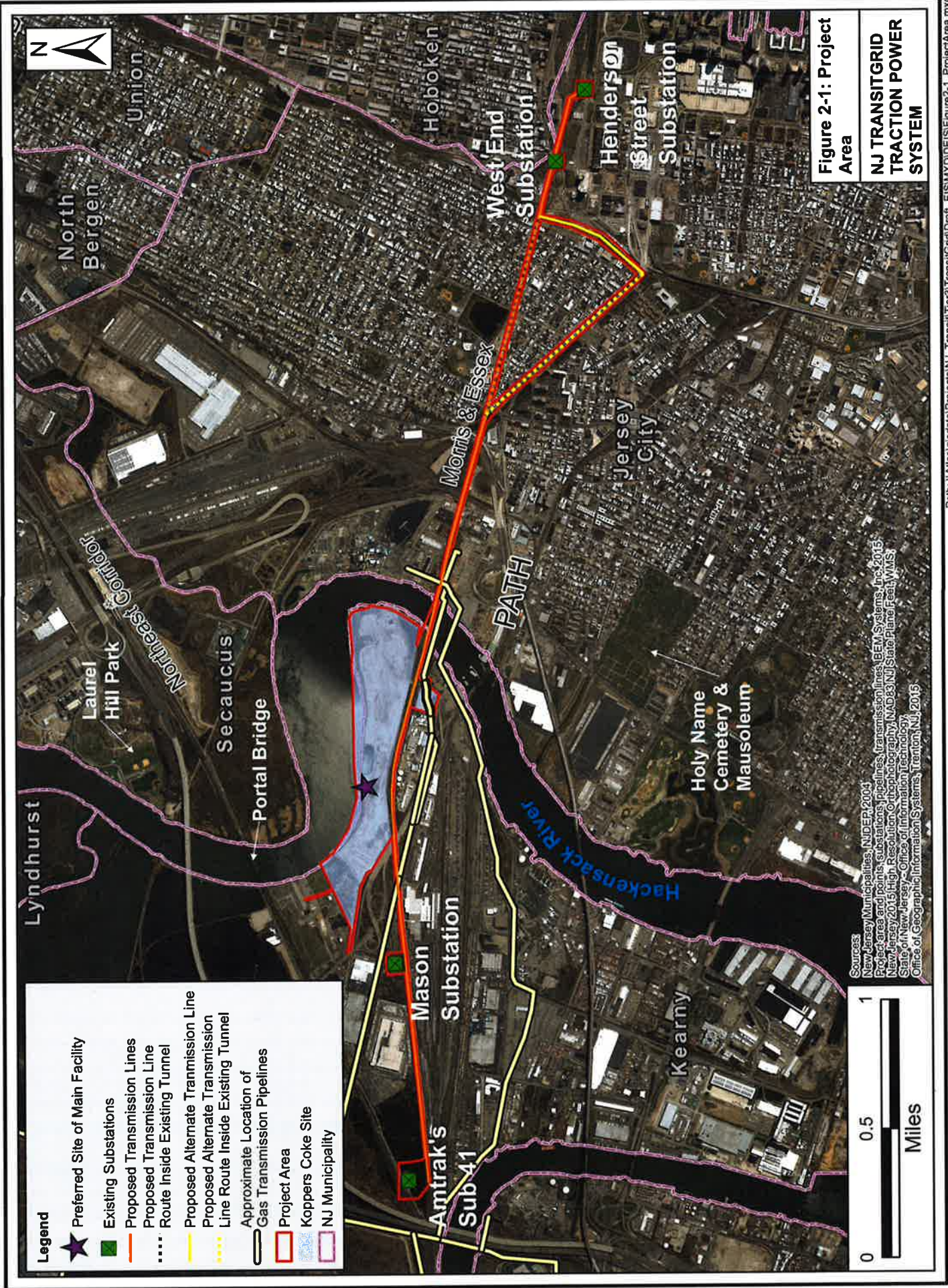
BEM Systems, Inc.



Deidra Friedhoff
Environmental Scientist

Enclosures:

Figure 1 – Project Area



Appendix D: List of Agency Correspondence

NJDEP Green Acres Program Jurisdictional Determination Request Letter- July 19, 2016

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Richard T. Hammer, Acting Commissioner
Dennis J. Martin, Interim Executive Director

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

July 19, 2016

Caroline Armstrong, Program Specialist
New Jersey Department of Environmental Protection
Green Acres Program
Bureau of Legal Services and Stewardship
Mail Code 501-01, P.O. Box 420
Trenton, NJ 08625-0420

**Re: NJ TRANSITGRID TRACTION POWER SYSTEM
Green Acres Program—Jurisdictional Determination**

Dear Ms. Armstrong:

The New Jersey Transit Corporation (NJ TRANSIT) and the Federal Transit Administration (FTA) are preparing an Environmental Impact Statement (EIS) for the NJ TRANSITGRID TRACTION POWER SYSTEM (the "proposed Project"). The proposed Project will include an approximate 104-megawatt (MW) natural gas fired electric power generating plant (referred to as the Main Facility) and associated infrastructure to provide traction power (needed to electrify railroad tracks) to enable trains to operate during widespread power failures on a portion of the NJ TRANSIT and Amtrak systems. The proposed Project also will be designed to support non-traction loads including the signal system on a portion of the NJ TRANSIT Main Line (so that diesel trains can operate during power outages), limited traction power for Hudson Bergen Light Rail and electrical loads at NJ TRANSIT Hudson-Bergen Light Rail Stations, the NJ TRANSIT Hoboken Terminal, and other NJ TRANSIT signal power, tunnel ventilation, pumping, and lighting loads. The preferred site for the Main Facility is in Kearny, New Jersey. Proposed transmission lines would extend from the Main Facility to substations in Kearny and be located primarily within the railroad's right-of-way. Transmission lines would also extend across the Hackensack River into Jersey City, with alternate routes identified within and outside of the railroad's right-of-way.

In a letter dated February 24, 2016 (attached), NJDEP requested a list of properties that would be temporarily or permanently affected by the proposed Project in order to conduct a Green Acres Program jurisdictional determination. Enclosed please find the list of properties, which is based on preliminary project plans and the Hudson County Tax Records online database system. A color-coded map depicting the potentially affected properties and the nature of the temporary or permanent impacts is also enclosed. This list represents a conservative assessment of all properties that could potentially be affected during construction of the proposed Project (including consideration of construction access).

As of the date of this letter, none of the listed properties (blocks or lots) appear to be subject to Green Acres encumbrances based on our review of the Green Acres Program ROSI database (<http://www.nj.gov/dep/greenacres/openspace.html>). Please confirm if any Green Acre

jurisdictions apply to the properties in the enclosed list beyond what is currently reflected in the ROSI database.

Thank you for your continued coordination on this important project. Please feel free to contact me at (856) 614-7003 or nmarton@njtransit.com with any questions.

Sincerely,

A handwritten signature in dark ink, consisting of a stylized 'N' followed by a horizontal line.

Nicholas L. Marton
Project Manager

Enclosures

Cc: Ruth W. Foster, NJDEP
John Geitner, NJ TRANSIT
Audrey Heffernan, BEM Systems, Inc.

NJ TRANSITGRID

Potentially Affected Properties

June 2016

Municipality Code	BLOCK	LOT	Area	Owner
0905	3	1	Trans Line	NJ TRANSIT
0906	6001	10	Alt Trans Line	Van Leer Place, LLC
0906	6001	11	Alt Trans Line	Van Leer Place, LLC
0906	6001	37	Alt Trans Line	NJ DOT
0906	6001	13	Alt Trans Line	Hudson Hospital Propco LLC
0906	6001	1	Alt Trans Line	Not Listed
0906	6001	9	Alt Trans Line	Hudson Hospital Propco LLC
0906	6001	39	Trans Line	NJ TRANSIT
0906	6001	43	Trans Line	NJ TRANSIT
0906	6001	42	Trans Line	NJ TRANSIT
0906	6001	44	Trans Line	Not Listed
0906	6001	38	Trans Line	Hoboken Motorcycle Club
0906	6002	2	Trans Line	NJ DOT
0906	6002	3	Trans Line	NJ TRANSIT
0906	6002	6	Trans Line	NJ DOT
0906	6002	1	Trans Line	Gen Tax Admin N J Bell
0906	6102	2	Trans Line	NJ TRANSIT
0906	6102	3	Trans Line	NJ DOT
0906	6102	8	Trans Line	Consolidated Rail
0906	6901	2	Alt Trans Line	Hadco Associates, LLC
0906	6901	3	Alt Trans Line	NJS Properties 1, LLC
0906	6901	9	Alt Trans Line	Jersey City
0906	6901	10	Alt Trans Line	Jersey City
0906	6901	11	Alt Trans Line	Jersey City
				102 Palisade Avenue Condominium Association Dalton, Julie Seale, Scott W. Lombardi, Lina M. Failla, Fran Marchese & Robert Duque, Jeffery
0906	6901	13	Alt Trans Line	Seale, Scott
0906	6901	14	Alt Trans Line	Palisade Avenue Condominium Association
0906	6901	15	Alt Trans Line	Hudson Hospital Propco LLC
0906	6901	16	Alt Trans Line	Hudson Hospital Propco LLC
0906	6901	17	Alt Trans Line	Hudson Hospital Propco LLC
0906	6901	18	Alt Trans Line	Not Listed
0906	6901	19	Alt Trans Line	Not Listed
0906	6901	20	Alt Trans Line	Not Listed
0906	6902	34	Alt Trans Line	Not Listed
0906	6902	11	Alt Trans Line	Not Listed
0906	6902	12	Alt Trans Line	Jersey City
0906	6902	13	Alt Trans Line	Not Listed
0906	6902	16	Alt Trans Line	Van Leer Place, LLC
0906	6902	16.02	Alt Trans Line	Van Leer Place, LLC
0906	6902	15	Alt Trans Line	Van Leer Place, LLC
0906	7302	1	Trans Line	NJ DOT
0907	284	28.04	Sub 41	AMTRAK
0907	284	28.03	Sub 41	AMTRAK
0907	284	28.01	Sub 41	42 Monmouth Street LLC
0907	284	29	Sub 41	Town of Kearny
0907	284	26.01	Sub 41	AMTRAK
0907	284	25	Sub 41	AMTRAK
0907	284	26.02	Sub 41	AMTRAK
0907	284	31	Property Access needed	US Postal Service
0907	287	62.01	Koppers Site	HCIA
0907	287	62	Koppers Site	HCIA
0907	287	61.02	Koppers Site	HCIA
0907	287	32.01	Koppers Site	HCIA
0907	287	56	Koppers Site	HCIA
0907	287	54	Koppers Site	HCIA
0907	287	55	Koppers Site	HCIA
0907	287	60	Koppers Site	HCIA
0907	287	63	Koppers Site	HCIA
0907	287	70	Koppers Site	HCIA
0907	287	70.01	Koppers Site	HCIA
0907	287	71	Koppers Site	HCIA
0907	287	61.03	Koppers Site	HCIA
0907	287	71.01	Koppers Site	HCIA
0907	287	73	Koppers Site	HCIA
0907	287	50	Property Access needed	Town of Kearny
0907	287	51	Property Access needed	Not Listed
0907	287	52	Property Access needed	Not Listed

* Not Listed - Block, Lot not included in Hudson County online Tax Records



Legend

- Proposed Transmission Lines
- Proposed Transmission Line Route Inside Existing Tunnel
- Proposed Alternate Transmission Line
- Proposed Alternate Transmission Line Route Inside Existing Tunnel
- Parcels Near Proposed and Alternate Transmission Lines
- Koppers Coke Site Parcels
- Potential Access Route
- Parcels Near Sub 41
- Other Hudson County Parcels



Appendix D: List of Agency Correspondence

NOAA NMFS Response Letter- August 4, 2016

Sandra Peterson

From Edith Carson - NOAA Federal <edith.carson@noaa.gov>
Sent Thursday, August 04, 2016 2:31 PM
o Deidra Friedhoff
Cc Karen Greene - NOAA Federal
Subject BEM Power System Hackensack NJ
Attachments esa info request hackensack.pdf

Ms. Friedhoff,

We received your letter
on

August 4, 2016

(attached), regarding

several projects occurring in the Hackensack River

In your letter, you requested a list of any Endangered Species Act (ESA) listed threatened or endangered species under our jurisdiction.

No federally listed or proposed threatened or endangered species under our jurisdiction are known to exist in or on the site of your proposed project. Based on this, no consultation in accordance with section 7 of the ESA is necessary. As such, no further coordination on this activity with the NMFS Protected Resources Division is necessary at this time. Should project plans change or new information become available that changes the basis for this determination, further coordination should be pursued. Please contact me ([978-282-8490](tel:978-282-8490) or Edith.Carson@noaa.gov), should you have any questions regarding these comments.

Magnuson-Stevens Fishery Conservation and Management Act

The project area has been designated as Essential Fish Habitat (EFH) for a number of federally managed species. Consultation between the lead federal action agency and NOAA Fisheries Habitat Conservation Division will be required as part of the federal permitting process. Additional information on EFH can be found on our website at: <http://www.greateratlantic.fisheries.noaa.gov/habitat>. Please contact Karen Greene (732) 872-3023 or Karen.Greene@noaa.gov if you have any questions or need additional information regarding EFH.

Thank you,

Edith

Edith Carson, M.Sc.
Section 7/Shortnose Sturgeon Fish Biologist
NOAA Fisheries
U.S. Department of Commerce
Greater Atlantic Regional Fisheries Office
Phone: 978-282-8490
edith.carson@noaa.gov



NOAA FISHERIES

Appendix D: List of Agency Correspondence

Tideland Search Certification- February 24, 2017



HEREBY ISSUED TO: **TIDELAND SEARCH CERTIFICATE**

ACCOUNT: 598260090

REFERENCE: TIDELANDS KEARNY

**BEM SYSTEMS
100 PASSAIC AVENUE

CHATHAM, NJ 07928**

SIGNATURE INFORMATION SOLUTIONS LLC CERTIFIES THAT ALL OR A PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO PRIOR GRANTS OR LEASES OF STATE-OWNED TIDELANDS AND OTHER RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: 693-2154 & 693-2160 - 12-JUN-74

TIDELANDS MAP DATE: 12-JUN-1974

DESIGNATED PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: TOWN OF KEARNY

BLOCK: 287

LOT: 61.03

STREET NUMBER & NAME: MEADOWS

AS SHOWN ON TAX MAP DATED OR LAST REVISED ON: 01-JAN-2009

SEARCH RESULTS

FINDINGS: CLAIMED

TYPE OF CLAIM: WATER COURSE

APPROXIMATE SIZE OF CLAIM: 1%

DATED: 24-FEB-2017

FEE: \$35.00

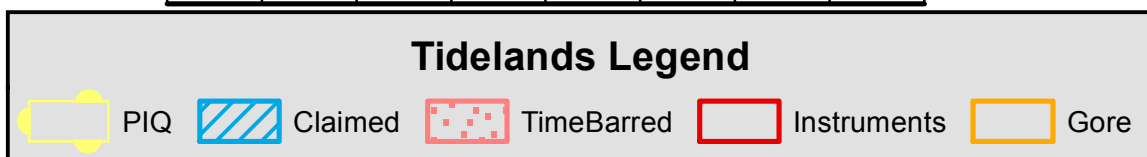
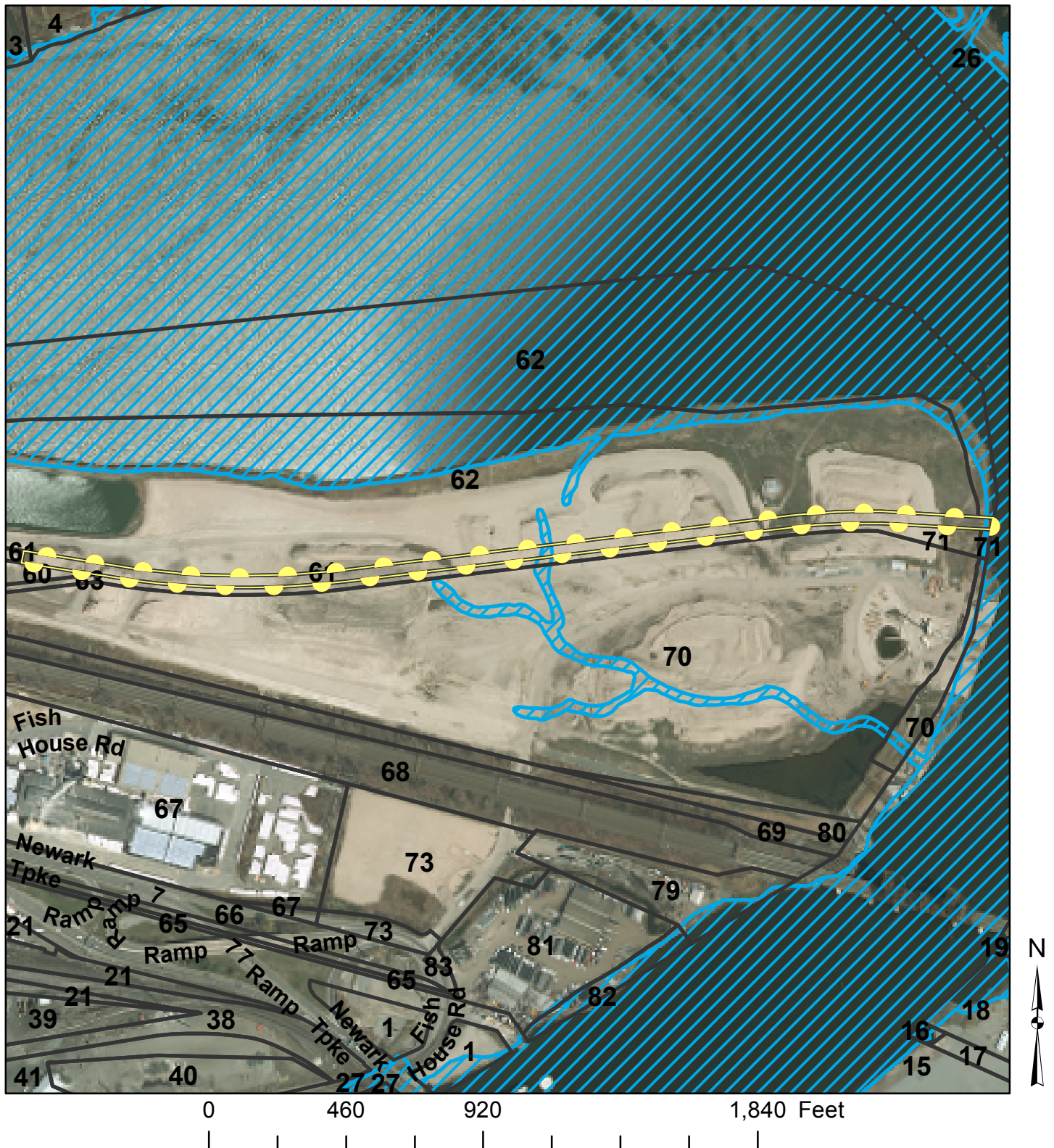
TAX: \$0.00

TOTAL: \$35.00

**Signature Information Solutions LLC
has executed this certificate**

TD17-055-1571

Tidelands Claim Search



The claim and property lines depicted are a scaled representation and are for informational purposes only. Results are based on the NJ State Tideland Conveyance Maps and are subject to the Tideland Reservation Statement. Signature is not responsible for errors or omissions in the State's data.



GRANT SEARCH

ACCOUNT: 598260090

REFERENCE: TIDELANDS KEARNY

**BEM SYSTEMS
100 PASSAIC AVENUE**

CHATHAM, NJ 07928

SUBJECT PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: TOWN OF KEARNY

BLOCK: 287

LOT: 61.03

TAX MAP PAGE: M4,M5,

APPLICABLE TIDELAND MAP NUMBER: 693-2154 & 693-2160 - 12-JUN-74

IN RESPONSE TO YOUR REQUEST, SIGNATURE INFORMATION SOLUTIONS LLC., HAS REVIEWED THE CONVEYANCE MAPS OF THE NEW JERSEY TIDELANDS MANAGEMENT BUREAU FOR PRIOR TIDELAND INSTRUMENTS WHICH MAY AFFECT ON THE ABOVE-REFERENCED PROPERTY. THE RESULTS ARE AS FOLLOWS:

TIDELAND INSTRUMENTS FOUND AS FOLLOWS:

TIDELANDS BUREAU FILE DATA

TYPE	RECIPIENT	DATE	CASE#	LIBER BOOK	PAGE
GRANT	HUDSON COUNTY IMPROVEMENT AUTH	07-NOV-1990		U-7	120

WE RECOMMEND CAREFUL REVIEW OF THE INSTRUMENT(S) LISTED ABOVE. SIGNATURE INFORMATION SOLUTIONS LLC IS SIMPLY REPORTING THAT THESE INSTRUMENTS APPEAR IN THE RECORDS OF THE TIDELANDS MANAGEMENT BUREAU, AND IT ASSUMES NO RESPONSIBILITY FOR THEIR NATURE, EXTENT OR VALIDITY.

