



APPENDIX B: AGENCY OUTREACH

Cooperating/Participating Agency Concurrence Letters
Section 106 Correspondence
Natural Ecosystems Correspondence and Jurisdictional Determination
Notice of Intent
Notice of Availability

COOPERATING / PARTICIPATING AGENCY CONCURRENCE LETTERS



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAR 07 2016

Dave Rosenblatt
Director of the Office of Flood Hazard Risk Reduction Measures
Department of Environmental Protection
501 East State Street
Mail Code 501-01A
P. O. Box 420
Trenton, NJ 08625-0420

RE: Hudson River Resist Delay Store and Discharge Rebuild By Design Project
(Hudson River RBD)

Dear Mr. Rosenblatt:

Please find attached the signed copy of your letter requesting that the Environmental Protection Agency (EPA) Region 2 agree to serve as a cooperating agency for the U. S. Department of Housing and Urban Development's Hudson River Resist Delay Store and Discharge Rebuild By Design Project on its National Environmental Policy Act (NEPA) documentation. Due to resource constraints, we may have to limit the number of meetings that we attend, and hope that you will consider offering video or telephone conference opportunities. Please know that given reasonable time frames, we would be more than happy to review preliminary project documentation.

We would also like to remind you that our participation as a cooperating agency does not preclude our review under NEPA and comment authority under Section 309 of the Clean Air Act. We look forward to working with you on this project, and hope to be able to participate some of the public meetings. Lingard Knutson ((212)-637-3747 or Knutson.lingard@epa.gov) will be our contact person on this project.

Sincerely yours,

Dennis Reinknecht
for Grace Musumeci, Chief
Environmental Review Section

Enclosure

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State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL & HISTORIC RESOURCES
Office of Flood Hazard Risk Reduction Measures
501 East State Street
Mail Code 501-01A
P. O. Box 420
Trenton, NJ 08625-0420
Tel. 609-292-9236 FAX 609-984-1508

CHRIS CHRISTIE
Governor
KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

April 5, 2016

Donald Burns, Acting Director, Planning and Program Development
Federal Transit Administration - Region 2
1 Bowling Green, Room 429
New York, NY 10004

RE: Lead Agency Designation for Environmental Review of and Invitation to Participate in Environmental Review Process for the Hudson River Rebuild By Design Project in Hoboken, Jersey City and Weehawken

Dear Mr. Burns:

The New Jersey Department of Environmental Protection (NJDEP) is conducting an Environmental Impact Statement (EIS) of the Hudson River Resist Delay Store and Discharge Rebuild By Design Project (Hudson River RBD) on behalf of the State of New Jersey as the recipient of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds from the US Department of Housing and Urban Development (HUD) under 42 U.S.C. 5304(g) and 79 Federal Register 62,182 (October 16, 2014). In accordance with HUD regulations at 24 CFR Part 58, the New Jersey Department of Community Affairs, as Responsible Entity has designated NJDEP to assist with the environmental review and preparation of the EIS. With this letter, the NJDEP also requests the Federal Transit Administration (FTA) participation in the EIS review as a participating agency.

The Hudson River RBD project consists of four distinct elements that are Resist, Delay, Store and Discharge which will deal with both tidal surge and rain events in a variety of methods throughout Hoboken, Jersey City and Weehawken. While each aspect has independent utility, the project will be implemented in the same geographical region, identical schedules and share similar purpose and design elements. Therefore, the NJDEP and HUD have determined that all aspects of this project should be encompassed within a single EIS.

The Hudson River RBD project consists of a yet to be determined northern Resist alignment from Weehawken down into Hoboken and a separate southern Resist alignment from Hoboken down into Jersey City that will be an approximate maximum combined 15,300 liner feet. The Resist alignment would be designed to prevent a Sandy like storm from flooding the project area. The Delay, Store Discharge portions of the project will focus on green and gray infrastructure to address the historical flooding in the project area from frequent high volume rain events. All four aspects of the project will

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work towards maintaining the urban aesthetic, incorporating park space and enhancing public access while meeting the primary flood reduction goals. If approved, construction of the Resist, Delay, Store and Discharge elements is anticipated to begin in 2019 and will have been reviewed under National Environmental Policy Act (NEPA) and related laws in order to satisfy the requirements of 24 CFR 58. More project descriptions is available at <http://www.state.nj.us/dep/floodhazards/rbd-hudsonriver.htm>.

