

APPENDIX F: Agency Correspondence

Appendix F: Federal Aviation Administration Correspondence

- *FAA Email Correspondence to FTA- May 14, 2019*

From: Moser, Daniel (FTA) <daniel.moser@dot.gov>
Sent: Tuesday, May 14, 2019 11:02 AM
To: Geitner, John A. (CCAPJAG)
Cc:
Subject: FAA Comment on NJTransitGrid DEIS Notice of Availability

John

FAA (Darin Clipper) provided the following response (below) to our notification of DEIS availability. The email includes links to assist in preparation of the FAA Obstruction Evaluation / Airport Airspace Analysis (OE/AAA) and obtaining FTA project approvals. The FAA declined to be a participating or cooperating on the DEIS November 26th 2018 (Andrew Brooks). This email confirms that.

However, FAA reiterated the need for NJ TRANSIT to complete FAA Obstruction Evaluation / Airport Airspace Analysis (OE/AAA) and any other FAA requirements prior to final design and construction in order to prevent temporary or permanent adverse effects on commercial aviation equipment and operations.

Please forward this information to the NJTRANSIT project managers and contractors. Please include a copy of the email below in the DEIS record of agency comments.

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: Clipper, Darin <ESA>
Sent: Tuesday, May 14, 2019 10:12 AM
To: Moser, Daniel (FTA) <daniel.moser@dot.gov>
Subject: RE: NJTransitGrid DEIS Notice of Availability

Mr. Moser,

Please ensure those responsible for the construction project are aware of e-filing requirements with the FAA.

This email will be retained as a matter of record.

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/

1) To see if your structure is required to file with FAA, please go to:

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

2) OEAAA.faa.gov Filing Instructions: <https://oeaaa.faa.gov/oeaaa/external/content/instructions.jsp>

3) DOT/FAA Obstruction Marking & Lighting Advisory Circular (AC 70/7460-1L Change 2):

https://www.faa.gov/regulations_policies/advisory_circulars/index.cfm/go/document.information/documentID/1030047

4) LIGHT OUTAGE REPORTING: <https://oeaaa.faa.gov/oeaaa/external/content/lightOutageReporting.jsp>

5) Helpdesk (System Issues/Support): 202-580-7500/Email: oeaaa_helpdesk@cghitech.com



From: Moser, Daniel (FTA) <daniel.moser@dot.gov>

Sent: Monday, May 13, 2019 1:15 PM

To: Clipper, Darin (FAA) <Darin.Clipper@faa.gov>

Subject: NJTransitGrid DEIS Notice of Availability

Good Afternoon

Please see the attached Federal Transit Administration (FTA) Letter notifying your agency that the Draft Environmental Impact Statement (DEIS) for the New Jersey Transit Corporation NJTransitGrid Traction Power System Project is being released for 60-Day Public Comment. The DEIS Notice of Availability is scheduled for publication in the Federal Register on May 17, 2019.

The full DEIS is available for review at the link to the NJ TRANSIT project website provided in the letter:

<http://njtransitresilienceprogram.com/nj-transitgrid-overview/njtransitgriddocuments/>

If your agency requires copies of the DEIS on electronic media (CDs or thumb drives) and/or hardcopies, please let me know the counts and the address to which they should be sent.

If your agency has any additional comment on the DEIS, please provide them using one of the options specified in the NOA no later than July 19, 2019.

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 F: United States Environmental Protection Agency
Correspondence**

- *USEPA Comment Letter to FTA- July 11, 2019*
- *NJ TRANSIT Response Letter to USEPA- December 4, 2019*
- *Follow-up to EPA comments on TRANSITGRID Project e-mail, December 16, 2019*



JUL 11 2019

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Mr. Stephen Goodman
Regional Administrator, Region 2
Federal Transit Administration
One Bowling Green, Room 429
New York, NY 10004

Dear Mr. Goodman:

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Transit Administration's (FTA) Draft Environmental Impact Statement (DEIS) dated April 2019 for the New Jersey Transitgrid Traction Power System (NJ Transitgrid) (CEQ#20190104). This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C 7609, PL 91-604 12 (a), 84 Stat. 1709), and the National Environmental Policy Act (NEPA).

The purpose of the NJ Transitgrid project is to enhance the resiliency of the electricity supply to the New Jersey Transit (NJ Transit) and Amtrak infrastructure that serves key commuter markets in New York and New Jersey to minimize public transportation service disruptions. The proposed NJ Transitgrid system would include a natural gas fired electric power generating plant, and electrical lines, substations and other emergency generators to distribute electrical power. The main power facility would be located on the Koppers Koke site in Kearny, Hudson County, New Jersey. Ancillary electrical lines would be located in Kearny, Jersey City, Hoboken, Bayonne, Weehawken, Union City, and North Bergen, New Jersey.

In general, EPA concurs that the project will not cause significant impacts to the environment. However, throughout the document, it is stated that the main facility site would be connected to Route 7 via a new roadway near the intersection with the Belleville Turnpike. NJ Transit expects the Route 7 connection to be constructed by the Hudson County Improvement Authority (HCIA) but if the HCIA Route 7 improvements are delayed, NJ Transit will use an existing western access point on the Koppers Koke parcel by acquiring easements. The proposed roadway and access points are not mapped or described clearly. As a connected action to the Transitgrid Project, the roadway should be described in the DEIS and any environmental impacts analyzed. In addition, the Route 7 connection appears to be partially located on the Standard Chlorine Chemical Company property, a Superfund site. We have provided technical comments concerning the roadway siting attached to this letter.

Thank you for the opportunity to comment on the New Jersey Transitgrid Traction Power System. If you have any questions, please contact Lingard Knutson of my staff at (212) 637-3747 or Knutson.lingard@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Kluesner", with a long horizontal flourish extending to the right.

David Kluesner, Acting Director
Strategic Programs Office

Comments on the NJ Transitgrid Draft Environmental Impact Statement dated April 2019
Standard Chlorine Chemical Company, Inc. Superfund Site

EPA is the lead agency at the Standard Chlorine Chemical Company, Inc. Superfund Site (the SCCC Site) in Kearny, New Jersey. In 2016, EPA issued a Record of Decision for the SCCC Site, which is available online at www.epa.gov/superfund/standard-chlorine. In 2019, a Consent Decree became effective in which four companies, Apogent Transition Corp., Beazer East, Inc., Cooper Industries, LLC, and Occidental Chemical Corporation, agreed to finance and perform the cleanup set forth in EPA's Record of Decision. On June 26, 2019, the companies submitted a Remedial Design Work Plan, which is under review by EPA. The Agency offers the comments below on the Draft EIS for the New Jersey Transitgrid Traction Power System (DEIS):

1. The frontage road through the SCCC Site needs to be depicted and potential impacts of the road to the SCCC Site need to be identified and described.

The DEIS notes that the Hudson County Improvement Authority (HCIA) and New Jersey Department of Transportation are in discussions regarding a frontage road to be built through the SCCC Site that would provide ingress and egress for the Transitgrid project (see, for example, pages 2-6 to 2-7, 2-19, 3-3, 10-3, 10-5, 12-26, 16-1, & 16-5). Figure 10.1 of the DEIS should show the location of the planned frontage road under discussion. Figure 10-1 has an arrow labeled "New West Access by HCIA" but no future road is shown. The DEIS also should identify and discuss the potential impacts of the road through the SCCC Site on the remediation and potential redevelopment of the SCCC Site, including its potential impacts on existing remedial components such as the barrier wall containment system.

2. Potential impacts to the SCCC Site must reflect its full 42-acre size, not just the 25 acres of the former Standard Chlorine Chemical Company, Inc. property.

The SCCC Site consists of approximately 42 acres. It includes the 25-acre former SCCC property located at 1025-1035 Belleville Turnpike and a 13-acre portion of the adjacent HCIA property commonly referred to as the Seaboard property. Together, the SCCC property and 13-acre portion of the Seaboard property are designated as Area 1 of the SCCC Site. The SCCC Site also includes 3.8 acres that consist primarily of the Belleville Turnpike, Newark Turnpike, and associated rights-of-way and steep embankments, which are designated as Area 2 of the SCCC Site. The Seaboard property adjacent to the south of the SCCC Site is a New Jersey brownfields site. Information in the DEIS describing the SCCC Site as 25 acres is inaccurate and needs to be corrected (see, for example, page 14-5). Moreover, the discussion of potential impacts to the SCCC Site must include potential impacts to all 45 acres.

December 4, 2019

Ms. Lingard Knutson
Environmental Scientist
US EPA, Region 2
290 Broadway, 25th Floor
New York, NY 10004-1866

Re: NJ TRANSITGRID TRACTION POWER SYSTEM Combined Final Environmental Impact Statement and Record of Decision

Dear Ms. Lingard Knutson:

Thank you for your letter, dated July 11, 2019, regarding your review of the Federal Transit Administration (FTA) and New Jersey Transit Corporation's (NJ TRANSIT) NJ TRANSITGRID Draft Environmental Impact Statement (DEIS) as part of the public comment period. The NJ TRANSITGRID project would construct a natural gas-powered electrical generation plant that would support NJ TRANSIT and Amtrak operations, with necessary transmission and catenary lines and supporting substations. It would operate independently of the commercial power grid to increase the resilience of public transportation against power outages. We appreciate U.S. Environmental Protection Agency's (USEPA) concurrence that the proposed Project would not cause significant impacts to the environment. We also value USEPA's ongoing involvement to date, including but not limited to its crucial role on the Technical Advisory Committee (TAC).