DATED: 24-FEB-2017

FEE: NO CHARGE

TIDELAND SEARCH #: TD17-055-1571

GRANTSEARCH #: GS17-058-1634



HEREBY ISSUED TO:

TIDELAND SEARCH CERTIFICATE

ACCOUNT: 598260090

REFERENCE: TIDELANDS KEARNY

**BEM SYSTEMS
100 PASSAIC AVENUE

CHATHAM, NJ 07928**

SIGNATURE INFORMATION SOLUTIONS LLC CERTIFIES THAT ALL OR A PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO PRIOR GRANTS OR LEASES OF STATE-OWNED TIDELANDS AND OTHER RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: 693-2154 & 693-2160 - 12-JUN-74

TIDELANDS MAP DATE: 12-JUN-1974

DESIGNATED PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: TOWN OF KEARNY

BLOCK: 287

LOT: 62,62.01

STREET NUMBER & NAME: MEADOWS

AS SHOWN ON TAX MAP DATED OR LAST REVISED ON: 01-JAN-2009

SEARCH RESULTS

FINDINGS: CLAIMED

TYPE OF CLAIM: WATER COURSE & SHORELINE

APPROXIMATE SIZE OF CLAIM: 57%

DATED: 24-FEB-2017

FEE: \$35.00

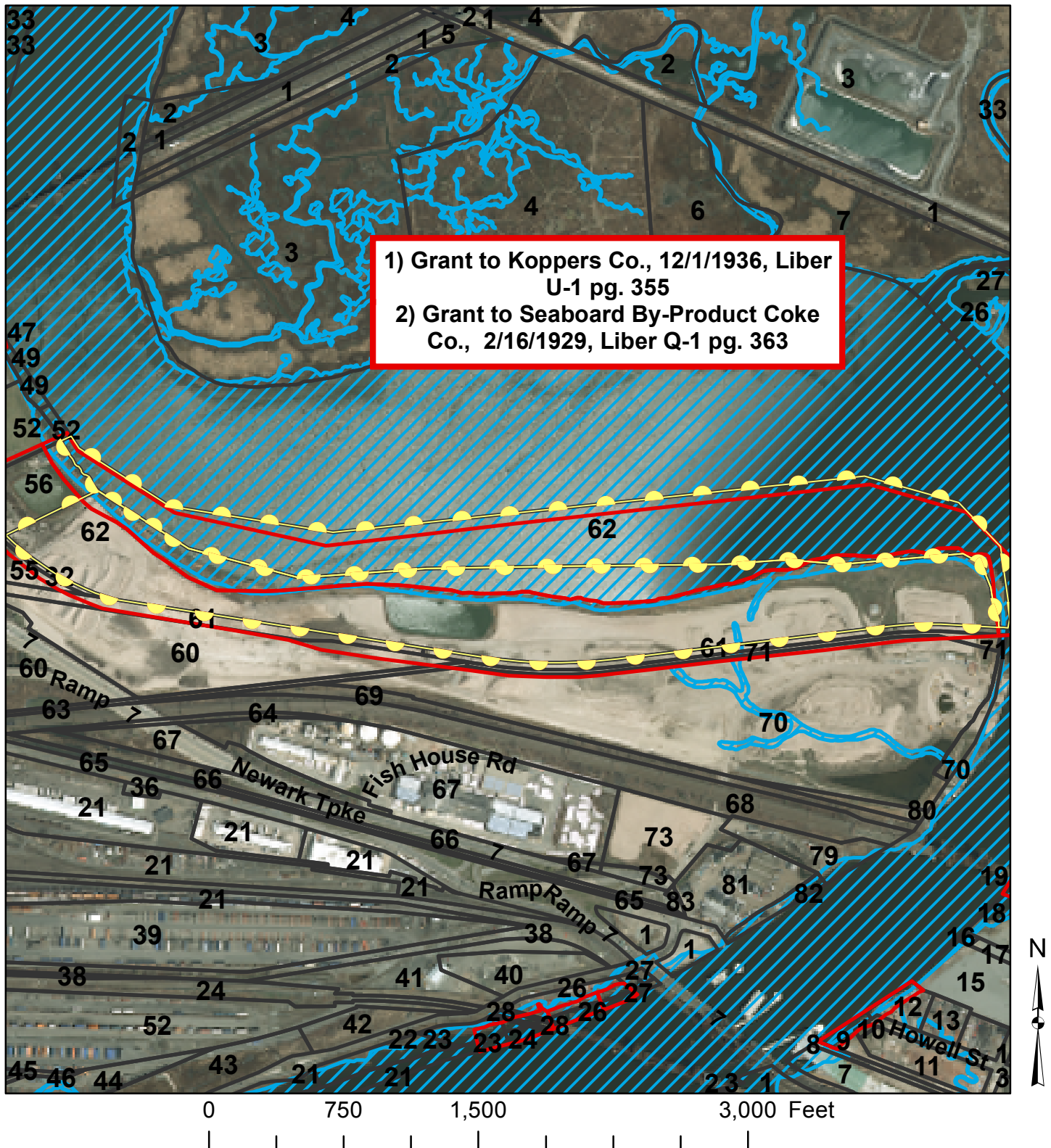
TAX: \$0.00

TOTAL: \$35.00

**Signature Information Solutions LLC
has executed this certificate**

TD17-055-1572

Tidelands Claim Search



The claim and property lines depicted are a scaled representation and are for informational purposes only. Results are based on the NJ State Tideland Conveyance Maps and are subject to the Tideland Reservation Statement. Signature is not responsible for errors or omissions in the State's data.



GRANT SEARCH

ACCOUNT: 598260090

REFERENCE: TIDELANDS KEARNY

BEM SYSTEMS
100 PASSAIC AVENUE

CHATHAM, NJ 07928

SUBJECT PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: TOWN OF KEARNY

BLOCK: 287

LOT: 62,62.01

TAX MAP PAGE: M4,M5,

APPLICABLE TIDELAND MAP NUMBER: 693-2154 & 693-2160 - 12-JUN-74

IN RESPONSE TO YOUR REQUEST, SIGNATURE INFORMATION SOLUTIONS LLC., HAS REVIEWED THE CONVEYANCE MAPS OF THE NEW JERSEY TIDELANDS MANAGEMENT BUREAU FOR PRIOR TIDELAND INSTRUMENTS WHICH MAY AFFECT ON THE ABOVE-REFERENCED PROPERTY. THE RESULTS ARE AS FOLLOWS:

TIDELAND INSTRUMENTS FOUND AS FOLLOWS:

TIDELANDS BUREAU FILE DATA

TYPE	RECIPIENT	DATE	CASE#	LIBER BOOK	PAGE
GRANT	KOPPERS CO.	01-DEC-1936		U-1	355
GRANT	SEABOARD BY-PRODUCT COKE CO.	16-DEC-1929		Q-1	363

WE RECOMMEND CAREFUL REVIEW OF THE INSTRUMENT(S) LISTED ABOVE. SIGNATURE INFORMATION SOLUTIONS LLC IS SIMPLY REPORTING THAT THESE INSTRUMENTS APPEAR IN THE RECORDS OF THE TIDELANDS MANAGEMENT BUREAU, AND IT ASSUMES NO RESPONSIBILITY FOR THEIR NATURE, EXTENT OR VALIDITY.

DATED: 24-FEB-2017

FEE: NO CHARGE

TIDELAND SEARCH #: TD17-055-1572

GRANTSEARCH #: GS17-058-1625



HEREBY ISSUED TO:

TIDELAND SEARCH CERTIFICATE

ACCOUNT: 598260090

REFERENCE: TIDELANDS KEARNY

**BEM SYSTEMS
100 PASSAIC AVENUE

CHATHAM, NJ 07928**

SIGNATURE INFORMATION SOLUTIONS LLC CERTIFIES THAT ALL OR A PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO PRIOR GRANTS OR LEASES OF STATE-OWNED TIDELANDS AND OTHER RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: 693-2154 & 693-2160 - 12-JUN-74

TIDELANDS MAP DATE: 12-JUN-1974

DESIGNATED PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: TOWN OF KEARNY

BLOCK: 287

LOT: 70,70.01

STREET NUMBER & NAME: NWK/JC TPKE

AS SHOWN ON TAX MAP DATED OR LAST REVISED ON: 01-JAN-2009

SEARCH RESULTS

FINDINGS: CLAIMED

TYPE OF CLAIM: WATER COURSE & SHORELINE

APPROXIMATE SIZE OF CLAIM: 3%

DATED: 24-FEB-2017

FEE: \$35.00

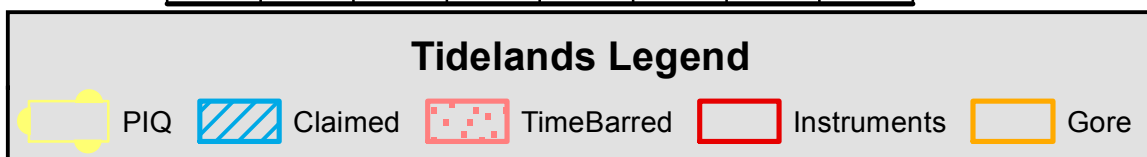
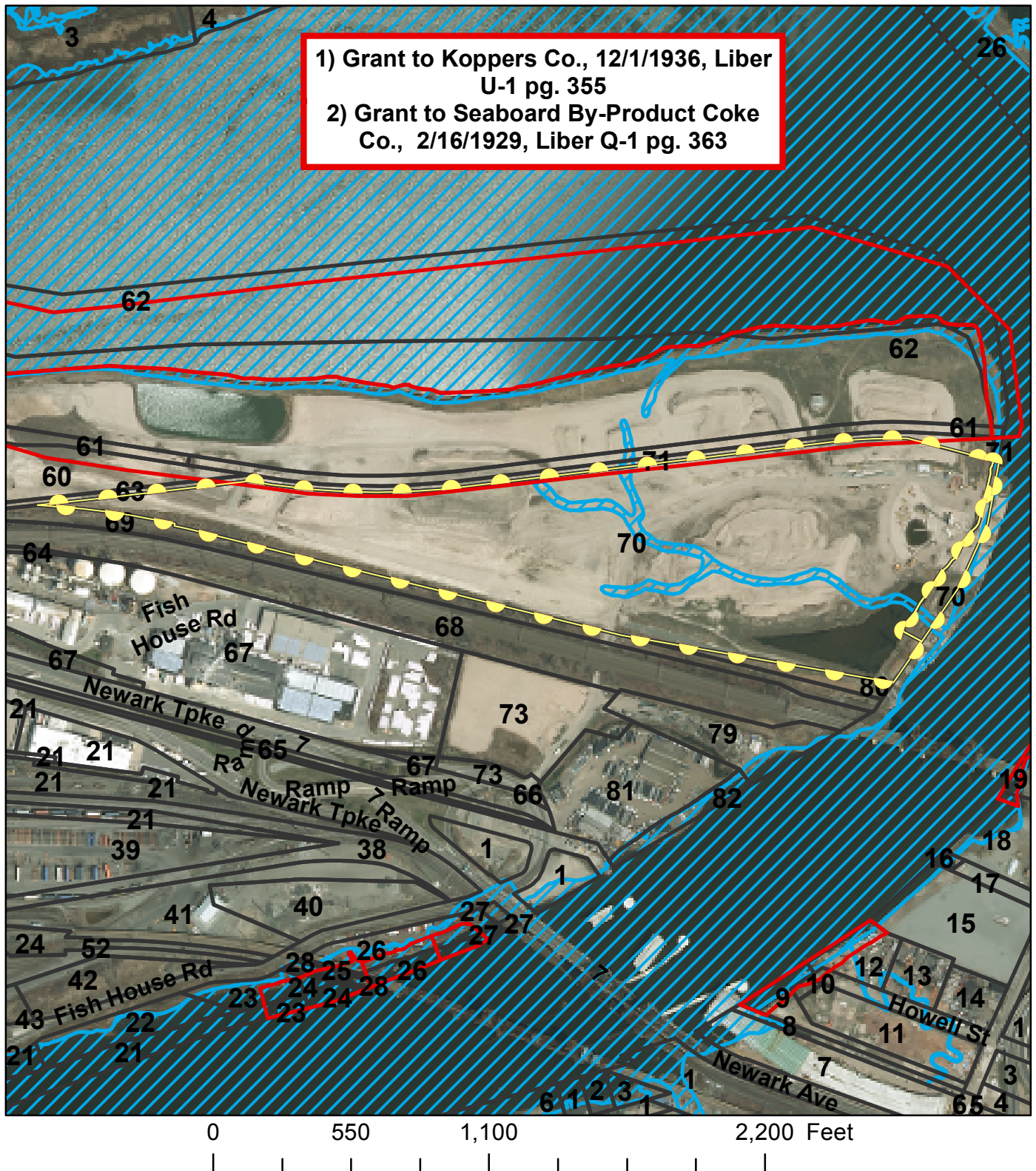
TAX: \$0.00

TOTAL: \$35.00

**Signature Information Solutions LLC
has executed this certificate**

TD17-055-1573

Tidelands Claim Search



The claim and property lines depicted are a scaled representation and are for informational purposes only. Results are based on the NJ State Tideland Conveyance Maps and are subject to the Tideland Reservation Statement. Signature is not responsible for errors or omissions in the State's data.



GRANT SEARCH

ACCOUNT: 598260090

REFERENCE: TIDELANDS KEARNY

**BEM SYSTEMS
100 PASSAIC AVENUE**

CHATHAM, NJ 07928

SUBJECT PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: TOWN OF KEARNY

BLOCK: 287

LOT: 70,70.01

TAX MAP PAGE: M4,M5,

APPLICABLE TIDELAND MAP NUMBER: 693-2154 & 693-2160 - 12-JUN-74

IN RESPONSE TO YOUR REQUEST, SIGNATURE INFORMATION SOLUTIONS LLC., HAS REVIEWED THE CONVEYANCE MAPS OF THE NEW JERSEY TIDELANDS MANAGEMENT BUREAU FOR PRIOR TIDELAND INSTRUMENTS WHICH MAY AFFECT ON THE ABOVE-REFERENCED PROPERTY. THE RESULTS ARE AS FOLLOWS:

TIDELAND INSTRUMENTS FOUND AS FOLLOWS:

TIDELANDS BUREAU FILE DATA

TYPE	RECIPIENT	DATE	CASE#	LIBER BOOK	PAGE
GRANT	KOPPERS CO.	01-DEC-1936		U-1	355
GRANT	SEABOARD BY-PRODUCT COKE CO.	17-APR-1916		U	721

WE RECOMMEND CAREFUL REVIEW OF THE INSTRUMENT(S) LISTED ABOVE. SIGNATURE INFORMATION SOLUTIONS LLC IS SIMPLY REPORTING THAT THESE INSTRUMENTS APPEAR IN THE RECORDS OF THE TIDELANDS MANAGEMENT BUREAU, AND IT ASSUMES NO RESPONSIBILITY FOR THEIR NATURE, EXTENT OR VALIDITY.

DATED: 24-FEB-2017

FEE: NO CHARGE

TIDELAND SEARCH #: TD17-055-1573

GRANTSEARCH #: GS17-058-1628



HEREBY ISSUED TO:

TIDELAND SEARCH CERTIFICATE

ACCOUNT: 598260090

REFERENCE: TIDELANDS/JERSEY CITY

**BEM SYSTEMS
100 PASSAIC AVENUE

CHATHAM, NJ 07928**

SIGNATURE INFORMATION SOLUTIONS LLC CERTIFIES THAT ALL OR A PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO PRIOR GRANTS OR LEASES OF STATE-OWNED TIDELANDS AND OTHER RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: 693-2172

TIDELANDS MAP DATE: 12-JUN-1974

DESIGNATED PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 6002

LOT: 3

STREET NUMBER & NAME: 866 JERSEY AVE.

AS SHOWN ON TAX MAP DATED OR LAST REVISED ON: 01-JAN-2009

SEARCH RESULTS

FINDINGS: CLAIMED

TYPE OF CLAIM: WATER COURSE

APPROXIMATE SIZE OF CLAIM: 2%

DATED: 24-FEB-2017

FEE: \$35.00

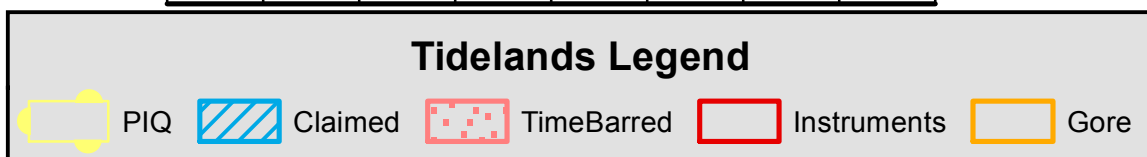
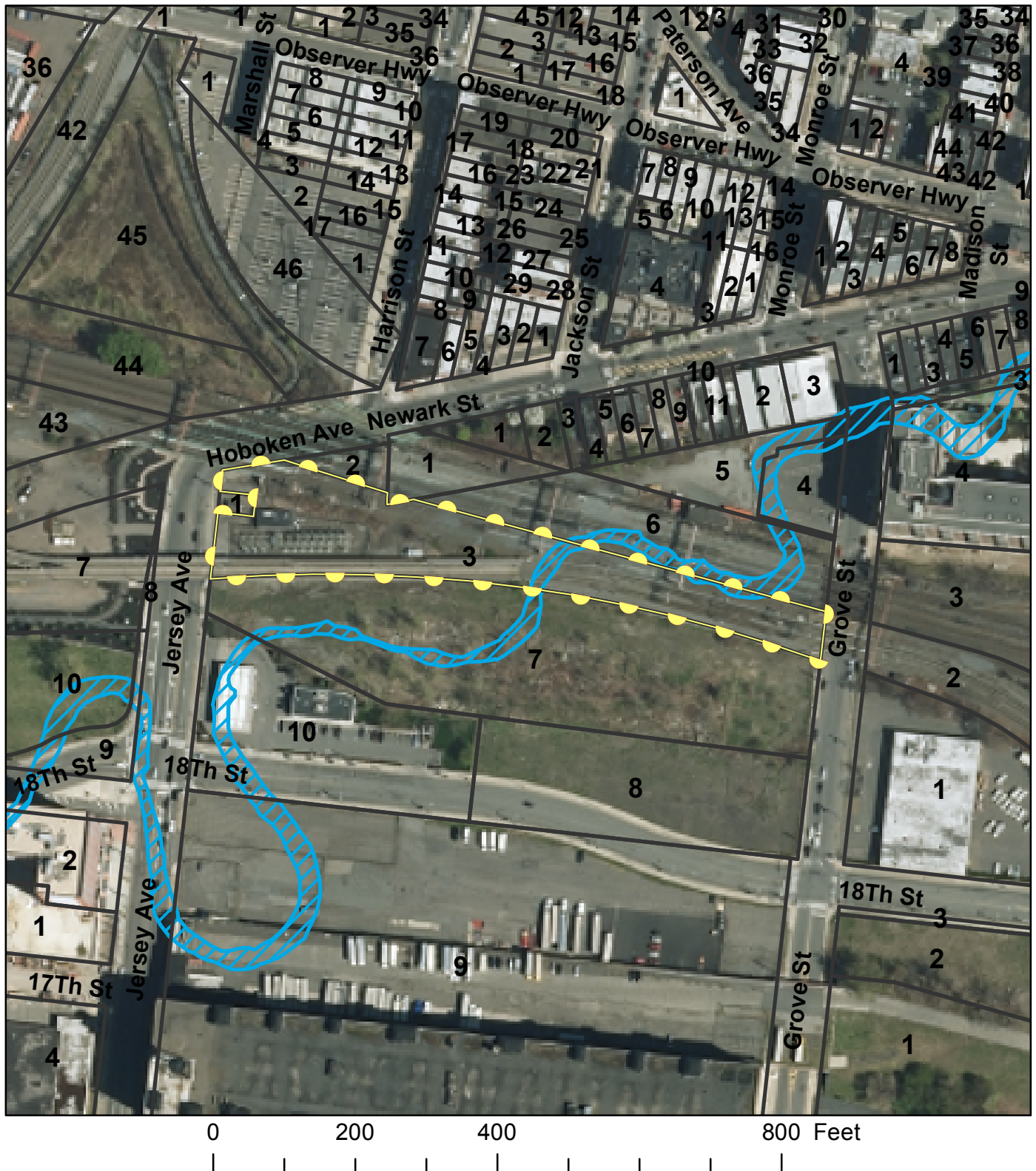
TAX: \$0.00

TOTAL: \$35.00

**Signature Information Solutions LLC
has executed this certificate**

TD17-055-1576

Tidelands Claim Search



The claim and property lines depicted are a scaled representation and are for informational purposes only. Results are based on the NJ State Tideland Conveyance Maps and are subject to the Tideland Reservation Statement. Signature is not responsible for errors or omissions in the State's data.



GRANT SEARCH

ACCOUNT: 598260090

REFERENCE: TIDELANDS/JERSEY CITY

**BEM SYSTEMS
100 PASSAIC AVENUE**

CHATHAM, NJ 07928

SUBJECT PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 6002

LOT: 3

TAX MAP PAGE:

APPLICABLE TIDELAND MAP NUMBER: 693-2172

IN RESPONSE TO YOUR REQUEST, SIGNATURE INFORMATION SOLUTIONS LLC., HAS REVIEWED THE CONVEYANCE MAPS OF THE NEW JERSEY TIDELANDS MANAGEMENT BUREAU FOR PRIOR TIDELAND INSTRUMENTS WHICH MAY AFFECT ON THE ABOVE-REFERENCED PROPERTY. THE RESULTS ARE AS FOLLOWS:

NO TIDELAND INSTRUMENTS FOUND.

WE RECOMMEND CAREFUL REVIEW OF THE INSTRUMENT(S) LISTED ABOVE. SIGNATURE INFORMATION SOLUTIONS LLC IS SIMPLY REPORTING THAT THESE INSTRUMENTS APPEAR IN THE RECORDS OF THE TIDELANDS MANAGEMENT BUREAU, AND IT ASSUMES NO RESPONSIBILITY FOR THEIR NATURE, EXTENT OR VALIDITY.

DATED: 24-FEB-2017

FEE: NO CHARGE

TIDELAND SEARCH #: TD17-055-1576

GRANTSEARCH #: GS17-058-1636



HEREBY ISSUED TO:

TIDELAND SEARCH CERTIFICATE

ACCOUNT: 598260090

REFERENCE: TIDELANDS/JERSEY CITY

**BEM SYSTEMS
100 PASSAIC AVENUE

CHATHAM, NJ 07928**

SIGNATURE INFORMATION SOLUTIONS LLC CERTIFIES THAT ALL OR A PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO PRIOR GRANTS OR LEASES OF STATE-OWNED TIDELANDS AND OTHER RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: 693-2172

TIDELANDS MAP DATE: 27-MAY-1982

DESIGNATED PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 6002

LOT: 7

STREET NUMBER & NAME: 677 GROVE ST.