As part of the environmental review process for this project, the lead agencies must identify, as early as practicable, any other Federal and non-federal agencies that may have an interest in the project, and invite such agencies to become participating agencies in the environmental review process. As a participating agency, you will be afforded the opportunity, together with the public, to be involved in commenting on the range of alternatives to be considered for the project. These efforts will build on the early participation opportunities that were provided during the vision study process. In addition, you will be asked to:

- Provide input on the impact assessment methodologies in relation to your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews as appropriate; and
- Review and comment on sections of draft environmental documents related to your field of expertise to communicate any concerns of your agency on the adequacy of the document, the alternative considered, and the anticipated impacts and mitigation.

If your agency consents to the NJDEP's serving as the lead agency for review under NEPA as per HUD regulations at 24 CFR Part 58 and will participate in the review as a participating agency, please indicate by signing this letter and returning it at your earliest convenience to Dennis Reinknecht, Office of Flood Hazard Risk Reduction Measures at the address above or at Dennis.Reinknecht@dep.nj.gov. If the NJDEP has not received a response from you within 30 days from this letter, your consent will be assumed.

If you have any questions, please feel free to contact me at 609-777-4152 or at Dennis.Reinknecht@dep.nj.gov. Thank you for your consideration and cooperation.

Dennis Reinknecht
Dennis Reinknecht, Program Manager

cc:

Dave Rosenblatt, NJDEP, Assistant Commissioner for Engineering and Construction

This undersigned participating agency hereby consents to the New Jersey Department of Environmental Protection serving as lead agency for the Hudson River RBD EIS described above.

US Environmental Protection Agency, Region 2

By: *Donald Burns*, Acting Dir. of Planning
Date: *6/20/16*
Name: *Dan Moser*
Title: *Community Planner*



U.S. Department
Of Transportation
Federal Transit
Administration

Region II
New York
New Jersey

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

September 2, 2016

Mr. Charles A. Richman, Commissioner
State Department of Community Affairs
Sandy Recovery Division
101 South Broad Street
P.O. Box 823
Trenton, NJ 08625

Re: Rebuild by Design Hudson River
FTA Acceptance of Invitation to Participate as a Consulted Party under Section 106
of the Historic Preservation Act

Dear Mr. Richman:

As a federal agency funding numerous public transit projects throughout the Rebuild by Design Hudson River (RBD Hudson River) project study area and as a participating agency on RBD Hudson River Environmental Impact Statement, the Federal Transit Administration (FTA) accepts your invitation to participate as a Consulted Party this project. FTA will limit its consultations to Section 106 resources related to transit facilities.

If you have any questions or require additional information please feel free to contact Dan Moser, FTA Community Planner, at daniel.moser@dot.gov or (212) 668-2326.

Sincerely,

Henrika Buchanan-Smith
Henrika Buchanan-Smith
Acting Regional Administrator

cc: Donald Burns, FTA
Daniel Moser, FTA
Dennis Reinknecht, NJDEP
Kim McEvoy, NJDEP
Clay Sherman, NJDEP
Nicholas Smith-Herman, NJDCA

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State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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CHRIS CHRISTIE
Governor
KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

Joseph Simenic
Program Director, Storm Mitigation & Resilience
Port Authority of NY & NJ
4 World Trade Center - 15th Floor
150 Greenwich St.
New York, NY 10007

Re: Lead Agency Designation for Environmental Review of Hudson River Rebuild By Design Project in Hoboken, Jersey City and Weehawken

Dear Mr. Simenic:

The New Jersey Department of Environmental Protection (NJDEP) is conducting an Environmental Impact Statement (EIS) of the Hudson River Resist Delay Store and Discharge Rebuild By Design Project (Hudson River RBD) on behalf of the State of New Jersey as the recipient of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds from the US Department of Housing and Urban Development (HUD) under 42 U.S.C. 5304(g) and 79 Federal Register 62,182 (October 16, 2014). In accordance with HUD regulations at 24 CFR Part 58, the New Jersey Department of Community Affairs, as Responsible Entity has designated NJDEP to assist with the environmental review and preparation of the EIS. With this letter, the NJDEP also requests that your agency's participation in the EIS review as a cooperating agency.