We understand the USEPA's concerns regarding potential for the connection to New Jersey Department of Transportation (NJDOT's) Route 7 to impact the Superfund site associated with the Standard Chlorine Chemical Company (SCCC) property (24.2 acres) located in Town of Kearny, Hudson County, NJ, which includes some adjacent lands (for a total of 42 acres). The Record of Decision (ROD) on the remediation of the SCCC site, signed in 2016, and the Consent Decree, dated 2019, govern the disposition of that site under USEPA jurisdiction. Although the proposed access road would cross the SCCC site, FTA and NJ TRANSIT do not believe the Route 7 connection is a "connected action" that would require the documentation of the access road impacts as part of the NJ TRANSITGRID DEIS. As stated in the DEIS, the access road is a separate project with separate utility that is part of a larger effort. This larger development project was originally conceived by the New Jersey Sports and Exposition Authority (NJSEA) (formerly the NJ Meadowlands Commission [NJMC]) as the "Koppers Coke Peninsula Redevelopment Plan" which was adopted by the NJSEA by resolution in February 2013, and is independent of the planned NJ TRANSITGRID Project. The Hudson County Improvement Authority (HCIA) is implementing this redevelopment plan using Langan Engineering as the design firm, and Morris Kearny Associates, LLC as the permit applicant. The planned development, including warehouses, paved parking and roads, and utility infrastructure is recognized in the SCCC ROD as future development.

Furthermore, we are aware that HCIA has initiated design consultation to USEPA in a letter dated April 18, 2016, which included the logistics of the proposed HCIA improvements and their intended access to the site. The access road will be funded by HCIA and built in support of that redevelopment plan on the Seaboard property, which encompasses approximately 170 acres, of which 126 acres have been elevated to protect against potential flood effects and serves to contain existing contamination in place. The access road would be constructed to provide access to four proposed warehouses surrounding the NJ TRANSITGRID project (approximately 20 acres) regardless of whether or not the NJ TRANSITGRID Project is constructed by NJ TRANSIT.

On August 21, 2017, the NJSEA and Morris Kearny Associates, LLC, entered into an agreement for development of the Koppers Seaboard Property. In this 2017 agreement, it is acknowledged that utilization of the Koppers Seaboard Property would require acquisition of “adjacent properties” (i.e., SCCC and Diamond Shamrock) for construction of an access road to and installation of utilities for the HCIA development. Additionally, in February 2019, Morris Kearny Associates, LLC, filed an application based on the design specifications to the NJSEA on behalf of HCIA, and is coordinating with the NJDOT, the New Jersey Department of Environmental Protection (NJDEP), and the US Army Corps of Engineers (USACE) to construct the roadway to allow ingress and egress from the Redevelopment Area to both Route 7 on the west end and Fish House Road on the east end for large vehicles, such as tractor-trailers.

HCIA is not a co-sponsor of the NJ TRANSITGRID Project, nor is it involved in the design or planned operation of the NJ TRANSITGRID Project. NJ TRANSIT staff and contractors will only utilize this roadway for access. Any remediation on the SCCC property required by the construction of the roadway would be completed by HCIA as part of their redevelopment project. As such we do not think that the impact of the access road to the SCCC Superfund site or any other parts of the Kearny Redevelopment Area should be included in this DEIS.

Based on information available from NJ TRANSIT, the HCIA project is fully funded, and the permitting process has been initiated. Design documents have been prepared beyond the 20% design level. It is projected that HCIA will begin construction in spring 2020, which includes construction of the roadway, whereas the NJ TRANSITGRID project is anticipated to begin construction in early 2021. As such, the roadway is considered at this stage to be part of the Existing Conditions for the project area. Therefore, the documentation of impacts from potential construction of this contingent access road is also not required under this EIS.

As stated in the DEIS, in the event that the HCIA’s roadway access improvements are delayed, incoming traffic related to the proposed Project could enter the Main Facility site via an existing west access point on the Koppers Koke parcel. Outbound traffic generated by the Main Facility could be routed to westbound Route 7 via the west access point. In this event, NJ TRANSIT would acquire appropriate easements from HCIA for such access and ensure the appropriate access permits are secured from NJDOT, and coordinate with NJDEP as necessary.

Additionally, to address the second comment in the letter, the FEIS will include a map illustrating the boundaries of the 42-acre SCCC Superfund Site and its location in relation to the NJ TRANSITGRID project (please see attached). Additionally, since the HCIA access road is projected to extend from the Diamond Shamrock property across the entire Koppers Coke Peninsula and connect to Fish House Road near the Hackensack River, a map showing this access road will be included so that the FEIS more clearly illustrates the separate action.

Again, we appreciate the USEPA bringing these matters to our attention and we look forward to working together to bring the combined FEIS/ROD to a successful conclusion. If you have any further questions or comments, please feel free to contact me at (973) 491-7017 or Jgeitner@njtransit.com.

Sincerely,

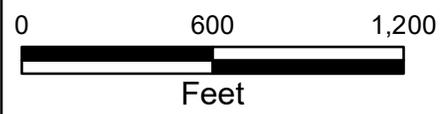
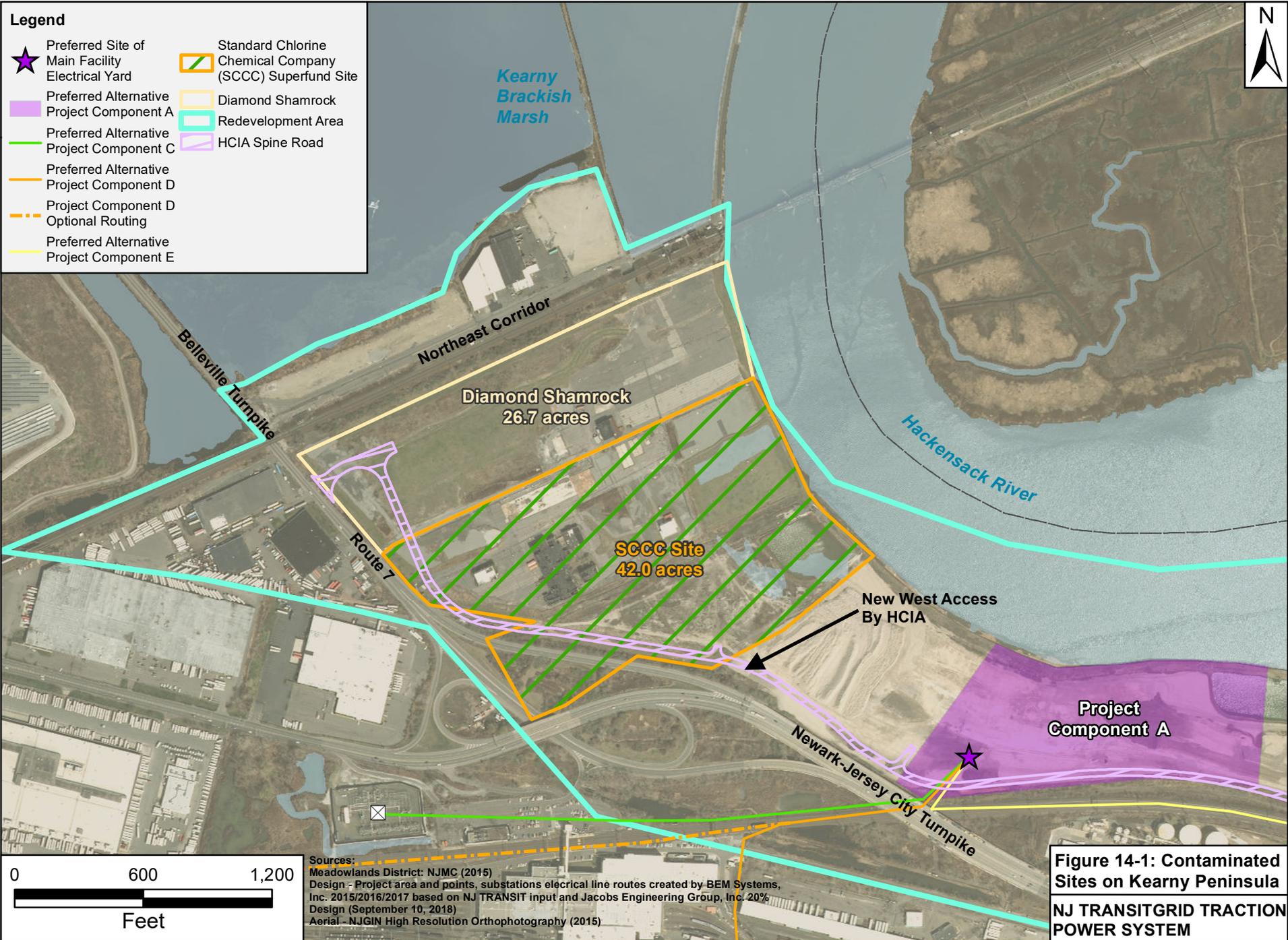
John A. Geitner
Senior Director, Environmental, Energy and Sustainability Unity
NJ TRANSIT

Enclosures

cc: Daniel Moser, FTA
Donald Burns, FTA
Eric Daleo, NJ TRANSIT
Nicholas Marton, NJ TRANSIT
Kiran Patel, NJ TRANSIT
Dara Callender, NJ TRANSIT
Sandy Kochersperger, BEM Systems, Inc.
Harold Olarte, BEM Systems, Inc.