AS SHOWN ON TAX MAP DATED OR LAST REVISED ON: 01-JAN-2009

SEARCH RESULTS

FINDINGS: CLAIMED

TYPE OF CLAIM: WATER COURSE

APPROXIMATE SIZE OF CLAIM: 5%

DATED: 24-FEB-2017

FEE: \$35.00

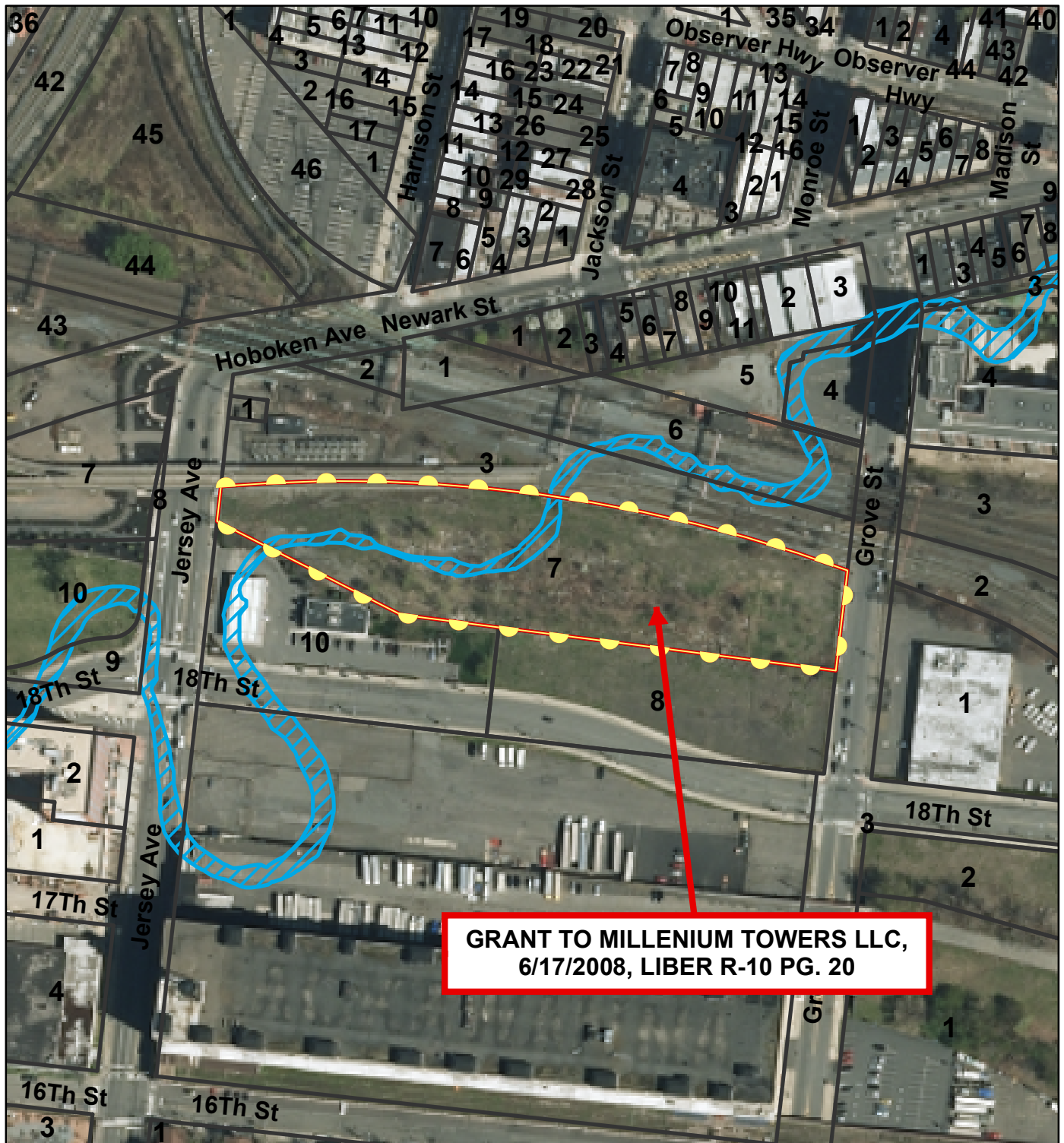
TAX: \$0.00

TOTAL: \$35.00

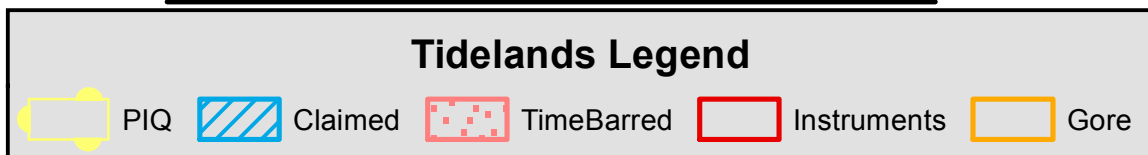
**Signature Information Solutions LLC
has executed this certificate**

TD17-055-1577

Tidelands Claim Search



0 200 400 800 Feet



The claim and property lines depicted are a scaled representation and are for informational purposes only. Results are based on the NJ State Tideland Conveyance Maps and are subject to the Tideland Reservation Statement. Signature is not responsible for errors or omissions in the State's data.



GRANT SEARCH

ACCOUNT: 598260090

REFERENCE: TIDELANDS/JERSEY CITY

**BEM SYSTEMS
100 PASSAIC AVENUE**

CHATHAM, NJ 07928

SUBJECT PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 6002

LOT: 7

TAX MAP PAGE:

APPLICABLE TIDELAND MAP NUMBER: 693-2172

IN RESPONSE TO YOUR REQUEST, SIGNATURE INFORMATION SOLUTIONS LLC., HAS REVIEWED THE CONVEYANCE MAPS OF THE NEW JERSEY TIDELANDS MANAGEMENT BUREAU FOR PRIOR TIDELAND INSTRUMENTS WHICH MAY AFFECT ON THE ABOVE-REFERENCED PROPERTY. THE RESULTS ARE AS FOLLOWS:

TIDELAND INSTRUMENTS FOUND AS FOLLOWS:

TIDELANDS BUREAU FILE DATA

TYPE	RECIPIENT	DATE	CASE#	LIBER BOOK	PAGE
GRANT	MILLENIUM TOWERS, LLC	17-JUN-2008		R-10	20

WE RECOMMEND CAREFUL REVIEW OF THE INSTRUMENT(S) LISTED ABOVE. SIGNATURE INFORMATION SOLUTIONS LLC IS SIMPLY REPORTING THAT THESE INSTRUMENTS APPEAR IN THE RECORDS OF THE TIDELANDS MANAGEMENT BUREAU, AND IT ASSUMES NO RESPONSIBILITY FOR THEIR NATURE, EXTENT OR VALIDITY.

DATED: 24-FEB-2017

FEE: NO CHARGE

TIDELAND SEARCH #: TD17-055-1577

GRANTSEARCH #: GS17-058-1315



HEREBY ISSUED TO:

TIDELAND SEARCH CERTIFICATE

ACCOUNT: 598260090

REFERENCE: TIDELANDS JERSEY CITY

**BEM SYSTEMS
100 PASSAIC AVENUE

CHATHAM, NJ 07928**

SIGNATURE INFORMATION SOLUTIONS LLC CERTIFIES THAT ALL OR A PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO PRIOR GRANTS OR LEASES OF STATE-OWNED TIDELANDS AND OTHER RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: 693-2160

TIDELANDS MAP DATE: 12-JUN-1974

DESIGNATED PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 7402

LOT: 19

STREET NUMBER & NAME: DUFFIELD

AS SHOWN ON TAX MAP DATED OR LAST REVISED ON: 01-JAN-2009

SEARCH RESULTS

FINDINGS: CLAIMED

TYPE OF CLAIM: SHORELINE

APPROXIMATE SIZE OF CLAIM: 16%

DATED: 24-FEB-2017

FEE: \$35.00

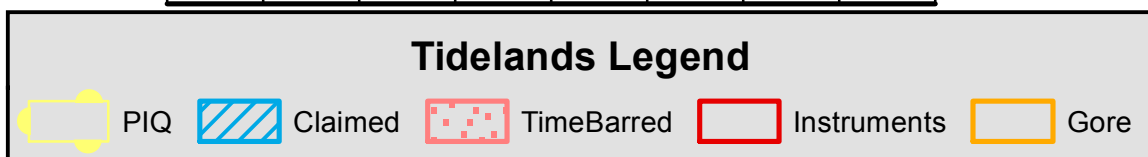
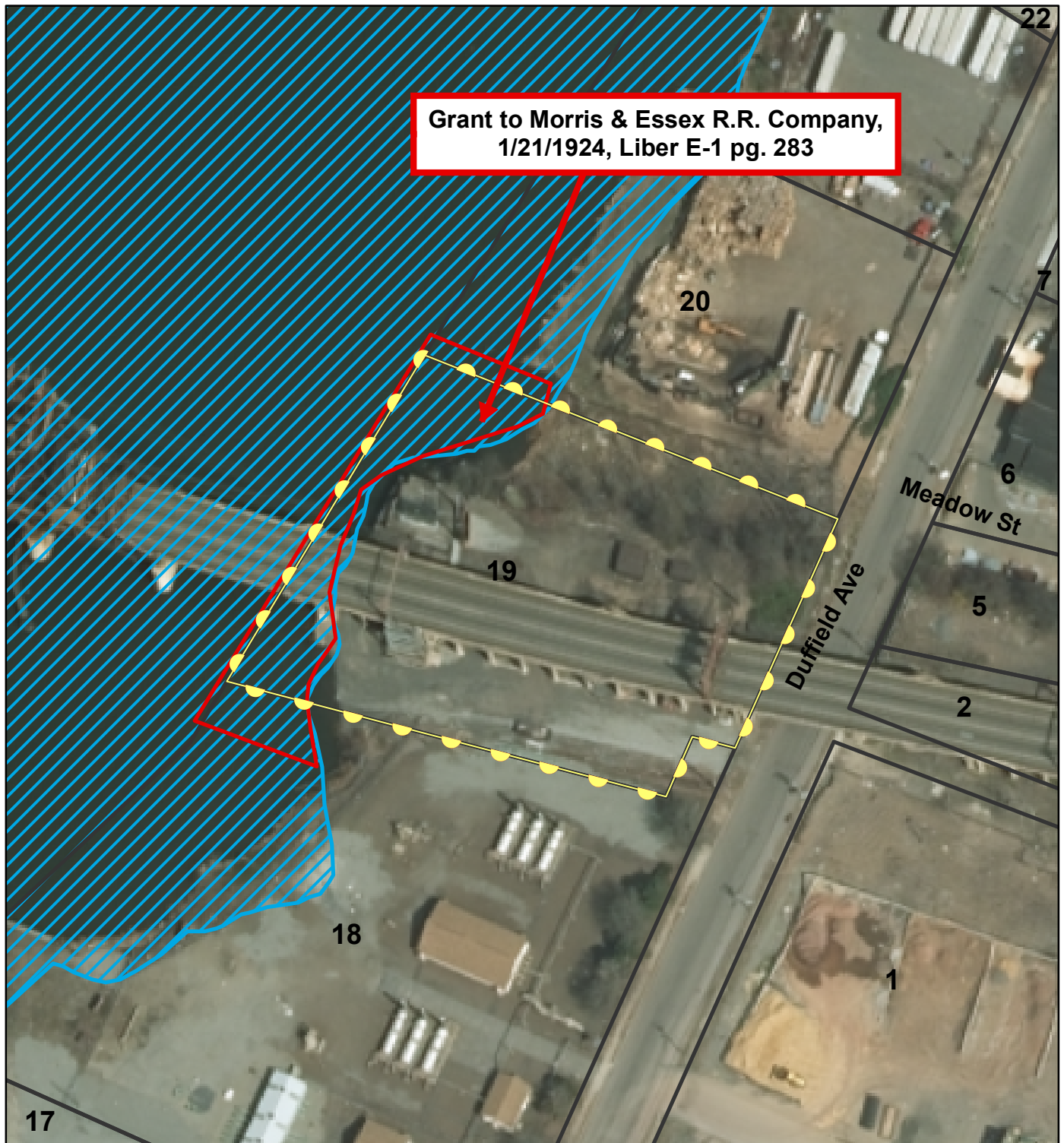
TAX: \$0.00

TOTAL: \$35.00

**Signature Information Solutions LLC
has executed this certificate**

TD17-055-1578

Tidelands Claim Search



The claim and property lines depicted are a scaled representation and are for informational purposes only. Results are based on the NJ State Tideland Conveyance Maps and are subject to the Tideland Reservation Statement. Signature is not responsible for errors or omissions in the State's data.



GRANT SEARCH

ACCOUNT: 598260090

REFERENCE: TIDELANDS JERSEY CITY

**BEM SYSTEMS
100 PASSAIC AVENUE**

CHATHAM, NJ 07928

SUBJECT PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 7402

LOT: 19

TAX MAP PAGE:

APPLICABLE TIDELAND MAP NUMBER: 693-2160

IN RESPONSE TO YOUR REQUEST, SIGNATURE INFORMATION SOLUTIONS LLC., HAS REVIEWED THE CONVEYANCE MAPS OF THE NEW JERSEY TIDELANDS MANAGEMENT BUREAU FOR PRIOR TIDELAND INSTRUMENTS WHICH MAY AFFECT ON THE ABOVE-REFERENCED PROPERTY. THE RESULTS ARE AS FOLLOWS:

TIDELAND INSTRUMENTS FOUND AS FOLLOWS:

TIDELANDS BUREAU FILE DATA

TYPE	RECIPIENT	DATE	CASE#	LIBER BOOK PAGE
GRANT	MORRIS & ESSEX R.R. COMPANY	21-JAN-1924		E-1 283

WE RECOMMEND CAREFUL REVIEW OF THE INSTRUMENT(S) LISTED ABOVE. SIGNATURE INFORMATION SOLUTIONS LLC IS SIMPLY REPORTING THAT THESE INSTRUMENTS APPEAR IN THE RECORDS OF THE TIDELANDS MANAGEMENT BUREAU, AND IT ASSUMES NO RESPONSIBILITY FOR THEIR NATURE, EXTENT OR VALIDITY.

DATED: 24-FEB-2017

FEE: NO CHARGE

TIDELAND SEARCH #: TD17-055-1578

GRANTSEARCH #: GS17-058-1353



HEREBY ISSUED TO:

TIDELAND SEARCH CERTIFICATE

ACCOUNT: 598260090

REFERENCE: TIDELANDS JERSEY CITY

**BEM SYSTEMS
100 PASSAIC AVENUE

CHATHAM, NJ 07928**

SIGNATURE INFORMATION SOLUTIONS LLC CERTIFIES THAT ALL OR A PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO PRIOR GRANTS OR LEASES OF STATE-OWNED TIDELANDS AND OTHER RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: 686-2172

TIDELANDS MAP DATE: 27-MAY-1982

DESIGNATED PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 7202

LOT: 2

STREET NUMBER & NAME: 125 EIGHTEENTH ST.

AS SHOWN ON TAX MAP DATED OR LAST REVISED ON: 01-JAN-2009

SEARCH RESULTS

FINDINGS: CLAIMED

TYPE OF CLAIM: SHORELINE

APPROXIMATE SIZE OF CLAIM: 28%

DATED: 24-FEB-2017

FEE: \$35.00

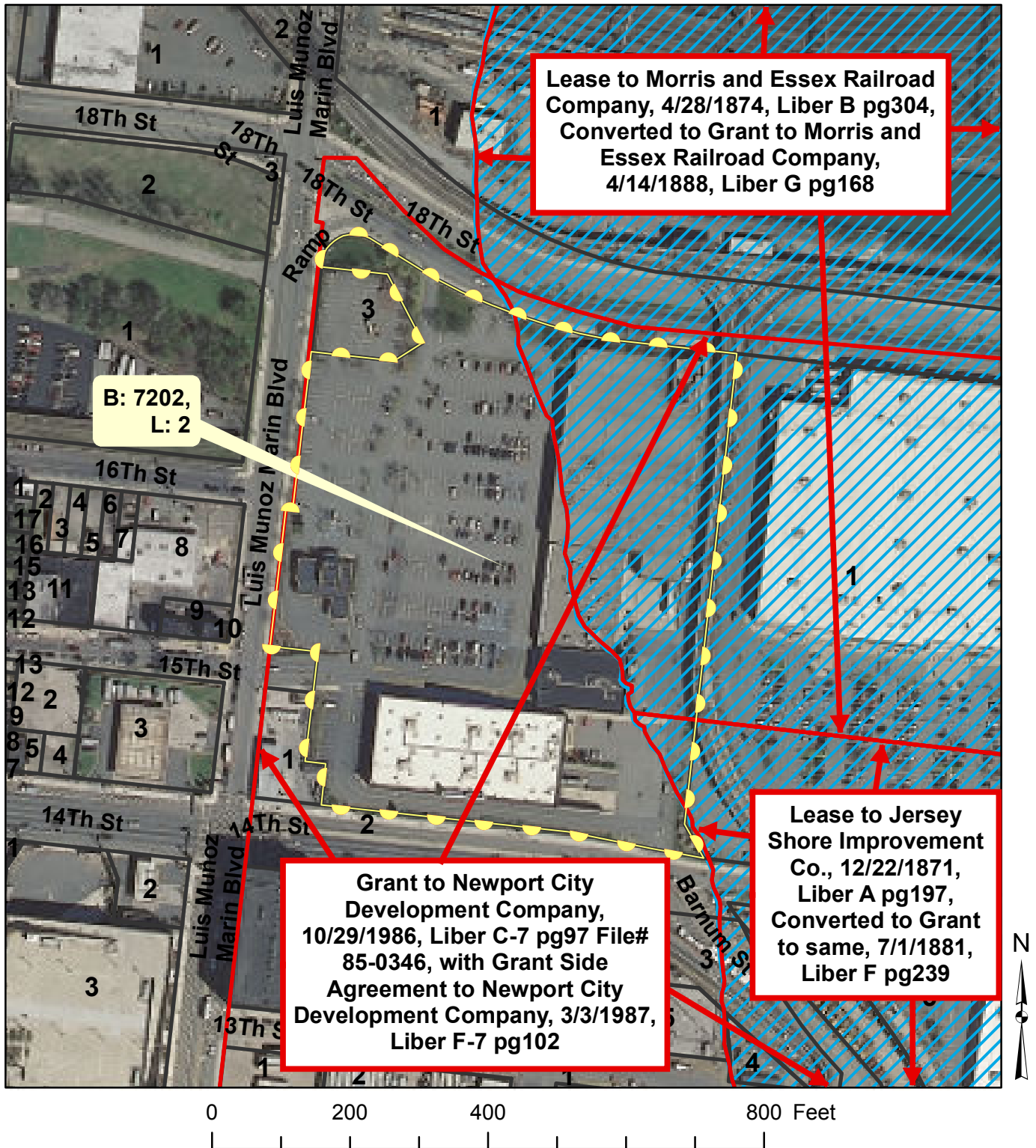
TAX: \$0.00

TOTAL: \$35.00


**Signature Information Solutions LLC
has executed this certificate**


TD17-055-1579


Tidelands Claim Search




Tidelands Legend

 PIQ

 Claimed

 TimeBarred

 Instruments

 Gore

The claim and property lines depicted are a scaled representation and are for informational purposes only. Results are based on the NJ State Tideland Conveyance Maps and are subject to the Tideland Reservation Statement. Signature is not responsible for errors or omissions in the State's data.



GRANT SEARCH

ACCOUNT: 598260090

REFERENCE: TIDELANDS JERSEY CITY

**BEM SYSTEMS
100 PASSAIC AVENUE**

CHATHAM, NJ 07928

SUBJECT PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 7202

LOT: 2

TAX MAP PAGE:

APPLICABLE TIDELAND MAP NUMBER: 686-2172

IN RESPONSE TO YOUR REQUEST, SIGNATURE INFORMATION SOLUTIONS LLC., HAS REVIEWED THE CONVEYANCE MAPS OF THE NEW JERSEY TIDELANDS MANAGEMENT BUREAU FOR PRIOR TIDELAND INSTRUMENTS WHICH MAY AFFECT ON THE ABOVE-REFERENCED PROPERTY. THE RESULTS ARE AS FOLLOWS:

TIDELAND INSTRUMENTS FOUND AS FOLLOWS:

TIDELANDS BUREAU FILE DATA

TYPE	RECIPIENT	DATE	CASE#	LIBER BOOK PAGE
LEASE	MORRIS & ESSEX R.R. COMPANY	28-APR-1874		B 304
GRANT (CONV.)	MORRIS & ESSEX R.R. COMPANY	14-APR-1888		G 168
LEASE	JERSEY SHORE IMPROVEMENT CO.	22-DEC-1871		A 197
GRANT (CONV.)	JERSEY SHORE IMPROVEMENT CO.	01-JUL-1881		F 239
GRANT	NEWPORT CITY DEVELOPMENT CO.	29-OCT-1986		C-7 97
GRANT AGREEMENT	NEWPORT CITY DEVELOPMENT CO.	03-MAR-1987		F-7 102

WE RECOMMEND CAREFUL REVIEW OF THE INSTRUMENT(S) LISTED ABOVE. SIGNATURE INFORMATION SOLUTIONS LLC IS SIMPLY REPORTING THAT THESE INSTRUMENTS APPEAR IN THE RECORDS OF THE TIDELANDS MANAGEMENT BUREAU, AND IT ASSUMES NO RESPONSIBILITY FOR THEIR NATURE, EXTENT OR VALIDITY.

DATED: 24-FEB-2017

FEE: NO CHARGE

TIDELAND SEARCH #: TD17-055-1579

GRANTSEARCH #: GS17-058-1296

Appendix D: List of Agency Correspondence

NJDEP Green Acres Program Jurisdictional Determination Request Letter- March 28, 2017

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Richard T. Hammer, Commissioner
Steven H. Santoro, Executive Director

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

March 28, 2017

Nancy Lawrence, Inspections Coordinator
New Jersey Department of Environmental Protection
Green Acres Program
Bureau of Legal Services and Stewardship
Mail Code 501-01, P.O. Box 420
Trenton, NJ 08625-0420

**Re: NJ TRANSITGRID TRACTION POWER SYSTEM Green Acres Program—
Jurisdictional Determination**

Dear Ms. Lawrence:

The New Jersey Transit Corporation (NJ TRANSIT) and the Federal Transit Administration (FTA) are preparing an Environmental Impact Statement (EIS) for the NJ TRANSITGRID TRACTION POWER SYSTEM (proposed Project). The proposed Project will include a natural gas fired electric power generating plant (referred to as the Main Facility or Project Component A) and associated infrastructure to provide traction power needed to electrify railroad tracks, enabling trains to operate during failures of the commercial power grid that powers portions of the NJ TRANSIT and Amtrak rail systems. The proposed Project will also be designed to support non-traction loads; including the signal system on a portion of the NJ TRANSIT Main Line (allowing diesel locomotives to operate during commercial grid power outages), limited traction power for Hudson Bergen Light Rail (HBLR) and electrical loads at some NJ TRANSIT Hudson-Bergen-Light-Rail (HBLR) Stations. In addition, the Project will also provide electric power to NJ TRANSIT Hoboken Terminal, and other NJ TRANSIT signal power, tunnel ventilation, pumping, and lighting loads during commercial grid failures. The preferred site for the Main Facility is in Kearny, New Jersey. Proposed electrical transmission and distribution lines would extend from the Main Facility to substations in Kearny and Hoboken and be located within New Jersey State and railroad rights-of-way. The referenced electrical lines would also extend across the Hackensack River into Hoboken and Jersey City, with alternate routes identified within the railroad's right-of-way.

In a letter dated July 19, 2016, NJ TRANSIT submitted a letter requesting Green Acres Jurisdictional Determination based on the proposed Project area. Since this time, the proposed Project area has been modified by adding electrical distribution lines on new utility poles (up to 39 feet high) or in duct banks along 14.8 miles of the existing HBLR alignment, and along the NJ Turnpike right-of-way connecting to Caven Point.

Enclosed, please find a map depicting the Green Acres review area, and the list of properties within a 500-foot buffer of the HBLR alignment, which is based on preliminary project plans and the Hudson County Tax Records online database system. This list represents all properties that fall within the buffer zone. None are expected to be affected during construction of the proposed Project.

Additionally, as of the date of this letter, none of the listed properties (blocks or lots) appear to be subject to Green Acres encumbrances based on our review of the Green Acres Program ROSI database (<http://www.nj.gov/dep/greenacres/openspace.html>). **Please confirm if any Green Acres jurisdictions apply to the properties in the enclosed list beyond what is currently reflected in the ROSI database.**

Thank you for your continued coordination on this important project. Please feel free to contact me at (856) 614-7003 or at nmarton@njtransit.com with any questions relative to the above.

Sincerely,

A handwritten signature in blue ink, appearing to read 'N. Marton', followed by a horizontal line.

Nicholas L. Marton
Senior Director, NJ TRANSITGRID

Enclosures

Cc: Ruth W. Foster, NJDEP
John Geitner, NJ TRANSIT
Harold Olarte, BEM Systems, Inc.

