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January 2, 2014

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Office of Proceedings  
January 2, 2014  
Part of the Public Record

## VIA ELECTRONIC FILING

Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20024

**Re: The New York, Susquehanna & Western  
Railway Corporation - Exempt Abandonment -  
Passaic and Morris Counties**  
STB Docket No. AB-286 (~~Sub No. 6X~~) (Sub-No. 7X)

Dear Ms. Brown:

In a decision served December 10, 2013, the Board reopened the notice of exemption and imposed certain environmental conditions requested by the Board's Office of Environmental Analysis ("OEA"), including that the NYS&W retain its interest in the property, and not consummate the abandonment, until completion of the Section 106 process. Enclosed for filing is a copy of a letter from the New Jersey State Historic Preservation Office ("SHPO") to the OEA dated December 26, 2013, confirming that the proposed abandonment will not have any adverse effects on any historic structures, and completion of the Section 106 process. NYS&W also confirms that it did not have any inquiries from, or any substantive discussions with, the public or with the SHPO after the issuance of the December 10 decision.

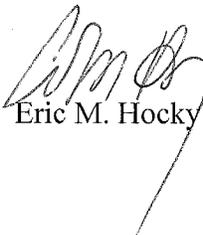
Based on the SHPO letter, NYS&W requests that the Board remove the Section 106 condition.

January 2, 2014  
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Please let me know if there are any questions regarding this filing.

Very truly yours,

CLARK HILL THORP REED



Eric M. Hocky

EMH/e  
Encl.

(Sub-No. 7X)



State of New Jersey

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

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CHRIS CHRISTIE  
Governor

BOB MARTIN  
Commissioner

KIM GUADAGNO  
Lt. Governor

December 26, 2013

Ms. Victoria Rutson  
Office of Economic and Environmental Analysis  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

**Attention: Section on Environmental Analysis**

Dear Ms. Rutson:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the *Federal Register* on December 12, 2000 (65 FR 77725-77739), I am providing **Consultation Comments** for the following proposed action:

**STB Number AB-286 (Sub. No. 6X)**

**New York, Susquehanna & Western Railway (Sub No. 7X)**

**Greenwood Lake Branch**

**Abandonment of Railroad Right of Way Mileposts 22.1 to 26.3**

**Passaic and Morris Counties, New Jersey.**

**SUMMARY:** The proposed abandonment of the New York, Susquehanna & Western Railway (the former New York and Greenwood Lake Railroad) between Mileposts 22.1 and 26.3 will have **no adverse effect** upon the New Jersey and National Registers of Historic Places listed **Pompton Plains Railroad Station.**

**800.4 Identification of Historic Properties**

The right of way proposed for abandonment was previously surveyed for the presence of historic resources for the proposed NYS&W Railway Bicycle & Pedestrian Path. A "*Cultural Resources Survey for the Proposed NYS&W Railway Bicycle & Pedestrian Path*" (prepared by Jean Howson and Richard L. Porter of the RBA Group and submitted to the County of Morris in October 2000) evaluated the historic significance and integrity of the right of way in Riverdale Borough, Pequannock Township, and Wayne Township and identified one historic property, the Pompton Plains Railroad Station, as eligible for inclusion in the National Register of Historic

Places (NRHP). Subsequently, in 2007/2008 this property was listed on the New Jersey and National Registers of Historic Places.

**800.5 Assessment of Adverse Effects**

Based on the document "*Cultural Resources Survey for the Proposed NYS&W Railway Bicycle & Pedestrian Path*," and Historic Preservation Office letter HPO-E2001-95 PROD, May 8, 2001 (copy attached), the New York, Susquehanna & Western Railway right of way between Mileposts 22.1 and 26.3 does not qualify as eligible for inclusion in the National Register of Historic Places.

I also concur with the conclusion that the abandonment of the New York, Susquehanna & Western Railroad between Mileposts 22.1 and 26.3 will not adversely affect the historic significance, character or integrity of the New Jersey and National Registers of Historic Places listed Pompton Plains Railroad Station.

If you have any questions regarding the assessment of historic resources or project effects, please contact Caroline Charlese Scott at (609) 633-2396.

Sincerely,



Daniel D Saunders  
(Sub No. 7X)  
Department of Historic  
Preservation Officer

C: County of Morris  
County of Passaic  
Township of Wayne  
Township of Pequannock  
NJ Department of Transportation  
Ms. Carol Lydon, (Clark, Hill, Thorp, Reed-Attorneys)



State of New Jersey

Department of Environmental Protection

Division of Parks & Forestry, Historic Preservation Office

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RONALD T. DiFRANCESCO  
Acting Governor

Robert C. Shinn, Jr.  
Commissioner

HPO-E2001-95 PROD

Log #01-1408

May 8, 2001

Mr. Andras Fekete  
Manager  
Bureau of Environmental Services  
New Jersey Department of Transportation  
1035 Parkway Avenue  
P.O. Box 600  
Trenton, New Jersey 08625-0600

Dear Mr. Fekete:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register on 12 December 2000 (65 FR 77725-77739), I am providing consultation comments for the following project:

**NYS&W Railway Bicycle & Pedestrian Path (Sub-No. 7X)**  
**Riverdale Borough, Morris County**  
**Pequannock Township, Morris County**  
**Wayne Township, Passaic County**  
**Local Scoping Project**

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**SUMMARY:** The project as designed will have no adverse effect on one (1) historic architectural property identified within the area of potential effects (APE) with the condition stipulated herein below. This project review has resulted in one (1) new SHPO Opinion. (Please see 800.4 Identifying Historic Properties and 800.5 Assessing Effects below.)