Legend

- ★ Preferred Site of Main Facility Electrical Yard
- Preferred Alternative Project Component A
- Preferred Alternative Project Component C
- Preferred Alternative Project Component D
- Project Component D Optional Routing
- Preferred Alternative Project Component E
- Standard Chlorine Chemical Company (SCCC) Superfund Site
- Diamond Shamrock
- Redevelopment Area
- HCIA Spine Road

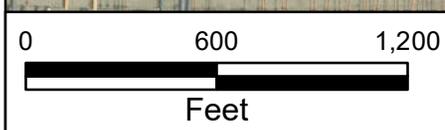
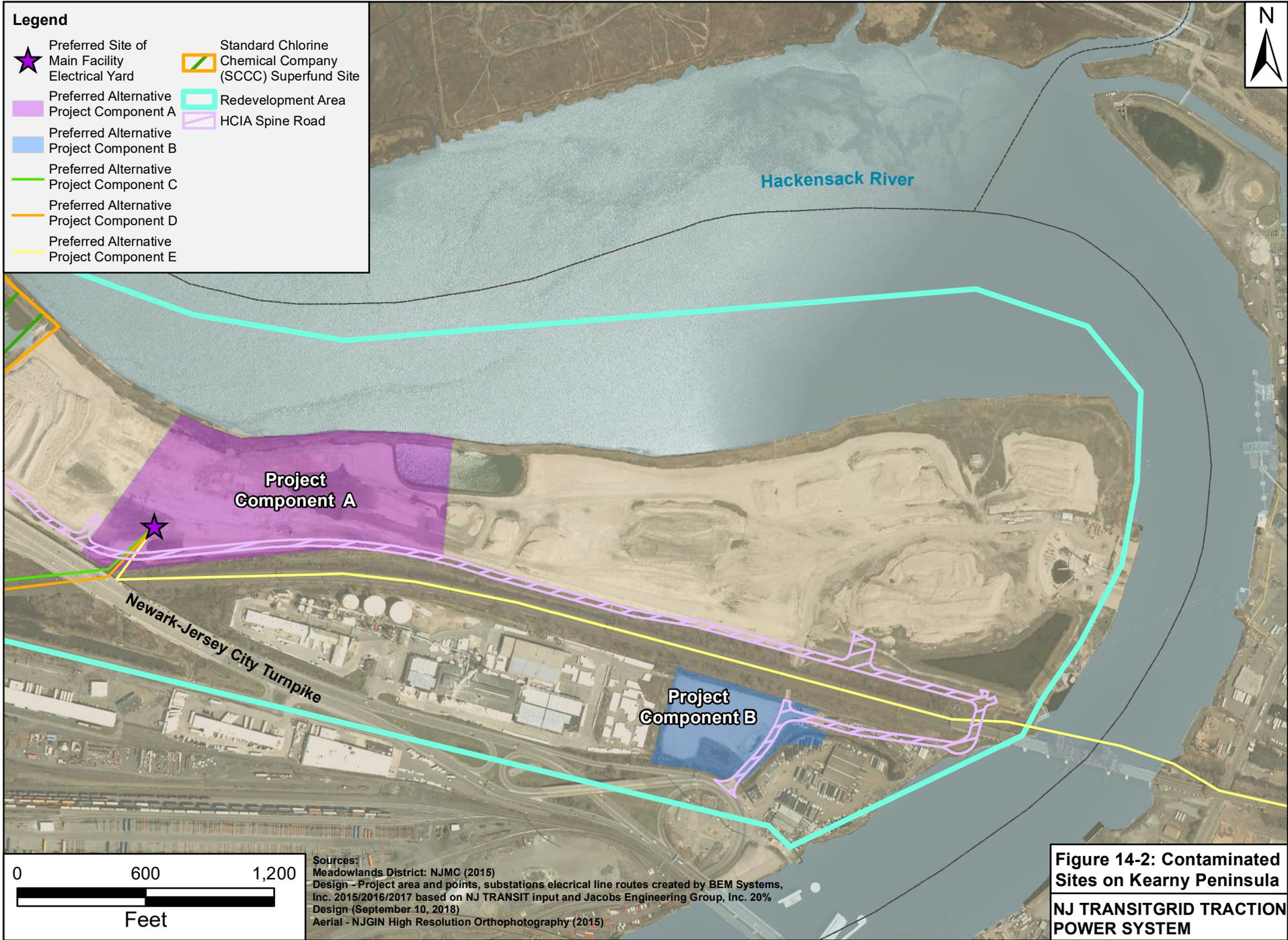


Sources:
 Meadowlands District: NJMC (2015)
 Design - Project area and points, substations electrical line routes created by BEM Systems, Inc. 2015/2016/2017 based on NJ TRANSIT input and Jacobs Engineering Group, Inc. 20% Design (September 10, 2018)
 Aerial - NJGIN High Resolution Orthophotography (2015)

Figure 14-1: Contaminated Sites on Kearny Peninsula
NJ TRANSIT GRID TRACTION POWER SYSTEM

Legend

- ★ Preferred Site of Main Facility Electrical Yard
- Preferred Alternative Project Component A
- Preferred Alternative Project Component B
- Preferred Alternative Project Component C
- Preferred Alternative Project Component D
- Preferred Alternative Project Component E
- Standard Chlorine Chemical Company (SCCC) Superfund Site
- Redevelopment Area
- HCIA Spine Road



Sources:
 Meadowlands District: NJMC (2015)
 Design - Project area and points, substations electrical line routes created by BEM Systems, Inc. 2015/2016/2017 based on NJ TRANSIT input and Jacobs Engineering Group, Inc. 20% Design (September 10, 2018)
 Aerial - NJGIN High Resolution Orthophotography (2015)

Figure 14-2: Contaminated Sites on Kearny Peninsula
NJ TRANSIT GRID TRACTION POWER SYSTEM

From: [Geitner, John A. \(CCAPJAG\)](#)
To: [Sandra Kochersperger](#)
Subject: FW: EPA Comments on TransitGrid Project
Date: Monday, December 16, 2019 1:13:16 PM

From: Knutson, Lingard <Knutson.Lingard@epa.gov>
Sent: Monday, December 16, 2019 11:45 AM
To: Geitner, John A. (CCAPJAG) <JGeitner@njtransit.com>
Cc: Moser, Daniel (FTA) <daniel.moser@dot.gov>
Subject: RE: EPA Comments on TransitGrid Project

John – after reviewing the maps that convey title of part of the Koppers Coke Site to NJ Transit, and discussing the maps and diagrams with you, I am satisfied there is an existing road that can be used for the construction of the TransitGrid project and that the road does not impact the Standard Chlorine Superfund Site. However, if that road does need upgrading or special permitting, it should be discussed and any impacts analyzed in the final Environmental Impact Statement (EIS). The road should also be mapped clearly in the EIS. EPA also recommends that water transportation should be evaluated for large pieces of equipment.

Thank you for your assistance.

Lingard

Lingard Knutson
Environmental Scientist
Strategic Programs Office
US EPA, Region 2
290 Broadway, 26th floor
New York, NY 10007
212 – 637-3747

From: Geitner, John A. (CCAPJAG) <JGeitner@njtransit.com>
Sent: Wednesday, December 11, 2019 2:01 PM
To: Knutson, Lingard <Knutson.Lingard@epa.gov>
Subject: FW:

From: Rittenberry, Kevin E. (CCAPKER) <KRittenberry@njtransit.com>

From: [Geitner, John A. \(CCAPJAG\)](#)
To: [Lingard Knutson \(knutson.lingard@epa.gov\)](mailto:knutson.lingard@epa.gov)
Cc: [Moser, Daniel \(FTA\)](#); [Sandra Kochersperger](#); [Callender, Dara \(CEDCDXC\)](#)
Subject: EPA Comments on TransitGrid Project
Date: Monday, December 16, 2019 4:16:49 PM

Lingard –

I looked more specifically at your comment and note that the NJ TRANSITGRID project will not impact the Standard Chlorine Site. We do not expect the roadway to need special permitting or upgrading for our use. We will include the roadway in the EIS maps, and include your message below in the Agency Correspondence Appendix for the Final EIS/ROD. Regarding water transportation (e.g., river barge) for large pieces of equipment, NJ TRANSIT has included this as an option in Chapter 17 – Construction Effects, along with options to use trucks and rail.

Hope this is helpful-

JAG

Appendix F: United States Coast Guard Correspondence

- *USCG Comment Letter to NJ TRANSIT- July 12, 2019*
- *NJ TRANSIT Response Letter to USCG- December 4, 2019*
- *USCG Email Correspondence to FTA - January 30, 2020*

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Sector New York

212 Coast Guard Drive
Staten Island, NY 10305
Staff Symbol: (spw)
Phone: (718) 354-2353
Fax: (718) 354-4190

16670
July 12, 2019

NJ TRANSIT Resilience Program
Capital Planning and Programs Department
One Penn Plaza East
8th Floor
Newark, NJ 07105
Attn: Mr. John Geitner

Mr. Geitner:

We have reviewed the NJ TRANSITGRID Draft Environmental Impact Statement and offer the following comments:

Chapter 10 – Traffic and Public Transportation - should consider the effects on vessel traffic of the proposed cable installation over, beneath or on the Hackensack Riverbed.

Chapter 16 – Safety and Security - should consider the effects of a vessel, or a vessel anchor, strike or snag of the proposed cable installation over, beneath or on the Hackensack Riverbed. To reduce the risk of an anchor strike or snag, the cable should be buried to a sufficient depth within the Federal navigation channel and the area historically transited by vessels, for the largest vessel and corresponding anchor types and sediment types. This is to prevent the cable from being broken by an anchor snag and becoming a hazard to navigation.

Chapter 17 – Construction Effects:

- This chapter refers to components being delivered by barge and a temporary floating access easement for access from the river. The Hackensack River is still used by commercial vessels, mainly tugs and barges operating at other upriver construction sites, as well as recreational vessels. This area is close to the Federal Channel, and the area historically transited by vessels, making it, and construction vessels, susceptible to wake and/or surge damage. If a permit is issued for this project, the Coast Guard does not intend to place any operational limitations on commercial vessels using the adjacent waterway. The Coast Guard does not issue floating access easements referenced in this chapter.
- We recommend you contact Mr. Christopher Bisignano, our First Coast Guard District Bridge Manager (Christopher.J.Bisignano@uscg.mil, 212.514.4331) for review of the minimum vertical clearance requirements of any utility crossings above the Hackensack River.
- Installing the 12-inch diameter cable on the Hackensack Riverbed until it is covered by the Hackensack River siltation process could result in a larger number of smaller commercial tugs and barges drawing less water operating in the Hackensack River. The Harbor Safety, Navigation and Operations Committee of the Port of New York and New Jersey recommends that all entities responsible for the safe movement of vessels in and through the waters of the Port of NY/NJ maintain a minimum clearance of two feet between the deepest draft of their vessel and channel bottom in the Hackensack River

between Droyers Point to the turning basin at Marion (U.S. Coast Pilot 2, Chapter 11). If the aerial crossing (preferred option) is not installed over the Hackensack River, the Coast Guard recommends the 12-inch diameter cable be buried to a sufficient depth beneath the Hackensack Riverbed to reduce the risk of anchor strike or snag as outlined in our comments to Chapter 16 – Safety and Security above.