MUN	Mun Name	BLOCK	LOT	OWNER NAME
901	BAYONNE CITY	504	13	NEW JERSEY TRANSIT CORP
901	BAYONNE CITY	504	16.01	CONRAIL
901	BAYONNE CITY	504	3	NEW JERSEY TRANSIT CORP
901	BAYONNE CITY	504	1	NEW JERSEY TRANSIT CORP
901	BAYONNE CITY	504	14.01	NEW JERSEY TRANSIT CORP
901	BAYONNE CITY	504	6	NEW JERSEY TRANSIT CORP
901	BAYONNE CITY	504	5	NEW JERSEY TRANSIT CORPORATION
901	BAYONNE CITY	504	12	NEW JERSEY TRANSIT CORP
901	BAYONNE CITY	504	2	NEW JERSEY TRANSIT CORP
905	HOBOKEN CITY	137	15.02	NJ TRANSIT CORP RE OFFICE
905	HOBOKEN CITY	9	5.01	NJ TRANSIT CORP C/O R.E. OFFICE
905	HOBOKEN CITY	23	1	DEBROSSES GARAGE CORP C/O PONTE
905	HOBOKEN CITY	139	1.01	NJ TRANSIT CORP C/O R.E. OFFICE
905	HOBOKEN CITY	136	6.01	NJ TRANSIT CORP C/O R.E. OFFICE
905	HOBOKEN CITY	146	1	NJ TRANSIT CORP C/O R.E. OFFICE
905	HOBOKEN CITY	145	1.01	NJ TRANSIT CORP RE OFFICE
905	HOBOKEN CITY	3	1	NJ TRANSIT CORP RE OFFICE
905	HOBOKEN CITY	80	10.01	NJ TRANSIT CORP C/O R.E. OFFICE
905	HOBOKEN CITY	144	1	NJ TRANSIT CORP RE OFFICE
905	HOBOKEN CITY	143	19	NJ TRANSIT CORP RE OFFICE
905	*	145	12.03	*
905	*	144	20	*
905	HOBOKEN CITY	24	2	NJ TRANSIT CORP RE OFFICE
906	JERSEY CITY CITY	4901	34	SONI, FALGUN P.
906	JERSEY CITY CITY	4901	27	VILLALOBOS, WILLIAM & ANA
906	JERSEY CITY CITY	4901	21	CANDIDA, CLIFFORD & SAMUELS, THERESA
906	JERSEY CITY CITY	4901	35	NEW JERSEY D.O.T.
906	JERSEY CITY CITY	1801	6	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	4901	36	DELEON, LEOPOLDO & ZORAYDA
906	JERSEY CITY CITY	4901	37	YOUNG, JAMES & LILANI & F. GABUTAN
906	JERSEY CITY CITY	2405	2	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	2405	2	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	5103	11	PONTE EQUITIES INC.
906	JERSEY CITY CITY	2405	2	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	4901	29	CHOWLAN, RAMRATTAN & SANCHARI
906	JERSEY CITY CITY	4901	33	GANI, OSMAN & PAREEN A. GANI
906	JERSEY CITY CITY	4901	28	RAUF, ABDUL
906	JERSEY CITY CITY	4801	3	CITY OF JERSEY CITY
906	JERSEY CITY CITY	5304	24	CONSOLIDATED RAIL
906	JERSEY CITY CITY	5304	3	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	5304	7	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	5304	8	CONSOLIDATED RAIL
906	JERSEY CITY CITY	5301	32	CONSOLIDATED RAIL

MUN	Mun Name	BLOCK	LOT	OWNER NAME
906	JERSEY CITY CITY	5804	31	PATEL, KIRAN & CHANDRIKA
906	JERSEY CITY CITY	5804	5	NEW JERSEY D.O.T.
906	JERSEY CITY CITY	5202	4	PONTE EQUITIES INC.
906	JERSEY CITY CITY	5202	1	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	5402	43	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	5402	42	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	5402	41	KATZMAN, AVI & EYAL
906	JERSEY CITY CITY	5402	1	NJ ENERGY REALTY, LLC
906	JERSEY CITY CITY	5501	19	SANTIAGO, CESAR D.& CARMEN J.
906	JERSEY CITY CITY	5501	15	NEW JERSEY D.O.T
906	JERSEY CITY CITY	5501	14	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	5501	13	PINEDA,RIGOBERTO & CALDERON,HECTOR
906	JERSEY CITY CITY	5501	12	MARTINEZ, ALFONSO
906	JERSEY CITY CITY	5501	11	SAH, RAM MANOHAR
906	JERSEY CITY CITY	5501	10	CHAUDHRY, MOHSIN B. & AMINA S.
906	JERSEY CITY CITY	5501	9	RAMOS, NORMA OYOLA-
906	JERSEY CITY CITY	5501	8	MUHAMMAD, AKHTAR & FIRDAUS, GHULAM
906	JERSEY CITY CITY	5501	7	235 LAIDLAW CONDO ASSOC.
906	JERSEY CITY CITY	5601	8	PATEL, MASNISHABEN & HIMANSHU R.
906	JERSEY CITY CITY	5601	7	125 JEFFERSON AVE., LLC
906	JERSEY CITY CITY	5601	6	SHAH, MRUGESH & BELA
906	JERSEY CITY CITY	5601	5	129 JEFFERSON AVE., LLC
906	JERSEY CITY CITY	5601	4	SHAH, HITESH & TANVI
906	JERSEY CITY CITY	5601	3	CAO,WILLIAM & PU,JENNIE
906	JERSEY CITY CITY	5601	2	NANDWANI, REKHA & LAKRA, OSCAR
906	JERSEY CITY CITY	5601	1	RAJ,TILAK & LAKHWINDER SEEHRA RAJ
906	JERSEY CITY CITY	5601	19	NJ SCHOOLS DEVELOPMENT AUTHORITY
906	JERSEY CITY CITY	5602	1	JCL REALTY HOLDINGS 4,LLC
906	JERSEY CITY CITY	5601	18	NJ SCHOOLS DEVELOPMENT AUTHORITY
906	JERSEY CITY CITY	5802	23	ASSA, FRED & SUSAN
906	JERSEY CITY CITY	5802	34	HOPKINS, JASON & THERESA BARNES
906	JERSEY CITY CITY	5802	22	GIRON, FRANCISCO L. & XIOMARA
906	JERSEY CITY CITY	5802	35	CRISTOSTOMO, VISITACION B.
906	JERSEY CITY CITY	5802	21	LEMONS, JOEL FERREIRA
906	JERSEY CITY CITY	5802	36	BALTAZAR, CARLOS M. & ROSABELLA
906	JERSEY CITY CITY	5802	37	REDONA, ALFREDO S.& FLORENCE O.
906	JERSEY CITY CITY	5802	38	DE LOS ANGELES, ANGEL & REBECCA
906	JERSEY CITY CITY	5802	18	WHALEY, BRUCE & JO ANNE
906	*	5304	27	*
906	*	5304	23	*
906	JERSEY CITY CITY	5802	39	ALEJANDRO, MARIA SONIA
906	JERSEY CITY CITY	5802	40	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	5802	17	AZIZ, ABDOOL & AZIZ R, BIBI

MUN	Mun Name	BLOCK	LOT	OWNER NAME
906	JERSEY CITY CITY	5802	16	YASSA, SABER & HALLA
906	JERSEY CITY CITY	5802	41	VACCARELLA, UMBERTO & ANNUNZIATA
906	JERSEY CITY CITY	5804	12	49 WAVERLY, L.L.C.
906	JERSEY CITY CITY	5802	42	VACCARELLA, UMBERTO & ANNUNZIATA
906	JERSEY CITY CITY	5804	11	GREER, DEWEY LAMONT JR. & ROSALIA
906	JERSEY CITY CITY	5804	10	IZQUIERDO, PAULA
906	JERSEY CITY CITY	5804	9	BELIZARIO, ESTER A. & JORDAN A.
906	JERSEY CITY CITY	5804	8	AHMED, SYED SALIM & FAUZIA
906	JERSEY CITY CITY	5804	7	TORRES, TEOFILO & ZUREILLY M.
906	JERSEY CITY CITY	5804	6	CONSELYEA,BRIAN & JENNIFER
906	JERSEY CITY CITY	7405	1	CONSOLIDATED RAIL
906	JERSEY CITY CITY	7404	2	CONSOLIDATED RAIL
906	JERSEY CITY CITY	7402	19	CONSOLIDATED RAIL
906	JERSEY CITY CITY	5804	4	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	5804	3	MUSTAFA, RAJEE & RANDE
906	JERSEY CITY CITY	6005	3	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6001	41	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6005	8	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6005	7	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6002	6	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	6002	3	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6002	2	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	6001	43	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6001	37	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	6001	13	HUDSON HOSPITAL PROPCO LLC
906	JERSEY CITY CITY	6001	33	HUDSON HOSPITAL PROPCO LLC
906	JERSEY CITY CITY	6001	42	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6902	1	CONSOLIDATED RAIL
906	JERSEY CITY CITY	7202	2	NEWPORT CENTRE%SIMON PROP TAX SERV
906	JERSEY CITY CITY	6902	2	CONSOLIDATED RAIL
906	JERSEY CITY CITY	6902	32	CONSOLIDATED RAIL
906	JERSEY CITY CITY	6902	3	CONSOLIDATED RAILROAD CORPORATION
906	JERSEY CITY CITY	6902	5	CONSOLIDATED RAIL
906	JERSEY CITY CITY	6902	6	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6902	16	VAN LEER PLACE, L.L.C.
906	JERSEY CITY CITY	6902	21	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6902	16.02	VAN LEER PLACE, L.L.C.
906	JERSEY CITY CITY	6102	2	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	6102	3	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	7303	11	NEWPORT CENTRE
906	JERSEY CITY CITY	7303	12	NEWPORT ASSOC. LEFRAK ORGANIZATION
906	JERSEY CITY CITY	7303	5	JPMORGAN CHASE BANK, NATIONAL ASSOC
906	JERSEY CITY CITY	7303	4	NEWPORT ASSOC.SIMON PROP TX SERV.

MUN	Mun Name	BLOCK	LOT	OWNER NAME
906	JERSEY CITY CITY	7303	8	NEWPORT CENTRE, LLC
906	JERSEY CITY CITY	7301	5	NEWPORT RETAIL SIMON PROP TAX SERV.
906	JERSEY CITY CITY	7301	1	NEWPORT/18TH ST. LTD.
906	JERSEY CITY CITY	7302	1	STATE OF NJ DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	13703	3	N J TURNPIKE AUTHORITY
906	JERSEY CITY CITY	13702	3	N J TURNPIKE AUTHORITY
906	JERSEY CITY CITY	13702	2	N J TURNPIKE AUTHORITY
906	JERSEY CITY CITY	14205	24	179 WARREN STREET U.R. CO., LLC
906	JERSEY CITY CITY	14205	23	BUTCHKO, MICHELE
906	JERSEY CITY CITY	14205	22	PAULUS HOOK CONDOMINIUM ASSOCIATION
906	JERSEY CITY CITY	14205	21	FULTON'S LANDING CONDO.ASSOC.,INC
906	JERSEY CITY CITY	14405	3	WASHINGTON-ESSEX ASSOC
906	JERSEY CITY CITY	14205	18	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	14205	15	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	15701	2	TEXAS EASTERN TRANSMISSION,LP
906	JERSEY CITY CITY	15702	7	CONSOLIDATED RAIL
906	JERSEY CITY CITY	10901	127	361 NEWARK AVENUE LLC
906	JERSEY CITY CITY	9806	1	N J TURNPIKE AUTHORITY
906	JERSEY CITY CITY	9801	4	N.J. TURNPIKE AUTHORITY
906	JERSEY CITY CITY	9801	3	N J TURNPIKE AUTHORITY
906	JERSEY CITY CITY	9801	2	N J TURNPIKE AUTHORITY
906	JERSEY CITY CITY	10901	114	PORT AUTHORITY TRANS-HUDSON CORP.
906	JERSEY CITY CITY	10901	124	N J TURNPIKE AUTHORITY
906	JERSEY CITY CITY	10901	123	CONSOLIDATED R.R.
906	JERSEY CITY CITY	10901	84	CONSOLIDATED RAIL
906	JERSEY CITY CITY	10901	120	446 NEWARK AVE.,LLC & CONRAIL
906	JERSEY CITY CITY	11603	15	MACK-CALI PLAZA I,LLC % MACK CALI
906	JERSEY CITY CITY	11603	42	ATHENA BLDG 110 U.R., LLC
906	JERSEY CITY CITY	11603	28	CALI HARBORSIDE ASSOC., LP %M. CALI
906	JERSEY CITY CITY	11603	40	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	11603	41	CITY OF JERSEY CITY
906	JERSEY CITY CITY	11603	4	445-475 WASHINGTON BLVD CONDOMINIUM
906	JERSEY CITY CITY	15901	16.01	JERSEY CITY REDEVELOPMENT AGENCY
906	JERSEY CITY CITY	19903	10	JERSEY CITY SEWERAGE AUTHORITY
906	JERSEY CITY CITY	21102	52	NJ SCHOOLS DEVELOPMENT AUTHORITY
906	JERSEY CITY CITY	21503	3	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	21503	2	CONSOLIDATED RAIL
906	JERSEY CITY CITY	21503	1	NEW JERSEY TRANSIT
906	JERSEY CITY CITY	21404	1	JERSEY CITY SEWERAGE AUTHORITY
906	JERSEY CITY CITY	22204	1	STATE-OPERATED SCHOOL DISTRICT
906	JERSEY CITY CITY	15802	19	CONSOLIDATED R.R.
906	JERSEY CITY CITY	15802	20	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	15802	21	STATE OF N J DEPT OF ENV PROTECTION

MUN	Mun Name	BLOCK	LOT	OWNER NAME
906	JERSEY CITY CITY	15802	11	NJ DEPARTMENT OF TRANSPORTATION
906	JERSEY CITY CITY	15802	8	CONSOLIDATED R.R.
906	JERSEY CITY CITY	15802	7	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	15802	6	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	15802	5	CITY OF JERSEY CITY
906	JERSEY CITY CITY	15801	76	JOHNSTON VIEW OWNER,LLC %ARGENT,LLC
906	JERSEY CITY CITY	15801	68	AETNA STREET, LLC
906	JERSEY CITY CITY	15801	71	CITY OF JERSEY CITY
906	JERSEY CITY CITY	15801	67	SUMMIT METALS CO INC
906	JERSEY CITY CITY	15801	66	AETNA LOT 66,LLC % FRENKEL,H.& S.
906	JERSEY CITY CITY	15801	70	CITY OF JERSEY CITY
906	JERSEY CITY CITY	15801	7	CITY OF JERSEY CITY
906	JERSEY CITY CITY	15801	5	JERSEY CITY MEDICAL CENTER
906	JERSEY CITY CITY	15801	65	NEW JERSEY TRANSIT CORP.
906	JERSEY CITY CITY	15801	1	CONSOLIDATED RAIL
906	JERSEY CITY CITY	15801	48	STATE OF N J DEPT OF ENV PROTECTION
906	JERSEY CITY CITY	15802	4	N.J. DEPT. OF TRANSPORTATION
906	JERSEY CITY CITY	27401	2.01	CONSOLIDATED RAIL
906	JERSEY CITY CITY	27401	5	BLACK BEAR HOLLOW,LLC %TEMPESTA
906	JERSEY CITY CITY	27401	2.02	BLACK BEAR HOLLOW LLC % TEMPESTA
906	JERSEY CITY CITY	27401	2	CONSOLIDATED RAIL
906	JERSEY CITY CITY	13806	2	N J TURNPIKE AUTHORITY
906	JERSEY CITY CITY	15801	3	CITY OF JERSEY CITY
906	JERSEY CITY CITY	15801	2	NEW JERSEY TRANSIT CORP.
906	JERSEY CITY CITY	21305	25	JERSEY CITY SEWERAGE AUTHORITY
906	JERSEY CITY CITY	27401	1	CONSOLIDATED R.R.
906	JERSEY CITY CITY	27401	2	CONSOLIDATED RAIL
906	JERSEY CITY CITY	30305	20	CONSOLIDATED RAIL CORP.
906	JERSEY CITY CITY	30305	19	CONSOLIDATED RAIL
906	JERSEY CITY CITY	30304	21	CONSOLIDATED RAIL
906	*	5802	43	*
906	*	5802	44	*
906	*	7402	29	*
906	*	7402	27	*
906	*	6001	44	*
906	*	6902	34	*
906	*	8401	12	*
906	*	21003	11	*
906	*	11603	31	*
906	*	11603	45	*
906	*	11603	46	*
906	*	11603	47	*
906	*	11603	3	*

MUN	Mun Name	BLOCK	LOT	OWNER NAME
906	*	15901	21.01	*
906	*	15901	14	*
906	*	20902	86	*
906	*	21102	51	*
906	*	21501	1	*
906	*	21403	1	*
906	*	21402	1	*
906	*	21401	2	*
906	*	15802	22	*
906	*	15802	9	*
906	*	15801	9	*
906	*	15801	13	*
906	*	15801	14	*
906	*	15801	81	*
906	*	30305	12	*
906	*	30305	13	*
907	KEARNY TOWN	284	34	CONRAIL CORP C/O PROP TAX DEPT
907	KEARNY TOWN	284	35.02	N J TRANSIT CORP
907	KEARNY TOWN	287	80	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	284	27	CONRAIL CORP C/O PROP TAX DEPT
907	KEARNY TOWN	284	28.04	AMTRAK C/O TAX MGR
907	KEARNY TOWN	284	28.03	AMTRAK C/O TAX MGR
907	KEARNY TOWN	284	28.01	42 MONMOUTH STREET LLC
907	KEARNY TOWN	284	16	CONRAIL CORP C/O PROP TAX DEPT
907	KEARNY TOWN	287	53	STATE OF NJ DOT
907	KEARNY TOWN	287	61.01	STATE OF NJ DOT
907	KEARNY TOWN	287	54	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	5.01	STATE OF NJ DOT
907	KEARNY TOWN	287	50	KEARNY, TOWN OF
907	KEARNY TOWN	287	48	KEARNY, TOWN OF
907	KEARNY TOWN	287	68	CONRAIL CORP C/O PROP TAX DEPT
907	KEARNY TOWN	287	69	CONRAIL CORP C/O PROP TAX DEPT
907	KEARNY TOWN	287	63	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	70	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	71	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	61.03	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	60	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	55	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	62	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	32.01	H C IMPROVEMENT AUTHORITY
907	KEARNY TOWN	287	56	H C IMPROVEMENT AUTHORITY
907	*	287	52	*
907	*	287	49	*

MUN	Mun Name	BLOCK	LOT	OWNER NAME
907	*	287	49.01	*
907	*	287	51	*
907	*	287	52.01	*
907	*	287	70.01	*
907	*	287	71.01	*
907	*	287	61.02	*
907	*	287	62.01	*
908	NORTH BERGEN TWP	160	5.13	MULVIHILL, MARYANNE L MENA
908	NORTH BERGEN TWP	160	5.01	SAUMA PROPS OF NB LLC P SAUMA
908	*	160	1.02	*
908	*	483	17	*
910	UNION CITY CITY	267	18	CHOI, TAI
910	UNION CITY CITY	192.01	1.01	NJ TRANSIT CORP
910	UNION CITY CITY	267	15	MEDEROS, YOAN
910	UNION CITY CITY	267	13	REYES, JOSE
910	UNION CITY CITY	267	12	RENTERIA, WALTER & ZORAIDA
910	UNION CITY CITY	267	11	ACOSTA, ALI
910	UNION CITY CITY	267	17	ELHADDAD, ABDELHAMEED & QUENDEL,W
910	UNION CITY CITY	267	16	DE GONZALEZ, ROSA LILIAN VILLALTA
910	UNION CITY CITY	267	10	SIERRA, LUIZ
910	UNION CITY CITY	267	14	LYMA ONE LLC
910	UNION CITY CITY	267	21	SMART NJ 48 LLC
910	*	267	9	*
910	*	267	8	*
910	*	267	7	*
910	*	267	5	*
910	*	267	6	*
910	*	267	4	*
911	WEEHAWKEN TWP	34.03	6	NEW YORK CENTRAL R R
911	WEEHAWKEN TWP	36.04	2	NEW YORK CENTRAL R R
911	WEEHAWKEN TWP	61	19	GARGIULO, CHRISTIAN&TABORDA,KATHER
911	WEEHAWKEN TWP	61	22	AGULLA, MANUEL & VALLADARES,LOURDES
911	WEEHAWKEN TWP	61	23	EXXON CORP
911	WEEHAWKEN TWP	61	21	KORAMAN, BEDRI & DEFNE
911	WEEHAWKEN TWP	61	20	ARCARO, YVONNE
911	WEEHAWKEN TWP	11	4	N Y C R R
911	WEEHAWKEN TWP	64	3	N J JUNCTION R R
911	*	45.01	14	*
911	*	64	11	*
911	*	36.03	24	*
911	*	45	9	*
911	*	*	*	*



Appendix D: List of Agency Correspondence

NOAA NMFS Response Letter- March 31, 2017

Anna Loss

From: Edith Carson - NOAA Federal <edith.carson@noaa.gov>
Sent: Friday, March 31, 2017 3:17 PM
To: Anna Loss
Cc: Harold Olarte; Ken Duffy; Karen Greene - NOAA Federal
Subject: Re: MicroGrid Power System

Hi Anna,

We received your email on March 29, 2017 regarding the proposed changes to the NJ TRANSITGRID project. Here are our comments.

Endangered Species Act

No federally listed or proposed threatened or endangered species under our jurisdiction are known to exist in the site of your proposed project. Based on this, we do not believe a consultation in accordance with section 7 of the Endangered Species Act is necessary. As such, no further coordination on this activity with the NMFS Protected Resources Division is necessary at this time. Should project plans change or new information become available that changes the basis for this determination, further coordination should be pursued. Please contact me ([\(978\) 282-8490](tel:978-282-8490) or Edith.Carson@noaa.gov), should you have any questions regarding these comments.

Magnuson-Stevens Fishery Conservation and Management Act

The project area has been designated as Essential Fish Habitat (EFH) for a number of federally managed species. Consultation between the lead federal action agency and NOAA Fisheries Habitat Conservation Division will be required as part of the federal permitting process. Additional information on EFH can be found on our website at: <http://www.greateratlantic.fisheries.noaa.gov/habitat>. Please contact Karen Greene ([\(732\) 872-3023](tel:732-872-3023) or Karen.Greene@noaa.gov) if you have any questions or need additional information regarding EFH.

Thank you,

Edith

Edith Carson, M.Sc.
Section 7/Shortnose Sturgeon Fish Biologist
NOAA Fisheries
U.S. Department of Commerce
Greater Atlantic Regional Fisheries Office
Phone: [978-282-8490](tel:978-282-8490)
edith.carson@noaa.gov
www.greateratlantic.fisheries.noaa.gov/protected



On Wed, Mar 29, 2017 at 10:31 AM, Anna Loss <ALoss@bemsys.com> wrote:

Hi Edith,

We had sent a NOAA NMFS Species Determination inquiry letter on July 19, 2016 (attached), outlining the proposed NJ TRANSITGRID project, specifically at the location of the Lower Hack Bridge, as labeled on the attached map. In our letter, we discussed the proposed features, including the installation of submarine cables across the Hackensack River via directional drilling from Kearny, underneath the river channel, and up again into Jersey City, totally directionally drilled. In response, we received an email from you, attached, saying no T&E species onsite (attached).