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These comments are in response to: your cover letter dated March 1, 2001, received at this office March 1, 2001, with project documentation attached, requesting Section 106 review and concurrence of the National Historic Preservation Act (NHPA) of

Mr. Andras Fekete, NJDOT  
NYS&W Railway Bicycle & Pedestrian Path  
Riverdale Boro. Pequannock Twp., Morris County  
Wayne Twp., Passaic County  
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1966 as amended, for this NYS&W Railway Bicycle and Pedestrian Path Project; and additional information provided by phone March 30, 2001, by Gerald Rohsler, Assistant Director, Morris County Department of Planning and Development, in response to HPO staff Carl Nittinger's March 29, 2001 phone request. Reports submitted to the HPO include the following:

**Howson, Jean; Porter, Richard L. 2000. [Draft] Cultural Resources Survey for the Proposed NYS&W Railway Bicycle & Pedestrian Path, Riverdale Borough, Morris County, Pequannock Township, Morris County, Wayne Township, Passaic County, Prepared By: RBA Cultural Resource Unit, Prepared for: County of Morris and the New Jersey Department of Transportation, October 2000.**

**The NYS&W Bicycle and Pedestrian Path Alternative Analysis Report, Riverdale Borough, Morris County, Pequannock Township, Morris County, Wayne Township, Passaic County, Prepared By: RBA Cultural Resource Unit, Prepared for: County of Morris and the New Jersey Department of Transportation.**

#### **800.3 Initiation of the Section 106 Process**

(Sub-No. 7X)  
Per the Memorandum to Record dated October 23, 2000, NJDOT staff met with HPO staff and concurred with the project APE for this proposed project undertaking, identification of consulting parties, and continuation of public involvement as previously initiated and implemented.

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

The efforts described in the submitted cultural resource survey were adequate to identify archaeological properties within the project APE. No significant archaeological deposits have been identified. No changes or revision to the report are recommended for this project undertaking, and no further archaeological investigation is recommended for this current undertaking.

The efforts described in the submitted cultural resource survey were adequate to identify historic architectural properties within the project APE. HPO staff concur that one historic architectural property has been identified. Therefore, as Deputy State Historic Preservation Officer for New Jersey, it is my opinion, in concurrence with the submitted report, that Pompton Plains Passenger Station, 33 Evans Place, Pompton

Mr. Andras Fekete, NJDOT  
NYS&W Railway Bicycle & Pedestrian Path  
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Plains, Pequannock Township, Morris County, Block 200, Lot 4.2, is eligible to be listed in the National Register of Historic Places (NRHP) under NRHP Evaluation Criterion A and Criterion C.

**Pompton Plains Passenger Station** is significant because of its association with the 19<sup>th</sup> century Pompton Plains community as a rare surviving remnant of the Montclair Railway and its successors. It is also architecturally significant as an noteworthy example of the application of the Stick style to a small public transportation building, one of the relatively few wooden railroad stations dating from the 19<sup>th</sup> century to survive in Morris County.

#### 800.5 Assessment of Adverse Effects

Based on the submitted project documentation, HPO staff have determined that the proposed project preferred alternative, i.e., Alternative A, will have no adverse effect on the one (1) identified historic architectural property, i.e., **Pompton Plains Passenger Station**, with the condition that construction documents, i.e., construction drawings in plan and elevation with details and specifications, and project specifications bidding manual, be submitted to the HPO prior to the bidding process, for staff to determine that the project is in conformance with the *Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings*. The New Jersey Historic Preservation Office Architectural Survey Form for **Pompton Plains Passenger Station** exhibited in Appendix D of the submitted cultural resource survey, states that elements of the former platform survive to the east and north of the building. It is proposed that the bicycle/pedestrian path at this specific site location will be constructed between the station building and the railroad track, i.e., east and north of the building. Therefore, the bicycle/pedestrian path must be designed to avoid disturbance of the surviving platform elements, and/or incorporate them into the proposed design.

#### Additional Review Comments

The archaeological background information in the report, focusing on the project locality, is especially good. It provides suitable contexts for assessing the potential for previously undiscovered sites as well as for assessing the potential significance of any sites that might have been discovered by the field investigation.

Mr. Andras Fekete, NJDOT  
NYS&W Railway Bicycle & Pedestrian Path  
Riverdale Boro. Pequannock Twp., Morris County  
Wayne Twp., Passaic County  
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If you have questions concerning this project review, please contact HPO staff  
Mike Gregg for archaeology at 609-633-2395, and/or Carl Nittinger for architecture at  
609-984-0141.

Sincerely,



Dorothy P. Guzzo  
Deputy State Historic  
Preservation Officer

DPG/cn:mg  
Log #01-1408  
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c. R. Prescott, FHWA  
A. Fox, FHWA  
S. Vroom, NJTPA  
L. Rappleye-Marsett, NJDOT

(Sub-No. 7X)