- Any request(s) to restrict, or prohibit, vessel traffic on the Hackensack River during any stage of the project must be requested in writing and include the information codified at 33 CFR 165.5 Establishment procedures (Regulated Navigation Areas and Limited Access Areas). This may require a notice and comment public rulemaking including a National Environmental Policy Act (NEPA) review. This generally requires a minimum of 135 days. We may require the requestor include a Maintenance of Waterway Traffic Plan with this request as well as provide a minimum of two waterway openings per day to allow for vessel transits.
- We recommend Chapter 17.3.8 Traffic and Transportation include the effects to vessel traffic during the project construction.
- We recommend Chapter 17.3.10 Natural Resources consider our comments regarding the burial depth of the utility cable beneath the Hackensack River and our concerns with a cable laid on the river bed in relation to vessel anchor strikes or snags.

Chapter 21 – Permits and Approvals - We recommend Chapter 21.2.2 Permits and Approvals include the following information in the “Federal” paragraph:

USCG establishment of a Regulated Navigation Area or Limited Access Area to restrict or prohibit vessel traffic during utility installation crossings of the Hackensack River must be submitted in writing as per 33 CFR 165.5.

If you have any questions or comments regarding this matter, please contact Mr. Jeff Yunker at (718) 354-4195.

Sincerely,



J. W. BUCK

Lieutenant Commander, U.S. Coast Guard
Chief, Waterways Management Division
By direction

Copy: Federal Transit Administration, Mr. Daniel Moser

December 4, 2019

Mr. Chris Bisignano
First Coast Guard District Bridge Manager
Battery Park Building
One South Street
New York, NY 10004-1466

Re: NJ TRANSITGRID TRACTION POWER SYSTEM Combined Final Environmental Impact Statement and Record of Decision

Dear Mr. Chris Bisignano:

Thank you for your letter, dated July 12, 2019, regarding your review of the Federal Transit Administration (FTA) and New Jersey Transit Corporation's (NJ TRANSIT) NJ TRANSITGRID Draft Environmental Impact Statement (DEIS) as part of the public comment period. The NJ TRANSITGRID project would construct a natural gas-powered electrical generation plant that would support NJ TRANSIT and Amtrak operations, with necessary transmission and catenary lines and supporting substations. It would operate independently of the commercial power grid to increase the resilience of public transportation against power outages. We appreciate U.S. Coast Guard's (USCG) review and comments on the proposed Project.

We understand the USCG's concerns regarding impacts to vessel traffic from the proposed Hackensack River crossing (aerial [preferred] or other proposed installation options for in-water crossing) for new electrical lines, both during construction and operation, and potential impacts to vessel traffic during construction, specifically material delivery via barge, of the Main Facility. In order to address your concerns, the Final Environmental Impact Statement (FEIS) will be revised as discussed below.

Chapter 10 – Traffic and Public Transportation: A summary of existing conditions for vessel traffic will be added as well as a statement that no impact to vessel traffic at the Lower Hack Bridge area will occur due to any selected design option utilized for the cable crossing, as coordinated and concurred with the USCG and USACE. Under the Preferred Alternative, the height of the cable would be consistent with the highest clearance of the Lower Hack Bridge, or 150' vertical clearance. The proposed electrical transmission cables are proposed under the preferred alternative to be installed with a minimum vertical clearance range of 150' to 162' above mean high water (MHW), with an anticipated result in no impact to vessel traffic (please see attached design drawing of the Hackensack River crossing and confirm the minimum height clearance).

The following is noted below on the three crossing options considered in the DEIS. NJ TRANSIT would coordinate as required with the USCG to comply with 33 CFR § 165.5 - Establishment

procedures, to request that a safety zone, security zone, or regulated navigation area be established, as required, under any of the Hackensack River crossing options.

- 1) **Preferred Alternative:** Aerial crossing approximately 50 feet north of the Lower Hack Bridge. Monopoles would be approximately 175' tall. The lowest point of the electrical line sag would be greater than 150' from MHW, estimated at 162' feet above water with cable sag. See attached page from 20% design showing the location of the monopoles and electrical crossing for the preferred alternative. This option will be concurred with the USCG, NJDEP, and USACE as required to procure future regulatory approvals. In addition, prior to final design, NJ TRANSIT will complete FAA's online obstruction evaluation for all monopoles.
- 2) **Design Option 2:** Electrical Cable would be directionally drilled underneath the Hackensack river bed/mudline at a suitable and safe depth determined appropriate by the USCG and USACE, to inhibit any anchoring concerns. This activity would potentially be permitted under a USACE NWP 12-utility line activities in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and NJDEP WFD in-water individual permit. The directional drilling method would entail drilling at each riverbank to install the cable completely underneath the river bottom. This would be the selected option if the preferred alternative is not feasible.
- 3) **Design Option 3:** Submarine cable along the river bottom. The submarine cable method, if selected, would entail installation of an approximately 12-inch cable within NJ TRANSIT existing right-of-way, running below the mudline and parallel to the Lower Hack Bridge. The cable would be routed below the mudline via a jet plow method, the new 12-inch diameter cable would rest on the river bottom and eventually become covered through the natural siltation process. This is the least favored option described in the DEIS. The submarine cable crossing (on riverbed) would include signage to warn of the submerged hazard and would be eliminated as an option if regulatory consult with the USCG determines there would be a hazard to maritime or recreational navigation.

Chapter 16 – Safety and Security: A summary of potential effects to vessel safety will be added. The overhead risk is expected to be minimal because of the proposed 175' height of the monopoles and the height of the aerial cable crossing (150' to 162' range), which is consistent with the highest clearance of the Lower Hack Bridge, located 50' south of the proposed cable alignment. Should the directional drilling option be selected, the cable would be installed at a sufficient depth beneath the riverbed to avoid hazards to vessel navigation, and appropriate signage would be included to warn navigation interests of the submerged hazard if necessary. The submarine cable crossing (on riverbed) would include jet-plow methods to create a trench about two feet deep, into which the cable would be laid. Signage to warn navigation interests of the submerged hazard would be installed, if this option was chosen. Over time, the cable would be silted over by natural processes, reducing this risk. Appropriate sections of the EIS will be revised to further clarify the installation process for the submarine cable option(s).

Chapter 17 – Construction Effects:

- We have noted your comment regarding restrictions to vessel traffic during delivery of materials via barge and they will be taken into account during delivery planning phases. In addition, reference to floating access easement will be deleted.
- Current plans for aerial clearance of transmission lines would meet or exceed the existing clearance provided by the Lower Hack Bridge when raised.
- USCG's comment concerning installation of the electrical cable on the Hackensack riverbed is noted. As stated in the DEIS, the preferred option is the overhead installation of the cable crossing the Hackensack River. Should this be deemed to not be feasible at later design stages, the next preferred option would be cable installed via directional drilling well below the existing mudline as directed by the USCG and USACE to reduce risk of anchor strike or snag. This option will not prevent maintaining a minimum clearance of two feet below the deepest draft and channel bottom for any vessel.
- As noted above, NJ TRANSIT will submit in writing necessary requests to restrict vessel traffic. This will only be necessary during construction and NJ TRANSIT will coordinate with USCG to ensure all requirements are followed. The NEPA public review was completed on July 19, 2019. Any additional review periods will be completed during the permitting phase of the project, prior to start of construction. This requirement is duly noted and incorporated into chapter 17 and will be subject to the regulatory coordination with the USCG, as required. It is noted however that the preferred alternative will not require in water work and establishment of a safety zone, security zone, or regulated navigation area in accordance with 33 CFR 165.5.
- The EIS will include summary of effects to vessel traffic during construction, which are expected to be minimal but would be planned in close coordination with the USCG.
- The EIS will include USCG's comments regarding burial depth of the utility cable beneath the Hackensack riverbed and concerns of on riverbed installation of cable, including the risk of a vessel anchor strike.

Chapter 21 – Agency Coordination and Public Participation: The EIS will be modified as suggested to include “USCG establishment of a Regulated Navigation Area or Limited Access Area to restrict or prohibit vessel traffic during utility installation crossings of the Hackensack River must be submitted in writing as per 33 CFR 165.5.”