However, the Project alternatives now include another method for the cables, in which the cable will be directionally drilled to the channel bottom elevation, lay the cables along the bottom of the River bed, and directionally drill once the cable reaches the other side of the channel, up into Jersey City. If you could please update your findings to also include this new alternative method for the submarine cables, it would be greatly appreciated.

For your reference please see the original 2016 inquiry letter, your response email, and a site location map. Please feel free to reach out should you have any additional questions. Thank You,

Anna R. Loss

Environmental Scientist/Permitting

BEM Systems, Inc.
www.bemsys.com

100 Passaic Avenue
Chatham, NJ 07928

Tel. - [908.598.2600](tel:908.598.2600) x117
Fax - [908.598.2622](tel:908.598.2622)



Before printing this email, consider the environment

Appendix D: List of Agency Correspondence

USFWS IPaC – April 3, 2017



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Jersey Ecological Services Field Office
4 East Jimmie Leeds Road Unit 4
Galloway, NJ 08205
Phone: (609) 382-5273 Fax: (609) 646-0352

<http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html>



In Reply Refer To:

April 03, 2017

Consultation Code: 05E2NJ00-2017-SLI-0566

Event Code: 05E2NJ00-2017-E-01227

Project Name: TransitGrid

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species that may occur in your proposed action area and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.)

If the enclosed list indicates that any listed species may be present in your action area, please visit the New Jersey Field Office consultation web page as the next step in evaluating potential project impacts: <http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html>

On the New Jersey Field Office consultation web page you will find:

- habitat descriptions, survey protocols, and recommended best management practices for listed species;
- recommended procedures for submitting information to this office; and
- links to other Federal and State agencies, the Section 7 Consultation Handbook, the Service's wind energy guidelines, communication tower recommendations, the National Bald Eagle Management Guidelines, and other resources and recommendations for protecting wildlife resources.

The enclosed list may change as new information about listed species becomes available. As per Federal regulations at 50 CFR 402.12(e), the enclosed list is only valid for 90 days. Please return to the ECOS-IPaC website at regular intervals during project planning and implementation to obtain an updated species list. When using ECOS-IPaC, be careful about drawing the boundary of your Project Location. Remember that your action area under the ESA is not limited to just the footprint of the project. The action area also includes all areas that may be indirectly affected through impacts such as noise, visual disturbance, erosion, sedimentation, hydrologic change,

chemical exposure, reduced availability or access to food resources, barriers to movement, increased human intrusions or access, and all areas affected by reasonably foreseeable future that would not occur without ("but for") the project that is currently being proposed.

We appreciate your concern for threatened and endangered species. The Service encourages Federal and non-Federal project proponents to consider listed, proposed, and candidate species early in the planning process. Feel free to contact this office if you would like more information or assistance evaluating potential project impacts to federally listed species or other wildlife resources. Please include the Consultation Tracking Number in the header of this letter with any correspondence about your project.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New Jersey Ecological Services Field Office

4 East Jimmie Leeds Road Unit 4

Galloway, NJ 08205

(609) 382-5273

Project Summary

Consultation Code: 05E2NJ00-2017-SLI-0566

Event Code: 05E2NJ00-2017-E-01227

Project Name: TransitGrid

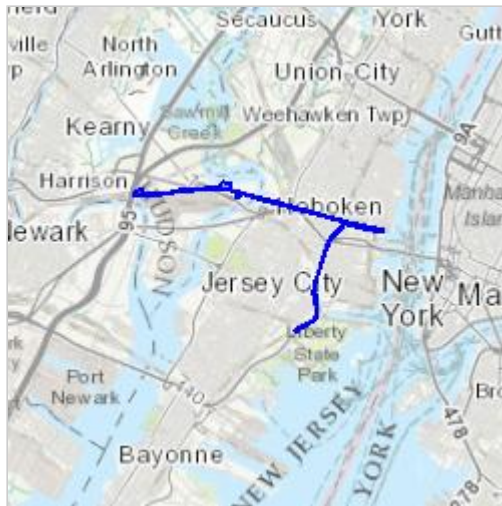
Project Type: DEVELOPMENT

Project Description: Transportation Systems Improvements

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/40.736118097500054N74.04292301606264W>



Counties: Hudson, NJ

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area. Please contact the designated FWS office if you have questions.

Critical habitats

There are no critical habitats within your project area.

USFWS National Wildlife Refuges And Fish Hatcheries

Any activity proposed on [National Wildlife Refuge](#) lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuges or fish hatcheries within your project area.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service³. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The migratory birds species listed below are species of particular conservation concern (e.g. [Birds of Conservation Concern](#)) that may be potentially affected by activities in this location. It is not a list of every bird species you may find in this location, nor a guarantee that all of the bird species on this list will be found on or near this location. Although it is important to try to avoid and minimize impacts to all birds, special attention should be made to avoid and minimize impacts to birds of priority concern. To view available data on other bird species that may occur in your project area, please visit the [AKN Histogram Tools](#) and [Other Bird Data Resources](#). To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

NAME	SEASON(S)
Cerulean Warbler (<i>Dendroica cerulea</i>) https://ecos.fws.gov/ecp/species/2974	On Land: Breeding
Least Bittern (<i>Ixobrychus exilis</i>) https://ecos.fws.gov/ecp/species/6175	On Land: Breeding
Rusty Blackbird (<i>Euphagus carolinus</i>)	On Land: Wintering
Wood Thrush (<i>Hylocichla mustelina</i>)	On Land: Breeding
Worm Eating Warbler (<i>Helminthos vermivorum</i>)	On Land: Breeding
Golden-winged Warbler (<i>Vermivora chrysoptera</i>) https://ecos.fws.gov/ecp/species/8745	On Land: Breeding
Black-billed Cuckoo (<i>Coccyzus erythrophthalmus</i>)	On Land: Breeding

<https://ecos.fws.gov/ecp/species/9399>

Purple Sandpiper (<i>Calidris maritima</i>)	On Land: Wintering
American Bittern (<i>Botaurus lentiginosus</i>) https://ecos.fws.gov/ecp/species/6582	On Land: Breeding
American Oystercatcher (<i>Haematopus palliatus</i>) https://ecos.fws.gov/ecp/species/8935	On Land: Year-round
Pied-billed Grebe (<i>Podilymbus podiceps</i>)	On Land: Year-round
Snowy Egret (<i>Egretta thula</i>)	On Land: Breeding
Blue-winged Warbler (<i>Vermivora pinus</i>)	On Land: Breeding
Saltmarsh Sparrow (<i>Ammodramus caudacutus</i>)	On Land: Breeding
Canada Warbler (<i>Wilsonia canadensis</i>)	On Land: Breeding
Seaside Sparrow (<i>Ammodramus maritimus</i>)	On Land: Year-round
Kentucky Warbler (<i>Oporornis formosus</i>)	On Land: Breeding
Prairie Warbler (<i>Dendroica discolor</i>)	On Land: Breeding
Fox Sparrow (<i>Passerella iliaca</i>)	On Land: Wintering
Upland Sandpiper (<i>Bartramia longicauda</i>) https://ecos.fws.gov/ecp/species/9294	On Land: Breeding
Red Knot (<i>Calidris canutus rufa</i>) https://ecos.fws.gov/ecp/species/1864	On Land: Wintering
Bald Eagle (<i>Haliaeetus leucocephalus</i>) https://ecos.fws.gov/ecp/species/1626	On Land: Year-round
Black Skimmer (<i>Rynchops niger</i>) https://ecos.fws.gov/ecp/species/5234	On Land: Breeding
Gull-billed Tern (<i>Gelochelidon nilotica</i>) https://ecos.fws.gov/ecp/species/9501	On Land: Breeding
Loggerhead Shrike (<i>Lanius ludovicianus</i>) https://ecos.fws.gov/ecp/species/8833	On Land: Year-round
Peregrine Falcon (<i>Falco peregrinus</i>) https://ecos.fws.gov/ecp/species/8831	On Land: Wintering
Short-eared Owl (<i>Asio flammeus</i>)	On Land: Wintering

<https://ecos.fws.gov/ecp/species/9295>

Willow Flycatcher (*Empidonax traillii*) On Land: Breeding
<https://ecos.fws.gov/ecp/species/3482>

Hudsonian Godwit (*Limosa haemastica*) At Sea: Migrating

Least Tern (*Sterna antillarum*) On Land: Breeding

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
 - Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
 - Year-round bird occurrence data
<http://www.birdscanada.org/birdmon/default/datasummaries.jsp>
-

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

ESTUARINE AND MARINE DEEPWATER

- [E1UBL](#)
- [E1UBL6x](#)
- [E1UBLx](#)

ESTUARINE AND MARINE WETLAND

- [E2EM5P6](#)

FRESHWATER EMERGENT WETLAND

- [PEM1Fx](#)
- [PEM5E](#)

FRESHWATER POND

- [PUBF](#)
- [PUBVx](#)

RIVERINE

- [R1UBVx](#)
-

Appendix D: List of Agency Correspondence

NJ SHPO Historic Architectural Resources Background Study (HARBS) and Effects Assessment and Phase 1A Archaeological Survey Submittal Letter- June 16, 2017

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Richard T. Hammer, Commissioner
Steven H. Santoro, Executive Director

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

June 16, 2017

Dr. Katherine Marcopul
Deputy State Historic Preservation Officer
Mail Code 501-04B
NJDEP-Historic Preservation Office
5 Station Plaza
501 East State Street, P.O. Box 420
Trenton, NJ 08625-0420

RE: Historic Architectural Resources Background Study (HARBS) and Effects Assessment (EA) and Phase IA Archaeological Survey, NJ TRANSIT GRID TRACTION POWER SYSTEM, Hudson County, New Jersey HPO Project # 14-1685

Dear Dr. Marcopul:


Enclosed for your review please find the Historic Architectural Resources Background Study (HARBS) and Effects Assessment (EA) report and the Phase IA Archaeological Survey for the proposed NJ TRANSIT TRACTION POWER SYSTEM project in Hudson County, New Jersey.

The Federal Transit Administration (FTA) and New Jersey Transit Corporation (NJ TRANSIT) plan to construct a microgrid within the Koppers Koke Site in Kearny, New Jersey. The proposed microgrid and associated infrastructure will enable trains to operate during widespread power failures. The facility will be sized to handle some of the daily operational power needs as well as emergency operations on a portion 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 Transit System (HBLR).

The enclosed reports, provided for your review and comment, have been prepared by RGA, Inc., cultural resources consultants, in compliance with Section 106 of the National Historic Preservation Act, as amended, the National Environmental Policy Act, and state regulations. NJ TRANSIT requests your concurrence with the identification of historic resources within the project Areas of Potential Effects and with the anticipated determination of effects.

If you have any questions or comments, please contact me at 973-491-7205 or DCallender@njtransit.com.

Yours very truly,



Dara Callender
Manager, Environmental Compliance

Enclosures

cc: Nina Chung, FTA
Donald Burns, FTA
Helen Serassio, FTA
John Susino, FTA
Nick Marton, NJ TRANSIT
John Geitner, NJ TRANSIT
Sandy Peterson, BEM
Harold Olarte, BEM
Leslie Mesnick, Calladium
Damon Tvaryanas, RGA (w/o enclosures)

Appendix D: List of Agency Correspondence

*NJDEP Green Acres Program Jurisdictional Determination Response Letter-
November 22, 2017*

Zachary Batren

Subject: FW: Correspondence to Letter - TRANSITGRID Program

From: Lawrence, Nancy [mailto:Nancy.Lawrence@dep.nj.gov]
Sent: Friday, December 01, 2017 12:56 PM
To: Zachary Batren <ZBatren@bemsys.com>; Snyder, Maude <Maude.Snyder@dep.nj.gov>
Cc: Sandra Peterson <speterson@bemsys.com>
Subject: RE: Correspondence to Letter - TRANSITGRID Program

Good news Zach!

It is always easier to avoid any impact to Green Acres encumbered properties if it can be done. Glad you found a way. Have a nice weekend.

Happy Holidays!

Nancy Lawrence
Green Acres
Bureau of Legal Services and Stewardship

From: Zachary Batren [mailto:ZBatren@bemsys.com]
Sent: Friday, December 1, 2017 10:08 AM
To: Snyder, Maude <Maude.Snyder@dep.nj.gov>; Lawrence, Nancy <Nancy.Lawrence@dep.nj.gov>
Cc: Sandra Peterson <speterson@bemsys.com>
Subject: RE: Correspondence to Letter - TRANSITGRID Program

Hi Maude & Nancy,

I'm following up on the email from yesterday regarding potential work being done within the Green Acres encumbered properties.

With some recent project changes it has been confirmed that the three properties (below) that were initially flagged as Green Acres Encumbered, will not be impacted by construction as the project footprint previously shown in these areas has been eliminated from the proposed action.

MUNICIPALITY	BLOCK	LOT	OWNER NAME
JERSEY CITY	11603	41	CITY OF JERSEY CITY
JERSEY CITY	15801	48	STATE OF NJ DEPT OF ENV PROTECTION
JERSEY CITY	15802	21	STATE OF NJ DEPT OF ENV PROTECTION

The properties that were flagged as within close proximity (below) are still outside of our impact areas and will not be affected during the construction phase of this project.

MUNICIPALITY	BLOCK	LOT	OWNER NAME	ADJACENT PARKLAND
HOBOKEN CITY	136	6.01	NJ TRANSIT CORP C/O R.E. OFFICE	Lot 7

HOBOKEN CITY	139	1.01	NJ TRANSIT CORP C/O R.E. OFFICE	Lot 3
JERSEY CITY	10901	120	446 NEWARK AVE.,LLC & CONRAIL	Lots 119, 129 & 132
JERSEY CITY	13703	3	NJ TURNPIKE AUTHORITY	Lot 2
WEEHAWKEN TWP	45	9	NJ JUNCTION R R	Lots 9.03 & 11

Thank you very much for your help and quick responses,

Zach Batren

Zachary Batren
Environmental Scientist

BEM Systems, Inc.
www.bemsys.com

100 Passaic Avenue
Chatham, NJ 07928

Tel. - 908.598.2600 x142
Fax - 908.598.2622
Mobile - 732.735.2241



From: Snyder, Maude [<mailto:Maude.Snyder@dep.nj.gov>]
Sent: Thursday, November 30, 2017 12:49 PM
To: Zachary Batren <ZBatren@bemsys.com>; Lawrence, Nancy <Nancy.Lawrence@dep.nj.gov>
Subject: RE: Correspondence to Letter - TRANSITGRID Program

Hi Zach,

Nancy copied me because I am the Hudson County Steward. I can address your question by saying: it depends. I will need to look closer at the way in which these properties became encumbered and when. Did the ROW predate the GA encumbrance? Do you have the ROW deed and have you looked to see it spells out permitted activities. I am happy to discuss this with you if you would like to reach out to me at the number below.

Thanks,

Maude Snyder

Bureau of Legal Services and Stewardship
Green Acres Program, NJDEP
maude.snyder@dep.nj.gov
(609) 292-0903

From: Zachary Batren [<mailto:ZBatren@bemsys.com>]
Sent: Thursday, November 30, 2017 11:15 AM

To: Lawrence, Nancy <Nancy.Lawrence@dep.nj.gov>
Cc: Snyder, Maude <Maude.Snyder@dep.nj.gov>
Subject: RE: Correspondence to Letter - TRANSITGRID Program

Hi Nancy,

I have a question about the encumbered properties.

If construction was occurring on a NJ TRANSIT right of way on these properties, would that pose for further action or follow up with Green Acres?

I placed the properties below on a map and blocked out the property lines.
The red markers are Encumbered properties, the yellow are within close proximity.
The blue line indicated is the NJ TRANSIT RoW track line near the property.

Thanks,
Zach

From: Lawrence, Nancy [<mailto:Nancy.Lawrence@dep.nj.gov>]
Sent: Wednesday, November 22, 2017 10:11 AM
To: Zachary Batren <ZBatren@bemsys.com>
Cc: Snyder, Maude <Maude.Snyder@dep.nj.gov>
Subject: RE: Correspondence to Letter - TRANSITGRID Program

Zach.

Again, I apologize for the unacceptable delay in responding to your request for a jurisdictional determination.

This email is in response to your request for a determination on whether the 5 page Block and Lot listing of properties within the NJ TRANSITGRID TRACTION POWER SYSTEM project area, included with Nicholas Marton's March 28, 2017 letter, are encumbered by the Green Acres Program. From the information provided to this office, it appears the following properties come under the jurisdiction of the Green Acres Program.

MUNICIPALITY	BLOCK	LOT	OWNER NAME
JERSEY CITY	11603	41	CITY OF JERSEY CITY
JERSEY CITY	15801	48	STATE OF NJ DEPT OF ENV PROTECTION
JERSEY CITY	15802	21	STATE OF NJ DEPT OF ENV PROTECTION

In addition, the following properties are in close proximity to Green Acres encumbered parkland:

MUNICIPALITY	BLOCK	LOT	OWNER NAME	ADJACENT P
HOBOKEN CITY	136	6.01	NJ TRANSIT CORP C/O R.E. OFFICE	Lot 7
HOBOKEN CITY	139	1.01	NJ TRANSIT CORP C/O R.E. OFFICE	Lot 3
JERSEY CITY	10901	120	446 NEWARK AVE.,LLC & CONRAIL	Lots 119, 129
JERSEY CITY	13703	3	NJ TURNPIKE AUTHORITY	Lot 2
WEEHAWKEN TWP	45	9	NJ JUNCTION R R	Lots 9.03 & 11

While it is understood the list provided represents all properties that fall within the 500-foot buffer of the HBLR alignment and are not expected to be affected during construction of the proposed project, it is important to note that *any* activities on encumbered parkland that are not in direct support of conservation or recreational uses are highly discouraged. Such uses will be considered a diversion and will require prior approval from Green Acres, the Commissioner of the Department of Environmental Protection and the State House Commission. (please see *N.J.A.C 7:36-26* for more information). If, upon review of this correspondence, a non-recreation / non-conservation use is being proposed on a property listed above please have the appropriate property owner contact Maude Snyder, Hudson County Steward, at 609-292-0903 with questions regarding the State House Commission approval process. Maude is copied on this email. Please note that Green Acres relies on the information provided by the local unit(s) in maintaining the accuracy of our database. Since it is the responsibility of the local unit(s) to ensure compliance with Green Acres rules, it is strongly recommended that you confirm the following information with the local unit(s) involved.

For your information, all lands held for conservation and/or recreation purposes at the time the local unit last received funding from Green Acres should be listed on the ROSI and come under the jurisdiction of the Green Acres Program whether the property is listed or not. Such lands are those owned, leased, or otherwise controlled by the local unit and may include land owned in fee, land leased from the Board of Education (or a private entity) for recreation purposes, land owned by a private entity upon which the local unit holds a conservation easement, or any land in which the local unit holds a specific recreation and/or conservation interest.

If there is question as to whether a property should / should not be included on the ROSI, please have the local unit consult *N.J.A.C. 7:36-25.3* for guidance. If you have any questions or have additional properties that need research as to whether they are encumbered by Green Acres, please feel free to contact me directly at 609-341-2054. For your information, the Green Acres rules can be found online at www.state.nj.us/dep/greenacres/pdf/regs.pdf.

Have a Happy Thanksgiving. May your day be filled with great food, family and fun!

Regards,

Nancy Lawrence
Compliance Officer
Bureau of Legal Services and Stewardship

NJDEP Green Acres Program
Mail Code 501-01, P.O. Box 420
501 East State Street, 1st Floor
Trenton, NJ 08625-0420
609.341.2054 direct
609.984.0608 fax

Celebrating 50+ years of Green Acres
www.NJGreenAcres.org

From: Zachary Batren
Sent: Friday, November 10, 2017 12:13 PM

To: 'Nancy.Lawrence@dep.state.nj.us' <Nancy.Lawrence@dep.state.nj.us>

Subject: Correspondence to Letter - TRANSITGRID Program

Hi Nancy,

I've been going through out internal reports/documents and noticed that we do not have a response to a letter sent on March 28, 2017 that was titled "**Re NJ TRANSITGRID TRACTION POWER SYSTEM Green Acres Program – Jurisdictional Determination**". BEM works as a consultant for NJTRANSIT so the header would have been in NJTRANSITS form, from Nicholas L. Marton.

Would it be possible to confirm that you've received the letter and/or had a response to it?

Thanks,
Zach

Zachary Batren

Environmental Scientist

BEM Systems, Inc.
www.bemsys.com

100 Passaic Avenue
Chatham, NJ 07928

Tel. - 908.598.2600 x142
Fax - 908.598.2622
Mobile - 732.735.2241



Appendix D: List of Agency Correspondence

USFWS IPaC System Report- December 19, 2017



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Jersey Ecological Services Field Office
4 E. Jimmie Leeds Road, Suite 4
Galloway, NJ 08205
Phone: (609) 646-9310 Fax: (609) 646-0352

<http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html>



In Reply Refer To:

December 19, 2017

Consultation Code: 05E2NJ00-2018-SLI-0390

Event Code: 05E2NJ00-2018-E-00817

Project Name: TG New Changes

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species that may occur in your proposed action area and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.)

If the enclosed list indicates that any listed species may be present in your action area, please visit the New Jersey Field Office consultation web page as the next step in evaluating potential project impacts: <http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html>

On the New Jersey Field Office consultation web page you will find:

- habitat descriptions, survey protocols, and recommended best management practices for listed species;
- recommended procedures for submitting information to this office; and
- links to other Federal and State agencies, the Section 7 Consultation Handbook, the Service's wind energy guidelines, communication tower recommendations, the National Bald Eagle Management Guidelines, and other resources and recommendations for protecting wildlife resources.

The enclosed list may change as new information about listed species becomes available. As per Federal regulations at 50 CFR 402.12(e), the enclosed list is only valid for 90 days. Please return to the ECOS-IPaC website at regular intervals during project planning and implementation to obtain an updated species list. When using ECOS-IPaC, be careful about drawing the boundary of your Project Location. Remember that your action area under the ESA is not limited to just the footprint of the project. The action area also includes all areas that may be indirectly affected through impacts such as noise, visual disturbance, erosion, sedimentation, hydrologic change,

chemical exposure, reduced availability or access to food resources, barriers to movement, increased human intrusions or access, and all areas affected by reasonably foreseeable future that would not occur without ("but for") the project that is currently being proposed.

We appreciate your concern for threatened and endangered species. The Service encourages Federal and non-Federal project proponents to consider listed, proposed, and candidate species early in the planning process. Feel free to contact this office if you would like more information or assistance evaluating potential project impacts to federally listed species or other wildlife resources. Please include the Consultation Tracking Number in the header of this letter with any correspondence about your project.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New Jersey Ecological Services Field Office

4 E. Jimmie Leeds Road, Suite 4

Galloway, NJ 08205

(609) 646-9310

Project Summary

Consultation Code: 05E2NJ00-2018-SLI-0390

Event Code: 05E2NJ00-2018-E-00817

Project Name: TG New Changes

Project Type: ** OTHER **

Project Description: Power supply additions to the train lines.

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/40.730336211000065N74.03589624709915W>



Counties: Hudson, NJ

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

REFUGE INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED.
PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service³. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or are known to have particular vulnerabilities in your project location. To learn more about the levels of concern for birds on your list, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your specific project area. To see maps of where birders and the general public have sighted birds in and around your project area, visit E-bird tools such as the [E-bird data mapping tool](#) (search for the scientific name of a bird on your list to see specific locations where that bird has been reported to occur within your project area over a certain time-frame) and the [E-bird Explore Data Tool](#) (perform a query to see a list of all birds sighted in your county or region and within a certain time-frame). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list can be found [below](#).

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC), but is of concern in this area either because of the Eagle Act, or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Mar 20 to Sep 15
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20
King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and	Breeds May 1 to

Alaska. https://ecos.fws.gov/ecp/species/8936	Sep 5
Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631	Breeds elsewhere
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31
Additional information can be found using the following links:	
<ul style="list-style-type: none"> ■ Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php ■ Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php ■ Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeas 	

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

ESTUARINE AND MARINE DEEPWATER

- [E1UBL](#)
- [E1UBLx](#)
- [E1UBL6x](#)

ESTUARINE AND MARINE WETLAND

- [E2EM5P6](#)

FRESHWATER EMERGENT WETLAND

- [PEM5R](#)
- [PEM1Fx](#)
- [PEM1A](#)
- [PEM5E](#)

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1F](#)

FRESHWATER POND

- [PUBF](#)
- [PUBVx](#)

RIVERINE

- [R1UBVx](#)
-

Appendix D: List of Agency Correspondence

NJDEP NHP Review Response Letter- January 10, 2018



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Parks & Forestry

State Forestry Service

Mail Code 501-04

Office of Natural Lands Management – Natural Heritage Program

P.O. Box 420

Trenton, NJ 08625-0420

Tel. (609) 984-1339 Fax. (609) 984-1427

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

January 10, 2018

Anna Loss
BEM Systems, Inc.
100 Passaic Avenue
Chatham, NJ 07928

Re: NJ Transitgrid Traction Power System
Kearny Town, Jersey City, Hoboken City, Union City and Weehawken and North Bergen Townships, Hudson County

Dear Ms. Loss:

Thank you for your data request regarding rare species information for the above referenced project site.

Searches of the Natural Heritage Database and the Landscape Project (Version 3.3) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the topographic map(s) submitted with the Natural Heritage Data Request Form into our Geographic Information System. We do not typically verify that your project bounds are accurate, or check them against other sources.

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as 'Yes' in Table 1.

We have also checked the Landscape Project habitat mapping and Biotics Database for occurrences of rare wildlife species or wildlife habitat in the immediate vicinity (within ¼ mile) of the referenced site. Additionally, the Natural Heritage Database was checked for occurrences of rare plant species or ecological communities within ¼ mile of the site. Please refer to Table 2 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented within the immediate vicinity of the site. Detailed reports are provided for all categories coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

We have also checked the Landscape Project habitat mapping and Biotics Database for all occurrences of rare wildlife species or wildlife habitat within one mile of the referenced site. Please refer to Table 3 (attached) to determine if any rare wildlife species or wildlife habitat is documented within one mile of the project site. Detailed reports are provided for each category coded as 'Yes' in Table 3. These reports may include species that have also been documented on the project site.

For requests submitted as part of a Flood Hazard Area Control Act (FHACA) rule application, we report records for all rare plant species and ecological communities tracked by the Natural Heritage Program that may be on, or in the immediate vicinity of, your project site. A subset of these plant species are also covered by the FHACA rules when the records are located within one mile of the project site. One mile searches for FHACA plant species will only report precisely located occurrences for those wetland plant species identified under the FHACA regulations as being critically dependent on the

NHP File No. 18-4007461-13269

watercourse. Please refer to Table 3 (attached) to determine if any precisely located rare wetland plant species covered by the FHACA rules have been documented. Detailed reports are provided for each category coded as 'Yes' in Table 3. These reports may include species that have also been documented on, or in the immediate vicinity of, the project site.

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State's best habitats for rare and endangered species and ecological communities. Please refer to Tables 1, 2 and 3 (attached) to determine if any priority sites are located on, in the immediate vicinity, or within one mile of the project site.

A list of rare plant species and ecological communities that have been documented from the county (or counties), referenced above, can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.html>. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes_2010.pdf.

Beginning May 9, 2017, the Natural Heritage Program reports for wildlife species will utilize data from Landscape Project Version 3.3. If you have questions concerning the wildlife records or wildlife species mentioned in this response, we recommend that you visit the interactive web application at the following URL, <https://njdep.maps.arcgis.com/apps/webappviewer/index.html?id=0e6a44098c524ed99bf739953cb4d4c7>, or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.

For additional information regarding any Federally listed plant or animal species, please contact the U.S. Fish & Wildlife Service, New Jersey Field Office at <http://www.fws.gov/northeast/njfieldoffice/endangered/consultation.html>.

PLEASE SEE 'CAUTIONS AND RESTRICTIONS ON NHP DATA', which can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/newcaution2008.pdf>.

Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,



Robert J. Cartica
Administrator

c: NHP File No. 18-4007461-13269

Table 1: On Site Data Request Search Results (6 Possible Reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Possibly on Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites On Site	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	2 page(s) included
4. Vernal Pool Habitat on the Project Site Based on Search of Landscape Project 3.3	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species On the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

<p align="center">Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<i>Aves</i>								
	Bald Eagle	Haliaeetus leucocephalus	Foraging	4	NA	State Endangered	G5	S1B,S2N
	Cattle Egret	Bubulcus ibis	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Northern Harrier	Circus cyaneus	Non-breeding Sighting	2	NA	Special Concern	G5	S1B,S3N
	Osprey	Pandion haliaetus	Foraging	3	NA	State Threatened	G5	S2B,S4N
	Osprey	Pandion haliaetus	Nest	3	NA	State Threatened	G5	S2B,S4N
	Peregrine Falcon	Falco peregrinus	Urban Nest	4	NA	State Endangered	G4	S1B,S3N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Tricolored Heron	Egretta tricolor	Foraging	2	NA	Special Concern	G5	S3B,S3N
<i>Osteichthyes</i>								
	Atlantic Sturgeon	Acipenser oxyrinchus	Migration Corridor - Adult Sighting	5	Federally Listed Endangered	State Endangered	G3	S1
	Atlantic Sturgeon	Acipenser oxyrinchus	Migration Corridor - Juvenile Sighting	5	Federally Listed Endangered	State Endangered	G3	S1

<p>Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>
--

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
	Shortnose Sturgeon	Acipenser brevirostrum	Migration Corridor - Adult Sighting	5	Federally Listed Endangered	State Endangered	G3	S1

Table 2: Vicinity Data Request Search Results (6 possible reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Immediate Vicinity of the Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites within the Immediate Vicinity	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	2 page(s) included
4. Vernal Pool Habitat In the Immediate Vicinity of Project Site Based on Search of Landscape Project 3.3	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat In the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species In the Immediate Vicinity of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

<p align="center">Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<i>Aves</i>								
	Bald Eagle	Haliaeetus leucocephalus	Foraging	4	NA	State Endangered	G5	S1B,S2N
	Black-crowned Night-heron	Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Bobolink	Dolichonyx oryzivorus	Breeding Sighting	3	NA	State Threatened	G5	S2B,S3N
	Bobolink	Dolichonyx oryzivorus	Non-breeding Sighting	2	NA	Special Concern	G5	S2B,S3N
	Cattle Egret	Bubulcus ibis	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Northern Harrier	Circus cyaneus	Breeding Sighting	4	NA	State Endangered	G5	S1B,S3N
	Northern Harrier	Circus cyaneus	Non-breeding Sighting	2	NA	Special Concern	G5	S1B,S3N
	Osprey	Pandion haliaetus	Foraging	3	NA	State Threatened	G5	S2B,S4N
	Osprey	Pandion haliaetus	Nest	3	NA	State Threatened	G5	S2B,S4N
	Peregrine Falcon	Falco peregrinus	Urban Nest	4	NA	State Endangered	G4	S1B,S3N
	Savannah Sparrow	Passerculus sandwichensis	Breeding Sighting	3	NA	State Threatened	G5	S2B,S4N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N

<p align="center">Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
	Tricolored Heron	Egretta tricolor	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Yellow-crowned Night-heron	Nyctanassa violacea	Foraging	3	NA	State Threatened	G5	S2B,S2N
<i>Osteichthyes</i>								
	Atlantic Sturgeon	Acipenser oxyrinchus	Migration Corridor - Adult Sighting	5	Federally Listed Endangered	State Endangered	G3	S1
	Atlantic Sturgeon	Acipenser oxyrinchus	Migration Corridor - Juvenile Sighting	5	Federally Listed Endangered	State Endangered	G3	S1
	Shortnose Sturgeon	Acipenser brevirostrum	Migration Corridor - Adult Sighting	5	Federally Listed Endangered	State Endangered	G3	S1

Table 3: Within 1 Mile for FHACA Searches (6 possible reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Rare Plant Species Occurrences Covered by the Flood Hazard Area Control Act Rule Within One Mile of the Project Site Based on Search of Natural Heritage Database	Yes	1 page(s) included
2. Natural Heritage Priority Sites within 1 mile	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	3 page(s) included
4. Vernal Pool Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species Within One Mile of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	Yes	1 page(s) included

**Rare Plant Species Covered by the
Flood Hazard Area Control Act Rule Within
One Mile of the Project Site Based on Search of
Natural Heritage Database**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Regional Status	Grank	Srank	Identified	Last Observed
-----------------	-------------	------------------------------	----------------------------	--------------------	-------	-------	------------	------------------

Vascular Plants

Ptelea trifoliata var. trifoliata	Wafer-ash		E	LP, HL	G5T5	S1	Y - Yes	2010-07-28
--------------------------------------	-----------	--	---	--------	------	----	---------	------------

Total number of records: 1

<p align="center">Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Strank
<i>Aves</i>								
	Bald Eagle	Haliaeetus leucocephalus	Foraging	4	NA	State Endangered	G5	S1B,S2N
	Bald Eagle	Haliaeetus leucocephalus	Nest	4	NA	State Endangered	G5	S1B,S2N
	Barn Owl	Tyto alba	Non-breeding Sighting	2	NA	Special Concern	G5	S3B,S3N
	Black-crowned Night-heron	Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Black-crowned Night-heron	Nycticorax nycticorax	Roosting Area	3	NA	State Threatened	G5	S2B,S3N
	Bobolink	Dolichonyx oryzivorus	Breeding Sighting	3	NA	State Threatened	G5	S2B,S3N
	Bobolink	Dolichonyx oryzivorus	Non-breeding Sighting	2	NA	Special Concern	G5	S2B,S3N
	Brown Thrasher	Toxostoma rufum	Breeding Sighting	2	NA	Special Concern	G5	S3B,S4N
	Cattle Egret	Bubulcus ibis	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Least Bittern	Ixobrychus exilis	Breeding Sighting-Confirmed	2	NA	Special Concern	G5	S3B,S3N

<p align="center">Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Strank
	Least Tern	Sternula antillarum	Foraging	4	NA	State Endangered	G4	S1B,S1N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Northern Harrier	Circus cyaneus	Breeding Sighting	4	NA	State Endangered	G5	S1B,S3N
	Northern Harrier	Circus cyaneus	Non-breeding Sighting	2	NA	Special Concern	G5	S1B,S3N
	Osprey	Pandion haliaetus	Foraging	3	NA	State Threatened	G5	S2B,S4N
	Osprey	Pandion haliaetus	Nest	3	NA	State Threatened	G5	S2B,S4N
	Peregrine Falcon	Falco peregrinus	Urban Nest	4	NA	State Endangered	G4	S1B,S3N
	Pied-billed Grebe	Podilymbus podiceps	Breeding Sighting-Confirmed	4	NA	State Endangered	G5	S1B,S3N
	Savannah Sparrow	Passerculus sandwichensis	Breeding Sighting	3	NA	State Threatened	G5	S2B,S4N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Tricolored Heron	Egretta tricolor	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Yellow-crowned Night-heron	Nyctanassa violacea	Foraging	3	NA	State Threatened	G5	S2B,S2N

Osteichthyes

<p>Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>
--

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
	Atlantic Sturgeon	Acipenser oxyrinchus	Migration Corridor - Adult Sighting	5	Federally Listed Endangered	State Endangered	G3	S1
	Atlantic Sturgeon	Acipenser oxyrinchus	Migration Corridor - Juvenile Sighting	5	Federally Listed Endangered	State Endangered	G3	S1
	Shortnose Sturgeon	Acipenser brevirostrum	Migration Corridor - Adult Sighting	5	Federally Listed Endangered	State Endangered	G3	S1

**Other Animal Species Within
One Mile of the Project Site Based on
Additional Species Tracked by
Endangered and Nongame Species Program**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Grank	Srank
-----------------	-------------	---------------------------	-------------------------	-------	-------

Vertebrate Animals

Malaclemys terrapin terrapin	Northern Diamondback Terrapin			G4T4Q	S3
------------------------------	-------------------------------	--	--	-------	----

Total number of records: 1

Appendix D: List of Agency Correspondence

NJ SHPO Supplemental Information Submittal Letter- January 26, 2018

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Acting Commissioner
Steven H. Santoro, Executive Director

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

January 26, 2018

Dr. Katherine Marcopul
Deputy State Historic Preservation Officer
Mail Code 501-04B
NJDEP-Historic Preservation Office
5 Station Plaza
501 East State Street, P.O. Box 420
Trenton, NJ 08625-0420

**RE: Supplemental Information for the Historic Architectural Resource Background Study and Effects Assessment (EA) Report and Supplemental Information for the Phase IA Archaeological Survey (Phase IA) for the NJ TRANSITGRID TRACTION POWER SYSTEM
HPO Project # 14-1685**

Dear Dr. Marcopul:

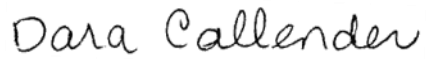
Enclosed for your review please find the Supplemental Information for the Historic Architectural Resource Background Study (HARBS) and Effects Assessment (EA) Report and Supplemental Information for the Phase IA Archaeological Survey (Phase IA) for the NJ TRANSITGRID TRACTION POWER SYSTEM project in Hudson County, New Jersey (Phase IA). These reports are provided in response to requests for additional information by the New Jersey Historic Preservation Office (NJHPO) during that office's review of the HARBS/EA and the Phase IA reports for the aforementioned project.

The Federal Transit Administration (FTA) and New Jersey Transit Corporation (NJ TRANSIT) plan to construct a microgrid within the Koppers Koke Site in Kearny, New Jersey. The proposed microgrid and associated infrastructure will enable trains to operate during widespread power failures. The facility will be sized to handle some of the daily operational power needs as well as emergency operations on a portion 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 Transit System (HBLR).

The enclosed reports, provided for your review and comment, have been prepared by RGA, Inc., cultural resources consultants, in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, the National Environmental Policy Act, and state regulations. NJ TRANSIT requests your concurrence with the identification of historic resources within the project Areas of Potential Effects and with the anticipated determination of effects.

If you have any questions or comments, please contact me at 973-491-7205 or DCallender@njtransit.com.

Yours very truly,

A handwritten signature in cursive script that reads "Dara Callender".

Dara Callender
Manager, Environmental Compliance

Enclosures

cc: Nina Chung, FTA
 Donald Burns, FTA
 Nick Marton, NJ TRANSIT
 John Geitner, NJ TRANSIT
 Sandy Kochersperger, BEM
 Harold Olarte, BEM
 Leslie Mesnick, Calladium
 Damon Tvaryanas, RGA (w/o enclosures)

Appendix D: List of Agency Correspondence

Tideland Search Certification- February 23, 2018



HEREBY ISSUED TO:

TIDELAND SEARCH CERTIFICATE

ACCOUNT: 598260090

REFERENCE: HUDSON

BEM SYSTEMS

**100 PASSAIC AVENUE
CHATHAM, NJ 07928**

SIGNATURE INFORMATION SOLUTIONS LLC CERTIFIES THAT ALL OR A PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO PRIOR GRANTS OR LEASES OF STATE-OWNED TIDELANDS AND OTHER RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: 679-2160 & 679-2166

TIDELANDS MAP DATE: 27-MAY-1982

DESIGNATED PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 21503

LOT: 2,3,32-37,41,43,44

STREET NUMBER & NAME: COMMUNIPAW AVE.

SEARCH RESULTS

FINDINGS: CLAIMED

TYPE OF CLAIM: WATER COURSE

APPROXIMATE SIZE OF CLAIM: 1%

DATED: 23-FEB-2018

FEE: \$35.00

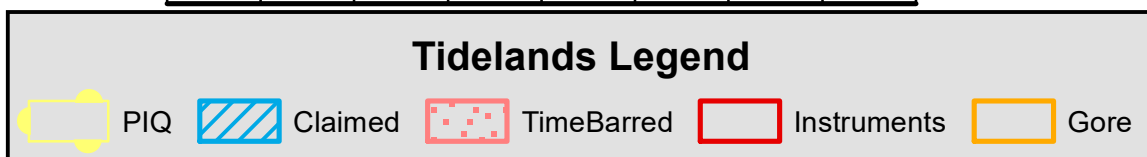
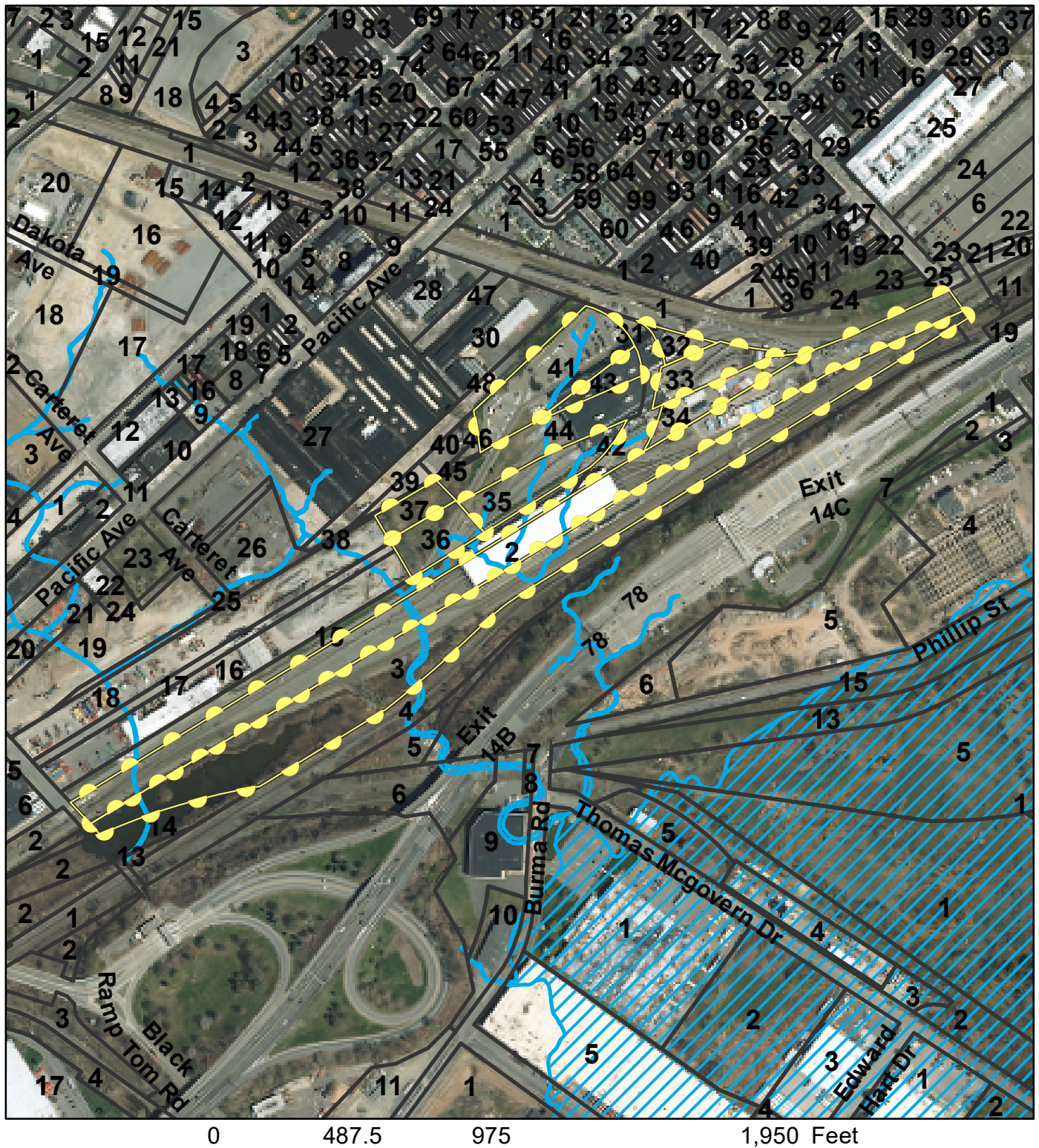
TAX: \$0.00

TOTAL: \$35.00

**Signature Information Solutions LLC
has executed this certificate**

TD18-054-1530

Tidelands Claim Search



The claim and property lines depicted are a scaled representation and are for informational purposes only. Results are based on the NJ State Tidelands Conveyance Maps and are subject to the Tidelands Reservation Statement. Signature is not responsible for errors or omissions in the State's data.



GRANT SEARCH

ACCOUNT: 598260090

REFERENCE: HUDSON

BEM SYSTEMS

100 PASSAIC AVENUE
CHATHAM, NJ 07928

SUBJECT PROPERTY

COUNTY: HUDSON

STATE: NEW JERSEY

MUNICIPALITY: CITY OF JERSEY CITY

BLOCK: 21503

LOT: 2,3,32-37,41,43,44

APPLICABLE TIDELAND MAP NUMBER: 679-2160 & 679-2166

IN RESPONSE TO YOUR REQUEST, SIGNATURE INFORMATION SOLUTIONS LLC, HAS REVIEWED THE CONVEYANCE MAPS OF THE NEW JERSEY TIDELANDS MANAGEMENT BUREAU FOR PRIOR TIDELAND INSTRUMENTS WHICH MAY AFFECT ON THE ABOVE-REFERENCED PROPERTY. THE RESULTS ARE AS FOLLOWS:

TIDELAND INSTRUMENTS FOUND AS FOLLOWS:

TIDELANDS BUREAU FILE DATA

TYPE	DESC	RECIPIENT	DATE	CASE#	BOOK	PAGE	DOCUMENT
GRANT		RUDOLF BASS, INC.	20-MAR-1992		G-8	111	ATTACHED

WE RECOMMEND CAREFUL REVIEW OF THE INSTRUMENT(S) LISTED ABOVE. SIGNATURE INFORMATION SOLUTIONS LLC IS SIMPLY REPORTING THAT THESE INSTRUMENTS APPEAR IN THE RECORDS OF THE TIDELANDS MANAGEMENT BUREAU, AND IT ASSUMES NO RESPONSIBILITY FOR THEIR NATURE, EXTENT OR VALIDITY.