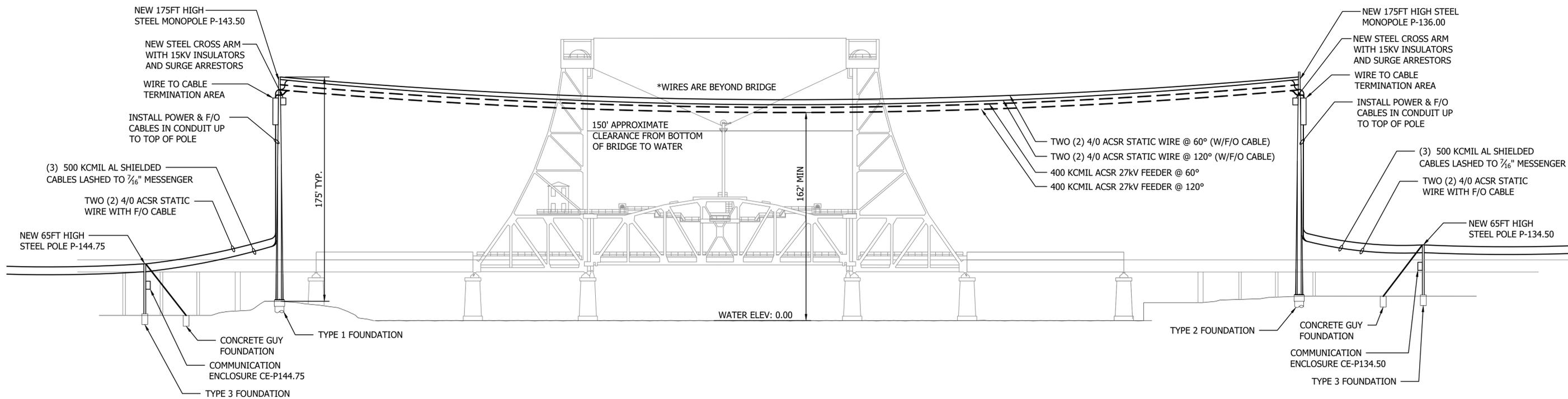
We appreciate the USCG bringing these matters to our attention and we look forward to working together to bring the combined FEIS/ROD to a successful conclusion. If you have any further questions or comments, please feel free to contact me at (973) 491-7017 or Jgeitner@njtransit.com.

Sincerely,

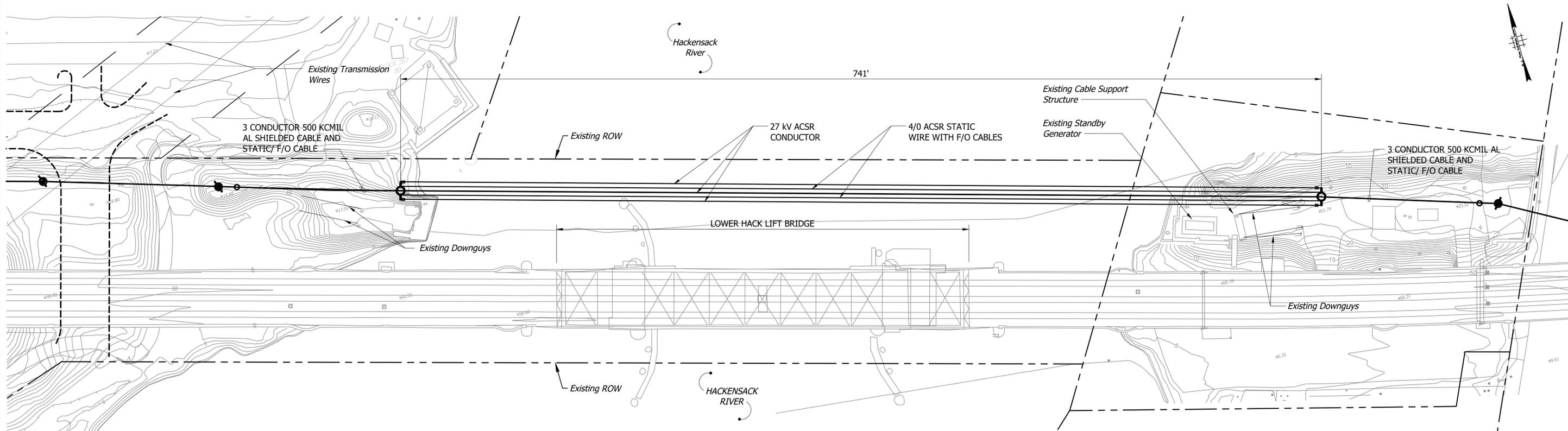
John A. Geitner
Senior Director, Environmental, Energy and Sustainability Unity
NJ TRANSIT

Enclosures

cc: Daniel Moser, FTA
Donald Burns, FTA
Eric Daleo, NJ TRANSIT
Nicholas Marton, NJ TRANSIT
Kiran Patel, NJ TRANSIT
Dara Callender, NJ TRANSIT
Sandy Kochersperger, BEM Systems, Inc.
Harold Olarte, BEM Systems, Inc.



1 HACKENSACK RIVER AERIAL CROSSING ELEVATION
E-130 1"=40'-0"



2 HACKENSACK RIVER AERIAL CROSSING PLAN
E-130 1"=40'-0"

NOTES:

- REFER TO DRAWINGS DME-E-105 AND DME-E-106 FOR CONTINUATION.
- REFER TO DRAWING DME-S-301 FOR FOUNDATION DETAILS.

Date	09/10/2018	Engineer of Record	
Des.	BAB	Professional Engineer	
Chkd.	MPW	N.J. LIC.	
Dwn.	RPD		
Chkd.Dwn.			
No.	Date	Eng.	Revision Notes
DRAFT, DELIBERATIVE, ADVISORY, CONSULTATIVE			

Date: _____
 _____ P.E.



PRIME CONSULTANT:
JACOBS
 299 Madison Ave, Morristown, NJ 07962
 SUB CONSULTANT:
Burns
BURNS ENGINEERING, INC. 1 315 624 7100 TWO COMMENCE SQUARE 3001 MARKET ST, SUITE 600 PHILADELPHIA, PA 19104

NOT FOR CONSTRUCTION
 NJ TRANSIT GRID

20% SUBMITTAL / MORRIS-ESSEX DISTRIBUTION
 HACKENSACK RIVER CROSSING
 AERIAL OPTION

Scale AS NOTED
 Contract No. 15-031
 Drawing DME-E-130
 Sheet ---- OF ----

From: Yunker, Jeff M CIV <Jeffrey.M.Yunker@uscg.mil>
Sent: Thursday, January 30, 2020 9:50 AM
To: Geitner, John A. (CCAPJAG)
Cc: daniel.moser@dot.gov; DCallender@njtransit.com; Sandra Kochersperger; Buck, Joshua W LCDR; Bisignano, Christopher J CIV
Subject: FW: NJ TRANSITGRID TRACTION POWER SYSTEM PROJECT - Overhead Power Cable Vertical Clearance
Attachments: NJT Letter to USCG.pdf; 0712-1-Ltr.SECNY comments-NJT Grid DEIS.pdf; NWP-2017_NJ_Reg_Cond_Final.pdf

Good morning,

The vertical clearance of your proposed overhead power transmission line must also account for line sag over the Hackensack River. This sag is determined by nominal system voltage (kV) and is part of your USACE permitting process. Please review 33 CFR 322.5(i) and provide this information to Christopher.J.Bisignano@uscg.mil, 212.514.4331 and ronald.r.pinzon@usace.army.mil, 917.790.8627 for their review and response.

Please note that current USACE Nationwide Permit (NWP) New Jersey Regional Conditions (attached – Regional Conditions for NWP (12) Utility Lines) requires the following in regards to your proposed Design Option 3 (least favored) cable burial through natural siltation and a hazard to navigation determination by the USCG:

For Buried Cables or Pipelines Across “ALL OTHER” Federal Navigation Channels:

Condition (p): The top of the cable or pipeline crossing the Federal project channel shall be located a minimum of 6 feet below the authorized project channel depth and shall be backfilled with suitable heavy materials to the adjacent river bottom elevation. In areas outside the Federal project channel, the top of cable or pipeline shall be located a minimum of 4 feet below existing river bottom elevation and shall be backfilled with suitable material to the adjacent river bottom elevation.

Please contact ronald.r.pinzon@usace.army.mil, 917.790.8627 to discuss your cable installation options beneath the Hackensack River.

Thank you.

V/r,
Jeff Yunker, Waterways Management Coordinator
USCG Sector NY
212 Coast Guard Drive, Staten Island, NY 10305
PH: 718.354.4195, jeff.m.yunker@uscg.mil

From: Geitner, John A. (CCAPJAG) <JGeitner@njtransit.com>
Sent: Wednesday, December 4, 2019 5:08 PM
To: Bisignano, Christopher J CIV <Christopher.J.Bisignano@uscg.mil>
Cc: Moser, Daniel (FTA) <daniel.moser@dot.gov>; Callender, Dara (CEDCDXC) <DCallender@njtransit.com>; Sandra Kochersperger (<SKochersperger@bemsys.com>) <SKochersperger@bemsys.com>
Subject: [Non-DoD Source] FW: NJ TRANSITGRID TRACTION POWER SYSTEM PROJECT Draft Environmental Impact Statement (DEIS) Comments Received

Chris,

Hope you are well.

Good afternoon! As you may recall, NJ TRANSIT and FTA are proceeding with the Combined FEIS/ROD for the NJ TRANSITGRID TRACTION POWER SYSTEM. I am attaching to this email FTA and NJ TRANSIT's response letter to USCG's comment letter, dated July 12, 2019 on the Draft Environmental Impact Statement for the above referenced project.

Please feel free to contact me at your convenience with any questions or concerns.

JAG

John Geitner, CHMM
Sr. Director –Environment, Energy & Sustainability
New Jersey Transit
One Penn Plaza
Newark, NJ 07105

973 491 7017



Appendix F: New Jersey Department of Environmental Protection
Correspondence

- *NJDEP Comment Letter to FTA- July 17, 2019*
- *NJ TRANSIT Response Letter to NJDEP- December 4, 2019*



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY
Governor

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
FAX NUMBER (609) 633-2102

CATHERINE R. MCCABE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

July 17, 2019

Mr. Daniel Moser
US Department of Transportation
Federal Transit Administration
One Bowling Green, Room 429
New York, New York 10004-1415

Mr. John Geitner
New Jersey Transit Corporation
One Penn Plaza East, 8th floor
Newark, NJ 07105

**RE: NJ Transitgrid Traction Power System
Kearny, Hudson County
Comments on Draft EIS**

Dear Mr. Moser and Mr. Geitner:

The New Jersey Department of Environmental Protection's (NJDEP) Office of Permit Coordination and Environmental Review (PCER) has distributed for review the Draft Environmental Impact Statement (EIS) for the proposed New Jersey Transit Microgrid Project (enclosure). The primary purpose of the project is to support limited service in a core segment of NJ Transit's and Amtrak's critical service territory in Northeast New Jersey and to provide an emergency power supply for traction power and auxiliary systems during a grid outage. Under normal operation, this system would provide power to both NJ Transit and the grid. However, when the grid is unavailable (emergency), this system would allow NJ Transit to provide limited train service. This project proposes the installation of a natural gas fired electric power plant on the former Koppers Coke site in Kearny, Hudson County. The associated infrastructure will include a 0.5 mile natural gas pipeline connection, connection to the Hoboken-Bergen train line, and electric transmission line connections to a new Kearny substation and to the existing East Hoboken and Mason substations.