DATED: 23-FEB-2018

FEE: NO CHARGE

TIDELAND SEARCH #: TD18-054-1530

GRANTSEARCH #: GS18-054-1553

Appendix D: List of Agency Correspondence

NOAA Essential Fish Habitat (EFH) Coordination- February 23, 2018

Zachary Batren

Subject: Microgrid Power System EFH Coordination

From: Karen Greene - NOAA Federal [<mailto:karen.greene@noaa.gov>]

Sent: Friday, February 23, 2018 2:59 PM

To: Deidra Valianti <DValianti@bemsys.com>

Cc: Anna Loss <ALoss@bemsys.com>; Zachary Batren <ZBatren@bemsys.com>; Ursula Howson <ursula.howson@noaa.gov>

Subject: Re: Microgrid Power System EFH Coordination

Hello Deidra,

I apologize for not replying to the last request.

In March 2017 changes to the Army Corps Nationwide Permit Program were finalized. Activities that fall under the Corps' Nationwide Permit Program no longer require coordination with us prior to your application to the Corps. Coordination with the Corps to protect resources under the jurisdiction of NOAA Fisheries' Habitat Conservation Division has been completed on a programmatic level for most nationwide Permits. The Nationwide Permits now include regional conditions to minimize impacts to essential fish habitat (EFH) and anadromous fish. The regional conditions are on the New York District's website at: <http://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>

As long as the project complies with the regional conditions for NJ, additional coordination with us is not needed. You no longer have to provide documentation to the Corps that you have contacted us and we have responded as part of the Nationwide permit verification process.

As technical assistance, EFH has been designated in the estuarine waters of the project area. Additional information can be found on our website at <https://www.greateratlantic.fisheries.noaa.gov/habitat/index.html#>

Anadromous fish including alewife, blueback herring and American shad use the Passaic River for migration, spawning and nursery and forage habitat.

If you have any questions or need additional information, please contact Ursula Howson. She is now the regional biologist for our division for northern NJ and NY state. I have copied her on this email. Her phone number is 732 872-3116 and her address is the same as mine.

Thank you for your patience.

Karen

Karen Greene
Mid-Atlantic Field Offices Supervisor
NOAA/National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Habitat Conservation Division
James J. Howard Marine Sciences Laboratory

74 Magruder Rd.
Highlands, NJ 07732
732 872-3023 (office)

On Fri, Feb 23, 2018 at 11:17 AM, Deidra Valianti <DValianti@bemsys.com> wrote:

Good afternoon Karen,

I wanted to follow up with you regarding an EFH follow-up letter that BEM Systems, Inc. mailed on April 3, 2017 in regards to the NJ TRANSITGRID Project. Please see our original NMFS request as well as the response email from Edith Carson (NOAA) stating further consultation with the NOAA Fishers Habitat Conservation District be required. We sent a letter to pursue the further coordination that was dated April 3, 2017 but have not received a response.

Please feel free to call or email me with any questions or comments regarding this.

Thank you,

Deidra

Deidra Valianti *(formerly Friedhoff)*
Environmental Scientist

BEM Systems, Inc. www.bemsys.com	100 Passaic Avenue Chatham, NJ 07928	Tel. - 908.598.2600 x119 Fax - 908.598.2622
--	---	--



----- Forwarded message -----

From: Anna Loss <ALoss@bemsys.com>
To: "edith.carson@noaa.gov" <edith.carson@noaa.gov>
Cc: Harold Olarte <holarte@bemsys.com>, Ken Duffy <kduffy@bemsys.com>
Bcc:
Date: Wed, 29 Mar 2017 14:31:06 +0000
Subject: MicroGrid Power System

Hi Edith,

We had sent a NOAA NMFS Species Determination inquiry letter on July 19, 2016 (attached), outlining the proposed NJ TRANSITGRID project, specifically at the location of the Lower Hack Bridge, as labeled on the attached map. In our letter, we discussed the proposed features, including the installation of submarine cables across the Hackensack River via directional drilling from Kearny, underneath the river channel, and up again into Jersey City, totally directionally drilled. In response, we received an email from you, attached, saying no T&E species onsite (attached).

However, the Project alternatives now include another method for the cables, in which the cable will be directionally drilled to the channel bottom elevation, lay the cables along the bottom of the River bed, and directionally drill once the cable reaches the other side of the channel, up into Jersey City. If you could please update your findings to also include this new alternative method for the submarine cables, it would be greatly appreciated.

For your reference please see the original 2016 inquiry letter, your response email, and a site location map. Please feel free to reach out should you have any additional questions. Thank You,

Anna R. Loss

Environmental Scientist/Permitting

BEM Systems, Inc.
www.bemsys.com

100 Passaic Avenue
Chatham, NJ 07928

Tel. - [908.598.2600](tel:908.598.2600) x117
Fax - [908.598.2622](tel:908.598.2622)



Before printing this email, consider the environment

Appendix D: List of Agency Correspondence

USFWS IPaC System Report- March 13, 2018



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Jersey Ecological Services Field Office
4 E. Jimmie Leeds Road, Suite 4
Galloway, NJ 08205
Phone: (609) 646-9310 Fax: (609) 646-0352

<http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html>



In Reply Refer To:
Consultation Code: 05E2NJ00-2018-SLI-0390
Event Code: 05E2NJ00-2018-E-01611
Project Name: TG New Changes

March 13, 2018

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species that may occur in your proposed action area and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*)

If the enclosed list indicates that any listed species may be present in your action area, please visit the New Jersey Field Office consultation web page as the next step in evaluating potential project impacts: <http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html>

On the New Jersey Field Office consultation web page you will find:

- habitat descriptions, survey protocols, and recommended best management practices for listed species;
- recommended procedures for submitting information to this office; and
- links to other Federal and State agencies, the Section 7 Consultation Handbook, the Service's wind energy guidelines, communication tower recommendations, the National Bald Eagle Management Guidelines, and other resources and recommendations for protecting wildlife resources.

The enclosed list may change as new information about listed species becomes available. As per Federal regulations at 50 CFR 402.12(e), the enclosed list is only valid for 90 days. Please return to the ECOS-IPaC website at regular intervals during project planning and implementation to obtain an updated species list. When using ECOS-IPaC, be careful about drawing the boundary of your Project Location. Remember that your action area under the ESA is not limited to just the footprint of the project. The action area also includes all areas that may be indirectly affected

through impacts such as noise, visual disturbance, erosion, sedimentation, hydrologic change, chemical exposure, reduced availability or access to food resources, barriers to movement, increased human intrusions or access, and all areas affected by reasonably foreseeable future that would not occur without ("but for") the project that is currently being proposed.

We appreciate your concern for threatened and endangered species. The Service encourages Federal and non-Federal project proponents to consider listed, proposed, and candidate species early in the planning process. Feel free to contact this office if you would like more information or assistance evaluating potential project impacts to federally listed species or other wildlife resources. Please include the Consultation Tracking Number in the header of this letter with any correspondence about your project.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New Jersey Ecological Services Field Office

4 E. Jimmie Leeds Road, Suite 4

Galloway, NJ 08205

(609) 646-9310

Project Summary

Consultation Code: 05E2NJ00-2018-SLI-0390

Event Code: 05E2NJ00-2018-E-01611

Project Name: TG New Changes

Project Type: ** OTHER **

Project Description: Power supply additions to the train lines.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/40.73893165393925N74.05613121409402W>



Counties: Hudson, NJ

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see maps of where birders and the general public have sighted birds in and around your project area, visit E-bird tools such as the [E-bird data mapping tool](#) (search for the name of a bird on your list to see specific locations where that bird has been reported to occur within your project area over a certain timeframe) and the [E-bird Explore Data Tool](#) (perform a query to see a list of all birds sighted in your county or region and within a certain timeframe). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Oystercatcher <i>Haematopus palliatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8935	Breeds Apr 15 to Aug 31

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Aug 31
Black Skimmer <i>Rynchops niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5234	Breeds May 20 to Sep 15
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Blue-winged Warbler <i>Vermivora pinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 1 to Jun 30
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Buff-breasted Sandpiper <i>Calidris subruficollis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9488	Breeds elsewhere
Clapper Rail <i>Rallus crepitans</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Apr 10 to Oct 31
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20
Evening Grosbeak <i>Coccothraustes vespertinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Hudsonian Godwit <i>Limosa haemastica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere

NAME	BREEDING SEASON
King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8936	Breeds May 1 to Sep 5
Least Tern <i>Sterna antillarum</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Apr 20 to Sep 10
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631	Breeds elsewhere
Nelson's Sparrow <i>Ammodramus nelsoni</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 15 to Sep 5
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Purple Sandpiper <i>Calidris maritima</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Red-throated Loon <i>Gavia stellata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere

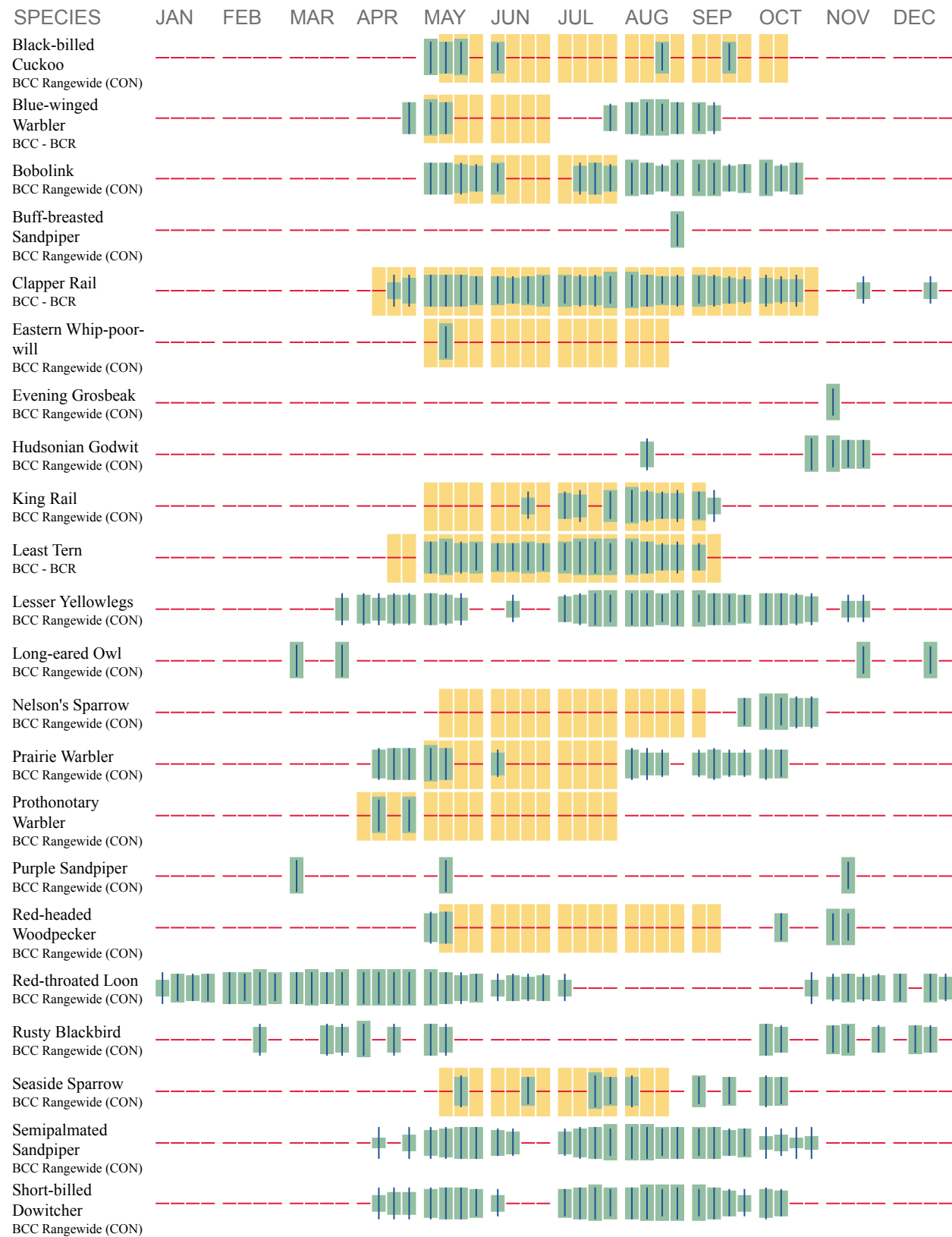
NAME	BREEDING SEASON
Seaside Sparrow <i>Ammodramus maritimus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 20
Semipalmated Sandpiper <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Snowy Owl <i>Bubo scandiacus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Whimbrel <i>Numenius phaeopus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9483	Breeds elsewhere
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

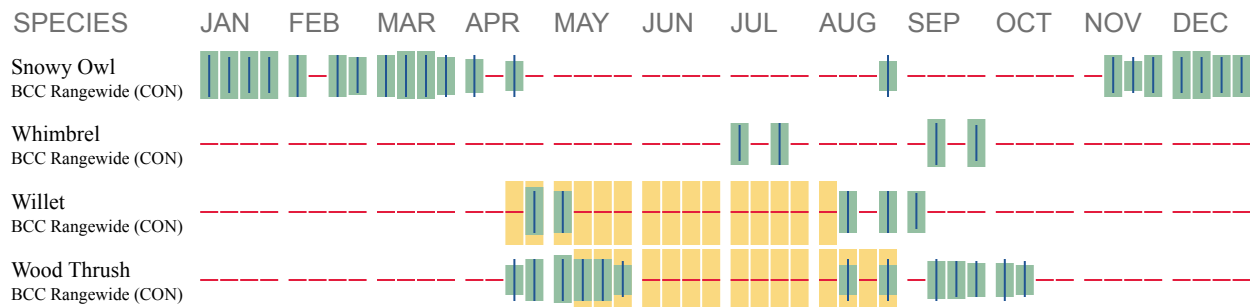
Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in your project's counties during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.





Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the counties which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#)

requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird entry on your migratory bird species list indicates a breeding season, it is probable that the bird breeds in your project's counties at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can

implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the BGEPA should such impacts occur.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

ESTUARINE AND MARINE DEEPWATER

- [E1UBL](#)
- [E1UBLx](#)
- [E1UBL6x](#)

ESTUARINE AND MARINE WETLAND

- [E2EM5P6](#)

FRESHWATER EMERGENT WETLAND

- [PEM5R](#)
- [PEM1Fx](#)
- [PEM1A](#)
- [PEM5E](#)

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1F](#)

FRESHWATER POND

- [PUBF](#)
- [PUBVx](#)

RIVERINE

- [R1UBVx](#)
-

Appendix D: List of Agency Correspondence

NJ SHPO Consultation Comments Letter- April 24, 2018



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 17th Street Apartment Buildings Streetscape, City of Bayonne (SHPO Opinion 12/9/1994)
- Maidenform Brassiere Company, City of Bayonne (SHPO Opinion 12/9/1994)
- East 19th 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 12th 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 17th Street Apartment Buildings Streetscape, City of Bayonne (SHPO Opinion 12/9/1994)
- Maidenform Brassiere Company, City of Bayonne (SHPO Opinion 12/9/1994)
- East 19th 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

Appendix D: List of Agency Correspondence

Federal Aviation Administration (FAA) Invitation for Participation- September 28, 2018

From: [Moser, Daniel \(FTA\)](#)
To: [Solomon, Jennifer <AEA>](#)
Cc: [Brooks, Andrew <AEA>](#); [Burns, Donald \(FTA\)](#); [Goodman, Stephen \(FTA\)](#)
Subject: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement
Date: Friday, September 28, 2018 5:50:00 PM
Attachments: [2018_09_28 Signed FAA Participating Agency EIS NJT TransitGrid.pdf](#)
[2018_09_28 Participating AGENCY form.pdf](#)

Good Morning

The Federal Transit Administration (FTA) is writing to invite FAA comment on the New Jersey Transit (NJTRANSIT) TransitGrid Project located in the Town of Kearny, New Jersey. The proposed project includes several utility monopoles, some with a maximum height of 225 feet, to be installed at intervals along 1.5 miles of existing rail right-of-way. The monopoles would carry high power electrical transmission lines to power passenger rail service in the Amtrak Northeast Corridor.

An more complete overview of the project is provided in the attached letter.

FTA is preparing an Draft Environmental Impact Statement (DEIS) for the project, and invites FAA to act as a participating agency, as defined by the National Environmental Policy Act.

For your convenience, you are invited to use the attached form to indicate your decision on whether or not to formally act as a participating agency in the NEPA DEIS process. FTA also welcomes any FAA comment pertaining to potential project impacts on FAA matters, whether you choose to agree to be a participating agency or not.

If you require more information about this project or our invitation, please feel free to contact me.

Thank you

Dan Moser
Community Planner
Federal Transit Administration - Region 2
1 Bowling Green, Room 428
New York, NY 10004
Phone: (212) 668-2326 / Fax (212) 668-2136

Appendix D: List of Agency Correspondence

NOAA NMFS: EFH Coordination – October 24, 2018



NOAA NMFS Consultation Log

PROJECT: NJ TRANSITGRID TRACTION POWER SYSTEM PROJECT (PROJECT)
DATE: OCTOBER 24, 2018
TIME/ LOCATION: 10:30 AM, PHONE CALL WITH BEM SYSTEMS, INC. (BEM) AND THE HABITAT CONVERSATION DIVISION OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) FISHERIES GREATER ATLANTIC REGIONAL FISHERIES OFFICE (GARFO)

CONSULTATION LOG

A phone call was made to the NOAA GARFO for consultation on the need for further consultation and assessment in compliance with the Essential Fish Habitat (EFH) process and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. ch. 38 § 1801 et seq). A log of the phone call is outlined below:

- A call was made to the Habitat Conservation Office at 978-281-9102, and was redirected to Lou Chiarella. BEM explained the overall Project and past consultation attempts with NOAA, stating that the Project had since changed and no further consultation is anticipated at this point. BEM also stated that per the NOAA EFH mapper and geographic information systems (GIS) data for the Mid-Atlantic region dated February 2018, the only EFH species identified is the summer flounder (*Paralichthys dentatus*).
- BEM reviewed the proposed stormwater drainage system, including the proposed pre-treatment devices, the detention basin which will allow for site drainage collection and settlement of fines, and the proposed outfall proposed along the north facing pre-existing bulkhead in the Hackensack River, at below mean high water. BEM explained that the outfall would solely be used for stormwater purposes and no coolant water or construction de-watering water would be discharged into the Hackensack River via the outfall. Additionally, BEM stated that the outfall would not include any riprap to be placed along the bottom subtidal/mudflat area of the river, and no in-water fill activities would take place as part of this outfall installation.
- NOAA responded saying because the outfall would only discharge treated stormwater, and no permanent fill such as rip rap would be placed within the Hackensack River, an EFH assessment is not anticipated to be needed for the proposed project. However, it was advised that in-water construction be limited to the summer flounder's timing restriction (moratorium) and the proper sediment control measures (best management practices) be taken to ensure no

downstream sedimentation takes place during completion of outfall improvements.

- BEM also reviewed the proposed substation platform within Cedar Creek Marsh South, and the need for the placement of piles within the marsh as support structures. As explained by BEM, the construction area-Cedar Creek Marsh is offset from the main Hackensack River at a higher elevation of the River and is hydrologically sourced by rain water and conveyance pipes, and restricts aquatic species passage due to existing tide gates, creating an isolated open water resource, BEM did not consider this area to be included in the EFH of the summer flounder.
- NOAA concurred, but again recommended that proper sediment control measures-BMP's be utilized to ensure minimal sediment displacement into the open water/marsh during construction occurs.
- BEM asked if a formal concurrence request can be submitted for this Project as documentation that no EFH assessment is required during the federal NEPA process.
- NOAA stated that while one can be submitted, the Office would still review the federal United States Army Corps of Engineers (USACE) Section 10/404 permit application and stormwater and outfall designs and make a final determination on the need for further EFH consultation or assessments at that time.

Appendix D: List of Agency Correspondence

NOAA NMFS: EFH Coordination – October 25, 2018

Deidra Valianti

To: Karen Greene - NOAA Federal
Subject: RE: Microgrid Power System EFH Coordination

From: Karen Greene - NOAA Federal <karen.greene@noaa.gov>
Sent: Thursday, October 25, 2018 2:52 PM
To: Deidra Valianti <DValianti@bemsys.com>
Subject: Re: Microgrid Power System EFH Coordination

anadromous fish - 3/1 to 6/30
winter flounder 1/1 to 5/31

On Thu, Oct 25, 2018 at 2:46 PM Deidra Valianti <DValianti@bemsys.com> wrote:

Hi Karen,

What is the timing restrictions in the river for anadromous fish and winter flounder, just so I have that information as well?

Thank you,

Deidra

Deidra Valianti

Environmental Scientist

BEM Systems, Inc.
www.bemsys.com

100 Passaic Avenue
Chatham, NJ 07928

Tel. - 908.598.2600 x119
Fax - 908.598.2622

From: Karen Greene - NOAA Federal <karen.greene@noaa.gov>
Sent: Thursday, October 25, 2018 1:43 PM
To: Anna Loss <ALoss@bemsys.com>
Cc: Ursula Howson <ursula.howson@noaa.gov>; Deidra Valianti <DValianti@bemsys.com>; Harold Olarte <holarte@bemsys.com>
Subject: Re: Microgrid Power System EFH Coordination

Hi Anna,

There is no seasonal in-water work limits for summer flounder. EFH is present in the project area and it is a species that would be included in any EFH assessment done for the project (if one is required). However, we have not had any targeted recommendations for that species in the Hackensack River. Timing restrictions in the river are focused on anadromous fish and winter flounder.

Karen Greene
Mid-Atlantic Field Offices Supervisor
NOAA/National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Habitat Conservation Division
James J. Howard Marine Sciences Laboratory
74 Magruder Rd.
Highlands, NJ 07732
732 872-3023 (office)

On Thu, Oct 25, 2018 at 11:33 AM Anna Loss <ALoss@bemsys.com> wrote:

Hi Karen, Ursula, Kelly,

We had previously coordinated for the NJ TRANSITGRID TRACTION POWER SYSTEM Project in New Jersey, and I had a quick follow-up questions about the Summer Flounder. Our previous correspondence doesn't specifically state what the construction timing restriction is for Summer Flounder in the Hackensack River, NJ. If you could provide? Our site is located at the red dot in the screenshot below, where a stormwater outfall is proposed. We are wondering what the NOAA EFH restriction would be.

I took a look through the NOAA website and didn't find this information, please let us know if there's somewhere specific we should be looking?