Based on the information provided in the Draft EIS and in addition to comments provided on the Notice of Intent to Prepare an EIS on February 24, 2016), we offer the following comments for your consideration.

Land Use Regulation Program

The Draft EIS does not provide design plans for the components and instead provides a project description and location for each component. Based upon the information available, the Division of Land Use Regulation offers the following comments:

The proposed project consists of the Main Facility, known as Component A, which includes a power generating plant, substations, transformers, frequency converters and other equipment and solar array on a 20 acre parcel that is part of the former Koppers Coke Site. Component B consists of a natural gas pipeline connection for the Main Facility. A new Kearny Substation, known as Component D, which will replace the existing Amtrak Substation No. 41 is also proposed. Components A, B and D are located

with the boundaries of the Hackensack Meadowlands. Any work below the mean high water line at these locations will require an In-Water Waterfront Development Permit. Any work above the mean high water line that is within a flood hazard area will require a Flood Hazard Area Permit. Any work within freshwater wetlands or State open waters located in the Hackensack Meadowlands will require a Water Quality Certificate. Component E consists of new electrical lines and a new NJT Substation known as the East Hoboken Substation. Component F consists of two 2MW generators driven by natural gas reciprocating engines. Component G consists of 14.4 miles of new electric lines to provide service to the Hudson-Bergen Light Rail Line. The portion of Component E east of the Hackensack River is located in the Hackensack Meadowlands. Any work above the mean high water line that is within a flood hazard area will require a Flood Hazard Area authorization. Based upon the information provided, the balance of the project is outside of the Meadowlands area. Therefore, any work within a freshwater wetland will require a Freshwater Wetlands permit. Any work within a Flood Hazard Area will require a Flood Hazard Area authorization. Finally, any work within 500 feet of a mean high water line will require a Waterfront Development Permit.

If you have any additional comment, please contact Christopher Jones, Manager, Bureau of Urban Growth & Redevelopment at (609) 984-6216

Land Use Mitigation

In Spring 2019, NJDEP staff attended a site visit to the former Koppers facility with the Meadowlands Interagency Mitigation Advisory Committee (MIMAC) because portions of the COPR site are still undergoing cleanup activities under a Consent Judgement. Any ongoing remediation or redevelopment that impacts regulated features under land use regulations will result in required wetland mitigation/restoration. For the site remediation, MIMAC has advised the consultant for the responsible party how to achieve that mitigation onsite and the company doing those activities is Geosyntec/OXY. For the Microgrid project, NJ Transit shall confirm if preferred alternative project component E (electrical line connections to East Hoboken substation) overlaps with the proposed remediation cleanup activities. NJ Transit shall outline coordination efforts with Geosyntec/OXY to avoid any potential conflicts between these two projects. If you have any additional comment, please contact Susan D. Lockwood of the DEP Division of Land Use Regulation at 609)984-0580.

Tidelands

A Tidelands utility license is required wherever the proposed pipeline will cross a currently tidally flowed water below the mean high water line, or a historically tidally flowed water (i.e. a mapped tidelands claim). This includes tidal creeks, former tidal creeks, and the bay area within waters of the State of NJ. For guidance, please refer to the Tidelands profile on the Department's NJ-GeoWeb page at <http://www.nj.gov/dep/gis/geoweb splash.htm> to view the historic tidelands claim mapping. In addition, please refer to the Department's Division of Land Use Regulation website for the Tidelands Program at <http://www.nj.gov/dep/landuse/forms.html> which for application forms and guidance for utility projects. All necessary Land Use Permits will be required to be approved before a tidelands license is issued. If you have any additional questions concerning Tidelands please contact Randy Bearce at (609) 292-2573.

Natural and Historic Resources

Fish and Wildlife - Endangered & Non-game Species Program

The Division of Fish and Wildlife (DFW) Office of Review (OER) agrees with the information provided in Table ES-1 for Natural resources. However, under "Control Measures and Minimization/Mitigation

Commitment”, please consult with the New Jersey Marine Fisheries Administration to confirm any constriction windows. Timing restrictions will be required for construction based on potential species identified on and off-shore. These comments and recommendations are subject to change if any additional environmental issues or concerns are discovered during pre-construction surveys or during the construction phase of this project that negatively impact resources under the purview of the DFW whereupon the DFW should be contacted immediately. If there are any questions please contact Kelly Davis of the DFW Office of Environmental Review at (908) 236-2118 or kelly.davis@dep.nj.gov.

State Historic Preservation Office

The Historic Preservation Office (HPO) reviews projects for their effects on historic properties under Section 106 of the National Historic Preservation Act when federal funding, licensing, or permitting is involved. The HPO continues to review this project pursuant to section 106 and has determined to date that the project as proposed in the Draft EIS will cause an adverse effect on historic properties. While we have not had a concern with the former Koppers Coke site itself, the proposed power line towers, as proposed, will have an adverse effect on the historic railroad district. Enclosed are the most recent HPO comments dated April 24, 2018.

If you have any questions, please contact Vincent Maresca at (609) 633-2395

Green Acres

The transmission line connections proposed may impact Green Acres encumbered property:

- Reservoir in Jersey City (B 4802, L 1) is Green Acres funded and has public access.
- 11th Street Oval in the City of Bayonne (B 273, L 13-17) is not funded, but is encumbered by Green Acres and has public access
- Bayside Park in Jersey City (B 26001, L 1) is a Green Acres funded park.

The applicant will need to provide more detail to Green Acres on the areas of parkland impact and the intended use of the parkland. Please contact Maude Snyder at the Bureau of Legal Services and Stewardship in the Green Acres Program at maude.snyder@dep.nj.gov or (609) 292-0903

Air Quality

On November 21, 2018, the Division of Air Quality received a Preconstruction Permit application and Acid Rain Permit application for the NJ Transitgrid Traction Power System in Kearny, Hudson County. The project consists of two natural gas fired combined-cycle turbines generating a total of 60 megawatts, three 22.5-megawatt natural gas fired simple-cycle turbines, two natural gas fired emergency black start generators, and a cooling tower. All turbines will be controlled with selective catalytic reduction (for NOx control) and oxidation catalyst (for CO and VOC control). The project triggers the Emission Offset Rule at N.J.A.C. 7:27-18 and is subject to Lowest Achievable Emission Rate requirements for NOx. Risk will be evaluated as part of the permit review process. If you have any questions, please contact David Owen at (609) 633-1129

In addition, all road and non-road vehicles in operation at the project site must comply with New Jersey’s “No Idling” Law.

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.stophesoot.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 NOx 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

Water Quality

Environmental Infrastructure Financing – Redevelopment of Sewer and Water Connections

The report does not provide information of how much water the project needs. If the demand is greater than 12,000 gpd, then the applicant will need a Safe Drinking Water permit. In addition, they will need a physical connection permit. Currently, Kearny has a water surplus of approximately 6 mgd. Should the project need more supply, an arrangement with another water system to get more supply must be made. A copy of Kearny Def/Surplus calculation is available upon request. The application forms can be found at https://www.state.nj.us/dep/watersupply/dws_const.html. It is recommended to complete first the Checklist for Administrative Completeness (BWSE-PA 05 (02/18) form) which provides a guide as to the technical review forms to be provided for each permit type. If you have any questions regarding funding please contact Charles Jenkins in the Division of Water Quality's Municipal Finance and Construction Element at (609) 633-1169.

Potable and Sewer Connections

Water quality improvements will be required for this project as well as elsewhere within the Koppers Redevelopment Area in Kearny. These include potable connection and treatment works approvals. If you have any questions, please contact Tracy Shevlin for sewer connection permits and treatment works approvals at (609) 633-1169 and Steven Pudney for potable connection permits at (609) 292-1656.

NJPDES DSW

If uncontaminated construction dewatering water is proposed to be discharged to surface water, including wetlands, they will need a Construction Dewatering general permit. Information regarding this permit can be found at http://www.nj.gov/dep/dwq/gp_dewater.htm. This Construction Dewatering general permit is designed for short term discharges only and authorizes the discharge of groundwater, during construction dewatering, that contains negligible levels of pollutants, to the surface waters of the State of New Jersey. This general permit does not cover discharges from sites known or suspected to contain contaminated groundwater, such as remediation or petroleum products clean-up sites, stormwater discharges, and discharges associated with sediment laden waters. The Certification Form and accompanying sample analysis data must be submitted at least 14 working days prior to the proposed discharge for review. If the construction dewatering water is **contaminated**, it must be **treated** and could then potentially be discharged to surface water through the Groundwater Remediation Cleanup (BGR) general permit. Information regarding this general permit can be viewed at http://www.nj.gov/dep/dwq/gp_BGR.htm. Please refer to our rules and regulations N.J.A.C. 7:10-10 and 7:10-11 et seq to avoid deficiencies and/or permit denial. Should the applicant has further questions, please advise to contact Xenia Feliz at the BWSE at (609) 292-2957.

Water Allocation

If construction related dewatering is required at rates exceeding 100,000 gallons per day of water (70 gallons per minute pumping capacity) then that activity would be regulated under a short term water use

permit by rule if less than 31 days, or a dewatering permit if 31 days or longer. A dewatering permit by rule may be applicable if the dewatering occurs from within a coffer dam, or similar confined space.

Any well drilling activities are required to be performed by a New Jersey licensed well driller. Well construction permits are required for any well construction activities except for: in kind well screen replacements, test borings less than 50 feet deep and 8.5 inches or less in diameter, cathodic protection wells which are 50 feet or less in depth and six inches or less in diameter, and dewatering wells or dewatering wellpoints which are 25 feet or less in depth and six inches or less in borehole diameter. The drilling of blast holes in quarries or mines is not regulated under the Well Construction regulations.

NJPDES DGW Stormwater

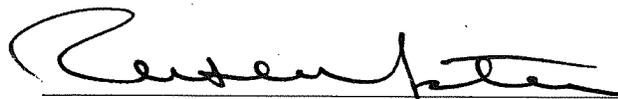
A general permit for Construction Activities, (5G3) is required from the Department. This general permit authorizes stormwater discharges from construction activities which disturb areas greater than 1 acre or smaller areas that are part of a large plan of common development greater than 1 acre. The applicant must have a certified Soil Erosion and Sediment Control Plan by the County Soil Conservation District in order to have the necessary information for a complete permit application. The permit application process is available online at <http://www.state.nj.us/dep/dwq/5g3.htm>. Stormwater management issues will be addressed by the local government unless a Department land use issue is involved.

Environmental Justice

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 may involve 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 (609) 633-0747 or Riche.Outlaw@dep.state.nj.us.

Thank you for the opportunity to review and provide comment on the Draft EIS for the proposed NJ Transit Microgrid Project. If you have any additional questions, please do not hesitate to contact me at (609) 292-3600.

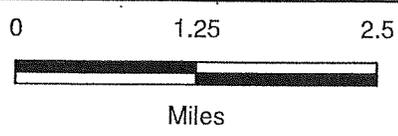
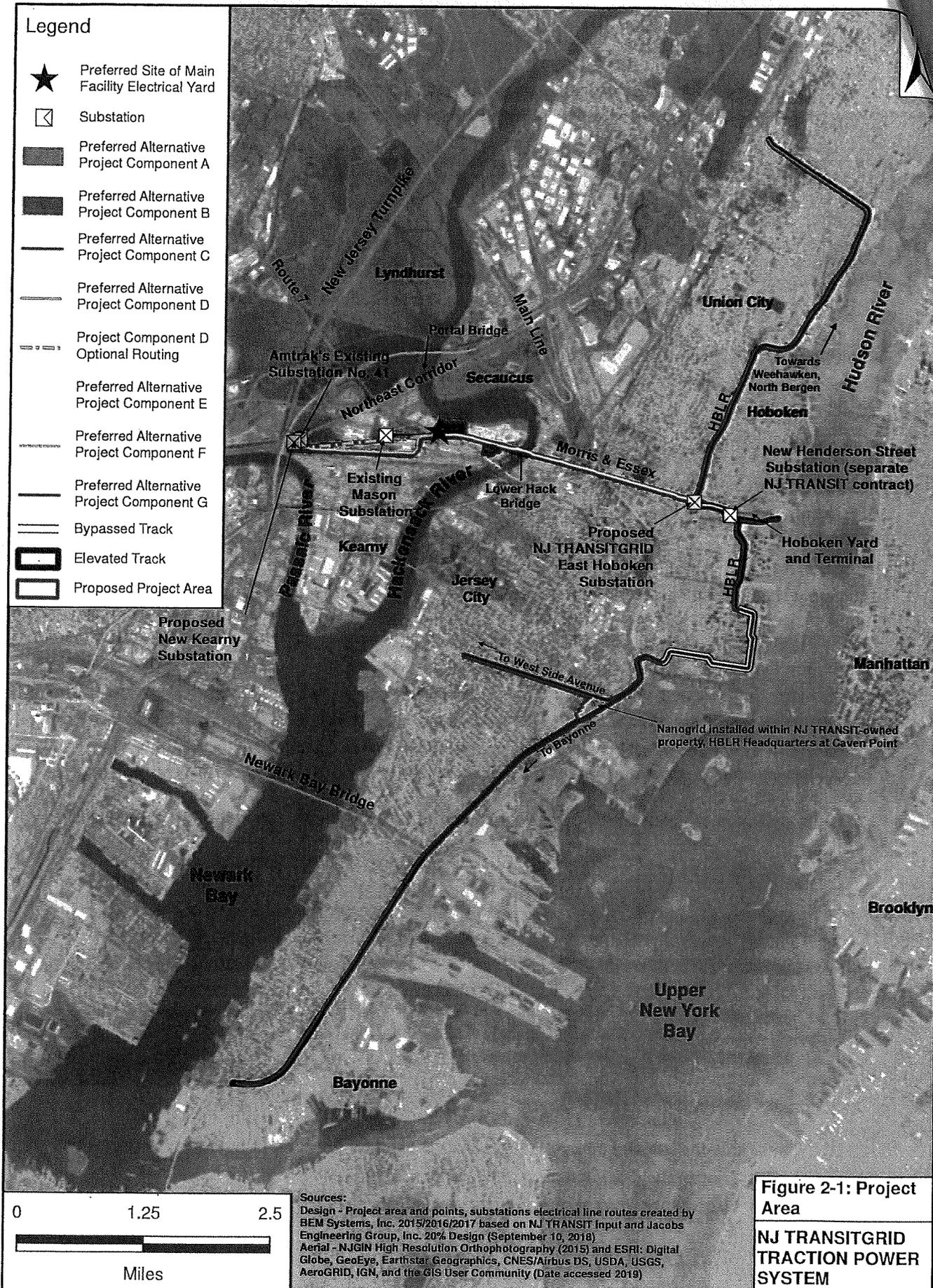
Sincerely,



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

Enclosures

cc. Shawn LaTourette, Chief of Staff
NJSEA Meadowlands Regional Commission



Sources:
 Design - Project area and points, substations electrical line routes created by BEM Systems, Inc. 2015/2016/2017 based on NJ TRANSIT Input and Jacobs Engineering Group, Inc. 20% Design (September 10, 2018)
 Aerial - NJGIN High Resolution Orthophotography (2015) and ESRI: Digital Globe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community (Date accessed 2019)

Figure 2-1: Project Area
NJ TRANSITGRID TRACTION POWER SYSTEM



HPO Project# 14-1685-14,-15,-16
HPO-D2018-122 PROD

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)
- Eric-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

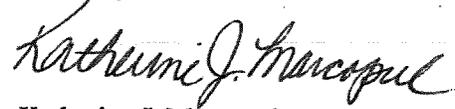
In accordance with 36 CFR 800.6, the HPO appreciates NJ TRANSIT's consideration of steps to avoid or minimize adverse effects to the Old Main DL&W Railroad Historic District and some of its contributing features, including the possible use of the southern route around NJ TRANSIT's Meadowlands Maintenance 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

December 4, 2019

Mrs. Ruth Foster, PhD., P.G.
Acting Director
Office of Permit Coordination and Environmental Review
401 East State Street
P.O. Box 420
Trenton, NJ 08625

Re: NJ TRANSITGRID TRACTION POWER SYSTEM Combined Final Environmental Impact Statement and Record of Decision

Mrs. Ruth Foster:

Thank you for your letter, dated July 17, 2019, regarding your review of the Federal Transit Administration (FTA) and New Jersey Transit Corporation's (NJ TRANSIT) NJ TRANSITGRID Draft Environmental Impact Statement (DEIS) as part of the public comment period. The NJ TRANSITGRID project would construct a natural gas-powered electrical generation plant that would support NJ TRANSIT and Amtrak operations, with necessary transmission and catenary lines and supporting substations. It would operate independently of the commercial power grid to increase the resilience of public transportation against power outages. We appreciate the New Jersey Department of Environmental Protection's (NJDEP) review and comments on the proposed Project. The response to comments provided by NJ TRANSIT and FTA are offered below.

Land Use Regulation Program

NJ TRANSIT acknowledges your comment regarding the DEIS not providing design plans for the components and instead provides a project description and location for each component. Please note that the DEIS is based on the Project's 20% design packages, as stated in Chapter 2- Project Alternatives. Signed and sealed 20% design drawings will be submitted with regulatory land use permit applications, as required by NJDEP.

NJ TRANSIT understands and acknowledges that any work within a freshwater wetland or State open water located in the Meadowlands will require a Water Quality Certificate, any work within a Flood Hazard Area located in the Meadowlands will require Flood Hazard Area authorization and any work below the mean high water line in the Meadowlands will require an In-Water Waterfront Development Permit. For the balance of the Project outside of the Meadowlands, only a Flood Hazard Area authorization will be required for work within the regulated Flood Hazard Area. No work will occur within the regulated Waterfront Development Zone or within Freshwater Wetlands outside of the Meadowlands/NJSEA boundary limits.

Land Use Mitigation

NJ TRANSIT acknowledges the NJDEP comment that any ongoing remediation or redevelopment that impacts regulated features under land use regulations will result in required wetland

mitigation/ restoration. NJ TRANSIT will coordinate applicable mitigation as required. NJ TRANSIT has confirmed that Project Component E (electrical line connection to the new NJ TRANSITGRID East Hoboken substation) will not impact the ongoing remediation at the COPR site. This is clarified via the DEIS Errata, an Appendix to the Combined FEIS/ROD, anticipated for January 2020.

Tidelands

NJ TRANSIT acknowledges the comment. Please see Figure 12-1 through 12-6 of the DEIS, which includes the Tidelands Area, which are presently and formerly flowed area, as shown on NJDEP'S GeoWeb Mapper in relation to the Project footprint. Project Components located within the Tidelands Area were further reviewed to determine if a Tidelands Instrument (License or Grant) existed, the results of which are discussed in Chapter 12 of the DEIS (please see Table 12-1: NJDEP Bureau of Tidelands Instruments by Project Component). NJ TRANSIT will coordinate with NJDEP's Bureau of Tidelands to apply for a Tidelands Utility License for the installation of electrical cable crossing the Hackensack River. Please note that the new 0.5-mile pipeline (connecting Project Component A [Main Facility] to Project Component B [natural gas pipeline connection]) does not cross any Tidelands areas, only portions of the electrical line alignment cross Tidelands areas. All required tidelands permits will be applied for and procured demonstrating coordination with the Bureau of Tidelands.