Thank You,

Anna

Anna R. Loss

Environmental Scientist/Permitting

BEM Systems, Inc. www.bemsys.com	100 Passaic Avenue Chatham, NJ 07928	Tel. – 908.598.2600x117 Fax - 908.598.2622
--	---	---

Before printing this email, consider the environment

From: Anna Loss
Sent: Monday, April 30, 2018 6:53 AM
To: Karen Greene - NOAA Federal <karen.greene@noaa.gov>; ursula.howson@noaa.gov
Cc: Deidra Valianti <dvalianti@bemsys.com>
Subject: RE: Microgrid Power System EFH Coordination

Hi Karen, Ursula,

To follow-up on the email below, should our project not be applicable to Nationwide permits, would we require an EFH study for an Individual Section 10/404 permit? Please confirm.

Thanks,

Anna R. Loss

Environmental Scientist/Permitting

BEM Systems, Inc. www.bemsys.com	100 Passaic Avenue Chatham, NJ 07928	Tel. – 908.598.2600x117 Fax - 908.598.2622
--	---	---

Before printing this email, consider the environment

From: Karen Greene - NOAA Federal <karen.greene@noaa.gov>

Sent: Friday, February 23, 2018 11:59 AM

To: Deidra Valianti <dvalianti@bemsys.com>

Cc: Anna Loss <ALoss@bemsys.com>; Zachary Batren <ZBatren@bemsys.com>; Ursula Howson <ursula.howson@noaa.gov>

Subject: Re: Microgrid Power System EFH Coordination

Hello Deidra,

I apologize for not replying to the last request.

In March 2017 changes to the Army Corps Nationwide Permit Program were finalized. Activities that fall under the Corps' Nationwide Permit Program no longer require coordination with us prior to your application to the Corps. Coordination with the Corps to protect resources under the jurisdiction of NOAA Fisheries' Habitat Conservation Division has been completed on a programmatic level for most nationwide Permits. The Nationwide Permits now include regional conditions to minimize impacts to essential fish habitat (EFH) and anadromous fish. The regional conditions are on the New York District's website at: <http://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>

As long as the project complies with the regional conditions for NJ, additional coordination with us is not needed. You no longer have to provide documentation to the Corps that you have contacted us and we have responded as part of the Nationwide permit verification process.

As technical assistance, EFH has been designated in the estuarine waters of the project area. Additional information can be found on our website at <https://www.greateratlantic.fisheries.noaa.gov/habitat/index.html#>

Anadromous fish including alewife, blueback herring and American shad use the Passaic River for migration, spawning and nursery and forage habitat.

If you have any questions or need additional information, please contact Ursula Howson. She is now the regional biologist for our division for northern NJ and NY state. I have copied her on this email. Her phone number is 732 872-3116 and her address is the same as mind.

Thank you for your patience.

Karen

Karen Greene
Mid-Atlantic Field Offices Supervisor
NOAA/National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Habitat Conservation Division
James J. Howard Marine Sciences Laboratory
74 Magruder Rd.
Highlands, NJ 07732
732 872-3023 (office)

On Fri, Feb 23, 2018 at 11:17 AM, Deidra Valianti <DValianti@bemsys.com> wrote:

Good afternoon Karen,

I wanted to follow up with you regarding an EFH follow-up letter that BEM Systems, Inc. mailed on April 3, 2017 in regards to the NJ TRANSITGRID Project. Please see our original NMFS request as well as the response email from Edith Carson (NOAA) stating further consultation with the NOAA Fishers Habitat Conservation District be required. We sent a letter to pursue the further coordination that was dated April 3, 2017 but have not received a response.

Please feel free to call or email me with any questions or comments regarding this.

Thank you,

Deidra

Deidra Valianti *(formerly Friedhoff)*
Environmental Scientist

BEM Systems, Inc. www.bemsys.com	100 Passaic Avenue Chatham, NJ 07928	Tel. - 908.598.2600 x119 Fax - 908.598.2622
--	---	--

----- Forwarded message -----

From: Anna Loss <ALoss@bemsys.com>

To: "edith.carson@noaa.gov" <edith.carson@noaa.gov>

Cc: Harold Olarte <holarte@bemsys.com>, Ken Duffy <kduffy@bemsys.com>

Bcc:

Date: Wed, 29 Mar 2017 14:31:06 +0000

Subject: MicroGrid Power System

Hi Edith,

We had sent a NOAA NMFS Species Determination inquiry letter on July 19, 2016 (attached), outlining the proposed NJ TRANSITGRID project, specifically at the location of the Lower Hack Bridge, as labeled on the attached map. In our letter, we discussed the proposed features, including the installation of submarine cables across the Hackensack River via directional drilling from Kearny, underneath the river channel, and up again into Jersey City, totally directionally drilled. In response, we received an email from you, attached, saying no T&E species onsite (attached).

However, the Project alternatives now include another method for the cables, in which the cable will be directionally drilled to the channel bottom elevation, lay the cables along the bottom of the River bed, and directionally drill once the cable reaches the other side of the channel, up into Jersey City. If you could please update your findings to also include this new alternative method for the submarine cables, it would be greatly appreciated.

For your reference please see the original 2016 inquiry letter, your response email, and a site location map. Please feel free to reach out should you have any additional questions. Thank You,

Anna R. Loss

Environmental Scientist/Permitting

BEM Systems, Inc.
www.bemsys.com

100 Passaic Avenue
Chatham, NJ 07928

Tel. - [908.598.2600](tel:908.598.2600) x117
Fax - [908.598.2622](tel:908.598.2622)

Before printing this email, consider the environment

Appendix D: List of Agency Correspondence

FAA Response to Invitation- November 23, 2018

From: [Clipper, Darin <ESA>](#)
To: [Moser, Daniel \(FTA\)](#)
Cc: [Shykes, Keith D <AMC>](#); [Thompson, Kevin <ESA>](#); [Johnson, David S <ESA>](#); [Hogan, Debra L <ESA>](#); [Brissenden, Ken <ESA>](#); [Tengowski, Joan <CSA>](#); [Burns, Donald \(FTA\)](#); [Goodman, Stephen \(FTA\)](#); [Kapsalis, Steven <AEA>](#); [Brooks, Andrew <AEA>](#); [Jenet, Marie <AEA>](#); [Almasy, Ryan <ESA>](#); [Blaich, Mike <ESA>](#)
Subject: RE: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement
Date: Friday, November 23, 2018 10:37:24 AM
Attachments: [Notice Criteria Tool and FAA E-Filing \(002\).doc](#)

Daniel,

The Obstruction Evaluation Group will not formally act or participate with your agency NEPA DEIS process. However, we will help you participate in the Obstruction Evaluation process related to proposed obstacles off airport property.

Please follow the attached instructions. Joan Tengowski will be your initial point of contact with questions.

If there may be environment related issues or concerns, please reach out to Mrs. Debbie Hogan, or Mr. Ryan Almasy who are CC'ed on this email.

Regards,

Darin J. Clipper
FAA Obstruction Evaluation Group, (AJV-1510)
Obstruction Evaluation Specialist, NY/NJ
Office: 404-305-6531
Fax: 404-305-6588

For more information, go to:
<https://oeaaa.faa.gov>
https://www.faa.gov/air_traffic/obstruction_evaluation/



From: Shykes, Keith D (FAA)
Sent: Friday, November 23, 2018 9:10 AM
To: Thompson, Kevin (FAA) <Kevin.Thompson@faa.gov>; Johnson, David S (FAA) <David.S.Johnson@faa.gov>; Brissenden, Ken (FAA) <ken.brissenden@faa.gov>; Hogan, Debra L (FAA) <Debra.L.Hogan@faa.gov>
Cc: Clipper, Darin (FAA) <Darin.Clipper@faa.gov>
Subject: RE: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

All,

Any planned structure meeting the Notice Criteria set forth in 14 CFR Part 77 would require submission through the OE/AAA process. If you are not sure if your structures require submission for analysis, go to <https://oeaaa.faa.gov> and refer to the "Who Needs to File" section. If you have any questions I would direct you to the Obstacle Evaluation Group (OEG), Eastern Service Area Manager (A), Darin Clipper, (404) 305-6531 or email darin.clipper@faa.gov.

Regards,
Keith

Keith Shykes
Obstacle Impact Team, Manager
6500 South MacArthur Blvd.
Oklahoma City OK 73169
Office: 405-954-5919
[Visit Aeronautical Information Services Here](#)

From: Thompson, Kevin (FAA)
Sent: Wednesday, November 21, 2018 8:00 AM
To: Johnson, David S (FAA) <David.S.Johnson@faa.gov>; Brissenden, Ken (FAA) <ken.brissenden@faa.gov>; Hogan, Debra L (FAA) <Debra.L.Hogan@faa.gov>
Cc: Shykes, Keith D (FAA) <Keith.D.Shykes@faa.gov>
Subject: RE: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

You are correct David, OE are handled by AIS Keith Sykes is the POC.

Kevin

From: Johnson, David S (FAA)
Sent: Wednesday, November 21, 2018 7:33 AM
To: Brissenden, Ken (FAA) <ken.brissenden@faa.gov>; Hogan, Debra L (FAA) <Debra.L.Hogan@faa.gov>; Thompson, Kevin (FAA) <Kevin.Thompson@faa.gov>
Subject: RE: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

I am not sure this would be in our lane at all, it appears it would be more in the OEAAA lane and they would need to be the POC since it is off airport property and has nothing to with terps areas.

Kevin – Would you do anything with this case?

David S. Johnson
Air Traffic Control
Operations Support Group

Eastern Service Center
AJV-E2
404-305-5578
404-305-5572 (FAX)

From: Brissenden, Ken (FAA)
Sent: Tuesday, November 20, 2018 2:44 PM
To: Johnson, David S (FAA) <David.S.Johnson@faa.gov>; Hogan, Debra L (FAA) <Debra.L.Hogan@faa.gov>
Subject: FW: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

We need to talk about this one. Not sure what our response should be.

From: Solomon, Jennifer (FAA)
Sent: Monday, November 19, 2018 3:54 PM
To: Almasy, Ryan (FAA) <>; Brissenden, Ken (FAA) <ken.brissenden@faa.gov>; Hogan, Debra L (FAA) <Debra.L.Hogan@faa.gov>; Moclair-Shea, Kathleen (FAA) <Kathleen.Moclair-Shea@faa.gov>
Subject: FW: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

Hi guys,

Below is what I received from ARP, please let me know how you would like to proceed..

Thanks!

Based on the information provided, Steve Kapsalis of the NY ADO did a quick analysis of potential airspace issues associated with the FTA proposal. Depending on the lat/long for the aboveground structures, there may be a potential to impact surfaces for procedures on RW 11/29 at EWR (see attached e-mail). Since this is not an ARP-related action, I suggest that this request be brought to ATO OSG for them to decide if they would like the FAA to participate in this environmental process or just respond with the need to file an OE/AAA Airspace Case for the proposed development. From ARP's perspective, we do not need to be involved as a Participating Agency moving forward.

From: Kapsalis, Steven (FAA)
Sent: Monday, October 01, 2018 5:33 PM
To: Brooks, Andrew (FAA) <Andrew.Brooks@faa.gov>
Cc: Jenet, Marie (FAA) <Marie.Jenet@faa.gov>
Subject: RE: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

Hi Andrew,

I reviewed the attached information, estimated the coordinates of one of the proposed 220' tall masts, run these

coordinates and height on FAA's "Notice Criteria Tool" on FAA iOE/AAA website and a summary of the results are copied below (also see attached).

Results

You exceed the following Notice Criteria:

Your proposed structure exceeds an instrument approach area by 112 feet and aeronautical study is needed to determine if it will exceed a standard of subpart C of 14CFR Part 77. The FAA, in accordance with 77.9, requests that you file.

Your proposed structure is in proximity to a navigation facility and may impact the assurance of navigation signal reception. The FAA, in accordance with 77.9, requests that you file.

77.9(a) by 20 ft.

77.9(b) by 21 ft. The nearest airport is EWR, and the nearest runway is 11/29.

The FAA requests that you file

FAA prefers that all cases be filed online at:

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

Follow instructions "If construction or alteration IS NOT LOCATED on an airport"

For other proposed structures, the "Notice Criteria Tool" should be run to confirm if proponent should file notice.

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

If you have any questions, please call or respond.

Thank You,

Steve

Steven Kapsalis, P.E.
Federal Aviation Administration
New York Airports District Office (NYADO)
1 Aviation Plaza, Room 111
159-30 Rockaway Boulevard
Jamaica, New York 11434-4848

Tel: (718)-995-5774
steven.kapsalis@faa.gov

From: Brooks, Andrew (FAA)

Sent: Monday, October 01, 2018 4:58 PM

To: Kapsalis, Steven (FAA) <steven.kapsalis@faa.gov>

Cc: Jenet, Marie (FAA) < >

Subject: FW: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

Steve,

Based on the figures they sent, I think the development is far enough away from the airport that we would not be concerned with monopolies at 220'. Do you agree?

Andrew Brooks
Environmental Program Manager
Federal Aviation Administration
Eastern Regional Office
1 Aviation Plaza
Jamaica, NY 11434
Phone: 718-553-2511

From: Moser, Daniel (FTA)

Sent: Monday, October 01, 2018 4:34 PM

To: Brooks, Andrew (FAA) <Andrew.Brooks@faa.gov>

Cc: Burns, Donald (FTA) <Donald.Burns@dot.gov>; Kapsalis, Steven (FAA) <steven.kapsalis@faa.gov>; Jenet, Marie (FAA) <Marie.Jenet@faa.gov>

Subject: RE: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

Thanks Andrew

Attached is a series of figures that better illustrate the geographic scope of the project. It involves installation of multiple monopolies along multiple lines and for that reason, the project description has been divided into Elements A-G.

The height of the proposed monopolies required would vary greatly, with the very tall 220' monopolies being combined to Element D and Element E along a portion of the Northeast Rail corridor. The maximum heights of new electric poles for other line segments is summarized in the table and remaining figures.

Additional Project information can be found at <http://njtransitresilienceprogram.com/documents/>

Please let me know if you require additional information.

Dan Moser
Community Planner
Federal Transit Administration - Region 2
1 Bowling Green, Room 428
New York, NY 10004

Phone: (212) 668-2326 / Fax (212) 668-2136

From: Moser, Daniel (FTA)
Sent: Monday, October 01, 2018 4:25 PM
To: Brooks, Andrew <AEA> < >
Cc: Burns, Donald (FTA) <Donald.Burns@dot.gov>; Kapsalis, Steven <AEA>
<steven.kapsalis@faa.gov>; Jenet, Marie <AEA> <marie.jenet@faa.gov>; Goodman, Stephen (FTA)
<stephen.goodman@dot.gov>
Subject: RE: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

Thanks Andrew

Attached is a series of figures that better illustrate the geographic scope of the project. It involves installation of multiple monopoles along multiple lines and for that reason, the project description has been divided into Elements A-G.

The height of the proposed monopoles required would vary greatly, with the very tall 220' monopoles being combined to Element D and Element E along a portion of the Northeast Rail corridor. The maximum heights of new electric poles for other line segments is summarized in the table and remaining figures.

I did not attach detail maps for Elements F and G which correspond to the Hudson Bergen Line and will not require new poles taller than 40 feet.

Additional Project information can be found at <http://njtransitresilienceprogram.com/documents/>

Please let me know if you require additional information.

Dan Moser
Community Planner
Federal Transit Administration - Region 2
1 Bowling Green, Room 428
New York, NY 10004
Phone: (212) 668-2326 / Fax (212) 668-2136

From: Brooks, Andrew <AEA>
Sent: Monday, October 01, 2018 3:36 PM
To: Moser, Daniel (FTA) <daniel.moser@dot.gov>
Cc: Burns, Donald (FTA) <Donald.Burns@dot.gov>; Goodman, Stephen (FTA)
<stephen.goodman@dot.gov>; Kapsalis, Steven <AEA> < >; Jenet, Marie <AEA>

<marie.jenet@faa.gov>

Subject: RE: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

Dan,

In order to respond to your request, it would be helpful if you had a map indicating the extent of the project area under consideration. The closer this area is to Newark Liberty International Airport, the more interest the FAA would have.

Thank you,

Andrew Brooks
Environmental Program Manager
Federal Aviation Administration
Eastern Regional Office
1 Aviation Plaza
Jamaica, NY 11434
Phone: 718-553-2511

From: Moser, Daniel (FTA)

Sent: Friday, September 28, 2018 5:50 PM

To: Solomon, Jennifer (FAA) <jennifer.solomon@faa.gov>

Cc: Brooks, Andrew (FAA) <Andrew.Brooks@faa.gov>; Burns, Donald (FTA) <>; Goodman, Stephen (FTA) <>

Subject: Invitation to Comment on/Participate in FTA-funded NJTRANSIT Project Environmental Impact Statement

Good Morning

The Federal Transit Administration (FTA) is writing to invite FAA comment on the New Jersey Transit (NJTRANSIT) TransitGrid Project located in the Town of Kearny, New Jersey. The proposed project includes several utility monopoles, some with a maximum height of 225 feet, to be installed at intervals along 1.5 miles of existing rail right-of-way. The monopoles would carry high power electrical transmission lines to power passenger rail service in the Amtrak Northeast Corridor.

An more complete overview of the project is provided in the attached letter.

FTA is preparing an Draft Environmental Impact Statement (DEIS) for the project, and invites FAA to act as a participating agency, as defined by the National Environmental Policy Act.

For your convenience, you are invited to use the attached form to indicate your decision on whether or not to formally act as a participating agency in the NEPA DEIS process. FTA also welcomes any FAA comment pertaining to potential project impacts on FAA matters, whether you choose to agree to be a participating agency or not.

If you require more information about this project or our invitation, please feel free to contact me.

Thank you

Dan Moser

Community Planner

Federal Transit Administration - Region 2

1 Bowling Green, Room 428

New York, NY 10004

Phone: (212) 668-2326 / Fax (212) 668-2136

Appendix D: List of Agency Correspondence

US Environmental Protection Agency (US EPA) Response to Comments- March 19, 2019

Comment No.	Commenter Name	Comment	Response to Comment
<i>US Environmental Protection Agency Comments</i>			
1.	Lingard Knutson	Page ES -9: Project Component F – the nanogrid would consist of two natural gas-fired emergency generators. Please document the gas supply for these generators.	Concur. Document will be modified to state natural gas connections are already in place at HBLR Headquarters and the existing connections will be used for the two natural gas-fired emergency generators.
2.	Lingard Knutson	Executive Summary Table: Natural Resources: This table states that a total of 5.71 acres of low resource value wetlands will be required for the project. On page 12-26 (and following pages) the following acreage is given. 3.27 acres of field verified fragmented wetlands are located along the edge of the Morris & Essex Line 2.0 acres of wetlands and open water in Cedar Creek Marsh South 0.18 acres of the Hackensack River Total 5.45 The acreages are slightly different, so it would be helpful if the Natural Resources section included a table that identifies the wetland types, locations and acreages clearly and matches the ES table.	The Executive Summary and Chapter 12 Table 12-3 both reference a 5.71-acre impact to wetlands and waters of the U.S. As part of that total area, the Chapter 12 text on page 12-26 and thereafter do not discuss the .26 acres of impacts for Project Component B, as stated in Table 12-3. However, since the project has reached the 20% design phase, the total impacts will be refined in the DEIS to reflect actual impacts to wetlands, which is up to two acres.
3.	Lingard Knutson	Page 2-6: Other on-site equipment. This section discusses cooling towers. However, cooling towers are not identified on ES-3 or other diagrams.	Cooling tower locations will be added to applicable figures.

Comment No.	Commenter Name	Comment	Response to Comment
4.	Lingard Knutson	Page 2-7: Water: This section discusses the use of potable and non-potable water at the microgrid facility on the Koppers Site. It also states that Suez Water has spare capacity of approximately 3MGD, and that NJ Transit proposes to install a 12-inch water supply line to an existing 42-inch main water line owned by the Town of Kearny. It is EPA's understanding that this is potable water. Will there be a separate non-potable water supply?	At this time, only potable water will be used for the facility. References to non-potable water will be removed from the DEIS. All water supply will be potable water from Suez Water.
5.	Lingard Knutson	Page 2-10: Section 2.2.5: This section states that the existing lattice structure at Substation No. 41 would remain in place, while the equipment would be removed. Please explain why the lattice structure would remain. Also, NJ Transit and Amtrak should explore removal of the Substation No. 41 concrete pad for on-site mitigation if the sediment under the pad is not too contaminated.	Per the NJ HPO opinion letter dated April 24, 2018, Substation No. 41 is a contributing feature of the Old Main Delaware, Lackawanna and Western Railroad Historic District. Since the proposed Project includes leaving the lattice structure (one of the historic elements of the resource) in place, the NJ HPO found this project element would not have an adverse effect on the historic resource. This is discussed in Chapter 9, "Historic Resources," page 9-20. Additionally, the existing superstructure will be used to carry transmission lines to the new Kearny Substation as discussed on page 2-11. Therefore, the existing Substation No. 41 will not be removed.
6.	Lingard Knutson	Page 2-13: Section 2.2.7: Line 4. "The purpose of the nanogrid is to avoid..." This might be written "The purpose of siting a nanogrid in the HBLR Headquarters is to avoid placement of the wires from the microgrid through historic and cultural resources ...".	Concur. Document modified as suggested.

Comment No.	Commenter Name	Comment	Response to Comment
7.	Lingard Knutson	Page2-13: Section 2.2.7: Line 13. “The impact to localized noise levels” should be “The impact of localized noise levels”	For clarification, “The emergency generators would be housed within noise attenuating enclosures. While the units will contribute to noise levels outside the building, they would be installed in a parking lot next to an existing emergency generator. The impact to localized noise levels is expected to be negligible.” Will be changed to: “The emergency generators would be housed within noise attenuating enclosures which would be installed in a parking lot next to an existing emergency generator. As a result, the units will not contribute significantly to noise levels outside the building.”
8.	Lingard Knutson	Page2-13: Section 2.2.7: Line 14. There is an extra parenthesis and period in the line.	Concur. Document modified as suggested.
9.	Lingard Knutson	Page 2-24: Section Titled “Minimize the Need to Construct in Wetlands and Open Waters”: The preferred alternative does fill approximately 2 acres of open water resource in Cedar Creek Marsh South. The second sentence is incorrect.	This section of the text discusses the Main Facility. The new Kearny Substation would be constructed in open waters. All alternative sites included in the siting analysis would require the construction of the new Kearny Substation in open waters. For clarification, this paragraph will be revised as follows: “The potential for impacts to wetlands will be minimal for constructing in any of the three areas of investigation. For all site options, the New Kearny Substation would be constructed in open water. However, none of the sites investigated for the construction of the Main Facility would require construction in open waters. The three areas and the Kearny site would meet this objective to the same degree.”

Comment No.	Commenter Name	Comment	Response to Comment
10.	Lingard Knutson	Should the document mention the proposed North Bergen Liberty Generating Station in the cumulative impacts section? While Liberty is not within the zone being reviewed for impacts by Transitgrid, it is controversial. On the other hand, it could be argued it is not reasonably foreseeable (no FERC application for a pipeline to the station).	It is NJ TRANSIT's opinion that this project (North Bergen Liberty Generating Station) is not yet far enough along in the environmental review/permitting phase to be considered reasonably foreseeable. As noted in this comment, the proposed location is outside the area considered in the cumulative impact analysis. Therefore, it will not be included in the cumulative impact analysis.