Natural and Historic Resources

Fish and Wildlife- Endangered and Non-game Species Program

NJ TRANSIT acknowledges the comment and will coordinate with the New Jersey Marine Fisheries Administration. NJ TRANSIT has also consulted with NOAA-National Marine Fisheries Service to qualify any federal timing restrictions, which consist of January 1 to May 31 (anadromous fish) and March 1 to June 30 (White flounder).

State Historic Preservation Office

NJ TRANSIT acknowledges the comment and has been coordinating with NJ HPO since Project initiation and is currently establishing a Programmatic Agreement with respective parties, FTA, NJ TRANSIT, and NJ HPO.

Green Acres

We acknowledge the comment with concern to the proposed transmission line connections impacting Green Acres encumbered properties. Please see below outlining why the specific encumbered properties will not be adversely impacted by the proposed transmission line connections.

- The transmission lines located near Reservoir in Jersey City (B 4802, L 1) will be installed within the Bergen Tunnel and will therefore not impact the Reservoir or public access.
- The 11th Street Oval in the City of Bayonne (B 273, L 13-17) is located adjacent to the HBLR alignment that is elevated. In this area, where the HBLR tracks are elevated, the distribution lines will be attached to the elevated structure and will therefore not impact the 11th Street Oval.

- Bayside Park in Jersey City (B 26001, L 1) is located approximately 30 to 40 feet from the HBLR right-of-way. All work completed for distribution along the HBLR will be completely within the right-of-way and will therefore not impact the Bayside Park.

Air Quality

Through our Pre-Construction Air Permit application NJ TRANSIT acknowledges the Project triggers the Emission Offset Rule at N.J.A.C. 7:27-18, is subject to the Lowest Achievable Emission Rate requirements for NOx and must comply with USEPA's Acid Rain program rules. NJ TRANSIT also acknowledges that all road and non-road vehicles in operation at the Project site must comply with New Jersey's "No Idling" Law, which is included in the "Measures to Minimize Harm" section of the Combined FEIS/ROD, anticipated for January 2020.

Water Quality

Environmental Infrastructure Financing- Redevelopment of Sewer and Water Connections

NJ TRANSIT acknowledges the comment and is aware that a Safe Drinking Water permit is required as more than 12,000 gpd is anticipated (please see page 2-7 of DEIS). Water supply needs are discussed in Chapter 2 – Project Alternatives and Chapter 15 – Utilities of the DEIS.

Potable and Sewer Connections

NJ TRANSIT acknowledges the comment that water quality improvements will be required for the Project.

NJPDES DSW

NJ TRANSIT acknowledges the comment that if uncontaminated construction dewatering water is proposed to be discharged to surface water, including wetlands, a Construction Dewatering general permit will be required. If the construction dewatering water is contaminated, it must be treated and could then potentially be discharged to surface water through the Groundwater Remediation Cleanup (BGR) general permit.

Water Allocation

NJ TRANSIT acknowledges the comment. Appropriate Division of Water Quality permits will be acquired prior to construction.

NJPDES DGW Stormwater

NJ TRANSIT acknowledges the comment that a general permit for Construction Activities, (5G3) is required from the NJDEP. The Project will procure a Soil Erosion and Sediment Control Certificate from the Hudson Essex Passaic Soil Conservation District prior to submittal of the 5G3 application.

Environmental Justice

NJ TRANSIT acknowledges the comment. As discussed in the DEIS, an environmental justice (EJ) analysis was completed in compliance with the guidance and methodologies set forth in the DOT's Final Environmental Justice Order (Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), FTA's EJ guidance (Circular FTA C4703.1, Environmental Justice Policy Guidance for Federal Transit Administration Recipient), and the federal Council on Environmental Quality's (CEQ) environmental justice

guidance (CEQ Environmental Justice- Guidance under the National Environmental Policy Act) (Chapter 19 – Environmental Justice). The analysis identified and addressed any disproportionate and adverse impacts on minority and low-income populations that lie within the study area for the proposed Project. Public participation and outreach are summarized in Chapter 19 and Chapter 21 – Agency and Public Participation. Full and fair participation by all potentially affected communities was encouraged in accordance with EJ policies. Public outreach completed after publication of the DEIS (Public Hearing held in June 2019, advertisements of DEIS availability, etc.) are documented in the combined FEIS/ROD, anticipated for January 2020.

Again, we appreciate the NJDEP bringing these matters to our attention and we look forward to working together to bring the combined FEIS/ROD to a successful conclusion. If you have any further questions or comments, please feel free to contact me at (973) 491-7017 or Jgeitner@njtransit.com.

Sincerely,

John A. Geitner
Senior Director, Environmental, Energy and Sustainability Unity
NJ TRANSIT

cc: Daniel Moser, FTA
Donald Burns, FTA
Eric Daleo, NJ TRANSIT
Nicholas Marton, NJ TRANSIT
Kiran Patel, NJ TRANSIT
Dara Callender, NJ TRANSIT
Sandy Kochersperger, BEM Systems, Inc.
Harold Olarte, BEM Systems, Inc.

Appendix F: United States Department of Interior

- *US DOI Comment Letter to FTA- July 17, 2019*
- *US DOI Comment Letter to FTA- February 27, 2020*



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
15 State Street – 8th Floor
Boston, Massachusetts 02109-3572

July 17, 2019

9043.1
ER 19/0210

Dan Moser
Federal Transit Administration
1 Bowling Green, Room 428
New York, NY 10004

**RE: Draft Environmental Impact Statement (DEIS)
NJ Transitgrid Traction Power System**

Dear Mr. Moser:

The U.S. Department of the Interior (Department) has reviewed the DEIS for the NJ Transitgrid Traction Power System. The Department has no comment on the DEIS.

Thank you for the opportunity to review and comment on this project. Please contact me at (617) 223-8565 if I can be of assistance.

Sincerely,

Andrew L. Raddant
Regional Environmental Officer



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
5 Post Office Square, Suite 18011
Boston, Massachusetts 02109

February 27, 2020

9043.1
ER 19/0210

Daniel Moser
Community Planner
Federal Transit Administration
1 Bowling Green, Room 428
New York, NY 10004-1415

Subject: Comments
Draft Section 4(f) Use Analysis
New Jersey Transitgrid Traction Power System
Hudson County, New Jersey

Dear Mr. Moser:

The U.S. Department of the Interior (Department) has reviewed the draft Section 4(f) Evaluation for the New Jersey Transitgrid Power System in Hudson County, New Jersey. The project consists of the design and construction of the New Jersey Transitgrid Power System, a first-of-its-kind microgrid designed to provide highly reliable power to support limited service in a core segment of NJ Transit and Amtrak's critical service territory. As defined by the U.S. Department of Energy (DOE), a microgrid is a local energy grid with control capability, which means it can disconnect from the traditional grid and operate autonomously. The following comments on this project are offered for your consideration.

Section 4(f) Evaluation Comments

The Department concurs that there is no prudent and feasible alternative to the proposed use of Section 4(f) lands, which involves installing poles and associated project elements (poles, electric lines, and precast duct electrical bank) that would have a visual impact to, and would diminish the integrity and setting of, the Old Main Delaware, Lackawanna and Western (DL&W) Railroad Historic District. These actions and effects constitute a Section 4(f) use of the Old Main DL&W Railroad Historic District. The New Jersey State Historic Preservation Office (NJ SHPO) concurred in a letter dated April 24, 2018, with Federal Railroad Administration's determination that the proposed project would result in a direct adverse effect as well as a

cumulative visual effect on the Old Main DL&W Railroad Historic District and an adverse visual effect on historic resources that contribute to the Historic District.

The Department also concurs that while none of the proposed project elements alone would result in conditions that would constitute a Section 4(f) use of the Old Main DL&W Railroad Historic District or its contributing resources, the cumulative effect from all of the proposed project elements would result in a Section 4(f) use.

The Department also acknowledges that to avoid, minimize, and mitigate adverse effects on historic properties, the following measures have been included in the project and documented in a signed Programmatic Agreement with the NJ SHPO:

- the documentation of key historic resources in the project area in a manner consistent with Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER) Level III standards;
- NJ TRANSIT will undertake a comprehensive corridor study of the segment of the Delaware, Lackawanna and Western Railroad Historic District located within the project area;
- NJ TRANSIT shall design and install a multi-component historic interpretive display at an appropriate location at one of its facilities in the vicinity of the proposed undertaking; and,
- a plan for archaeological monitoring and documentation during construction shall be developed and submitted to NJ SHPO for review and approval prior to the commencement of construction.

Thank you for the opportunity to review and comment on this project. If you have questions pertaining to these comments, please contact Mark Eberle, National Park Service, at (215) 597-1258, or mark_eberle@nps.gov. Please contact me at 617-223-8565 if I can be of further assistance.

Sincerely,



Andrew L. Raddant
Regional Environmental Officer

CC: SHPO-NJ (kate.marcopul@dep.nj.gov)

Appendix F: Advisory Council on Historic Preservation

- *ACHP Comment Letter to FTA - May 16, 2019*



Preserving America's Heritage

May 16, 2019

Mr. Daniel Moser
Community Planner
Federal Transit Administration
1 Bowling Green, Room 429
New York, NY 10004

Ref: *Proposed New Jersey TransitGrid Traction Power System Project*
Town of Kearny, Hudson County, New Jersey
ACHPConnect Log Number: 013929

Dear Mr. Moser:

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

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

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Sarah Stokely at (202) 517-0224 or by email at sstokely@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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