The Hudson River RBD project consists of four distinct elements that are Resist, Delay, Store and Discharge which will deal with both tidal surge and rain events in a variety of methods throughout Hoboken, Jersey City and Weehawken. While each aspect has independent utility, the project will be implemented in the same geographical region, identical schedules and share similar purpose and design elements. Therefore, the NJDEP and HUD have determined that all aspects of this project should be encompassed within a single EIS.

The Hudson River RBD project consists of a yet to be determined northern Resist alignment from Weehawken down into Hoboken and a separate southern Resist alignment from Hoboken down into Jersey City that will be an approximate maximum combined 15,300 liner feet. The Resist alignment would be designed to prevent a Sandy like storm from flooding the project area. The Delay, Store Discharge portions of the project will focus on green and gray infrastructure to address the historical flooding in the project area from frequent high volume rain events. All four aspects of the project will work towards maintaining the urban aesthetic, incorporating park space and enhancing public access while meeting the primary flood reduction goals.

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Governor
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BOB MARTIN
Commissioner

Stephan A. Ryba, Chief, Regulatory Branch
Department of the Army
U.S. Army Engineer District, New York
Jacob K. Javits Federal Building
26 Federal Plaza
New York, N.Y. 10278-0090

April 12, 2016

SUBJECT: Rebuild by Design Hudson River Project (DB#15)

Dear Mr. Ryba,

We are in receipt of your letter dated April 7th and are aware of your concern regarding potential USACE permits. This project is just beginning the Environmental Impact Statement Process and Feasibility Study.

The actual location of any structures and alignments has not been determined at this time. Once a preferred alternative is selected this summer, it will become clearer what permits will be required to proceed.

If any other questions arise, please do not hesitate to contact me at (609) 984-0556 or e-mail at Dennis.Reinknecht@dep.nj.gov.

Dennis Reinknecht
Dennis Reinknecht
RBD Program Manager
Office of Flood Hazard Risk Reduction Measures

D. Rosenblatt
F. Schwur

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DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

Regulatory Branch

APR 07 2016

SUBJECT: Hudson River Rebuild by Design Project (DB#15), City of Hoboken and Jersey City and the Township of Weehawken, Hudson County, New Jersey

New Jersey Department of Environmental Protection
C/o Mr. Dennis Reinknecht
501 East State Street, Mail Code 501-01A
P.O. Box
Trenton, New Jersey 08625-0420

Dear Mr. Reinknecht:

On April 5, 2016, a Sandy Regional Infrastructure Team meeting was held which focused on several Sandy Resiliency projects and their progress for federal review. Included on the meeting agenda was the Hudson River Rebuild by Design (RBD) Project (DB#15) which would extend along the waterfront through the City of Hoboken, the Township of Weehawken, and the City of Jersey City. As indicated at the meeting, the applicant for this project would be the New Jersey Department of Environmental Protection, and the submittal of a permit application would occur in the fall of 2017.

Please note that this office is concerned that the permit review process for this application has the potential to be highly controversial based on the public comments received by the New Jersey Department of Environmental Protection during the Public Meeting Sessions that were held in December 2015. Therefore, a permit application for the subject proposal should be provided to this office within the next few months.

If any questions should arise concerning this matter, please contact Jim Cannon, of my staff, at (917) 790-8412.

Sincerely,

Stephan A. Ryba
Chief, Regulatory Branch

Cf: Alyson Beha, HUD



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Engineering and Construction
Office of Flood Hazard Risk Reduction Measures
501 East State Street
Mail Code 501-01A
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Tel. 609-777-4152 FAX 609-984-1908

CHRIS CHRISTIE
Governor
KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

April 12, 2016

Stephan A. Ryba, Chief, Regulatory Branch
Department of the Army
U.S. Army Engineer District, New York
Jacob K. Javits Federal Building
26 Federal Plaza
New York, N.Y. 10278-0090

SUBJECT: Rebuild by Design Meadowlands Project (DB#235)

Dear Mr. Ryba,

We are in receipt of your letter dated April 7, 2016, and are aware of your concern regarding the potential need for USACE permits. This project is just beginning the Environmental Impact Statement process and Feasibility Study.

The actual locations of any flood control structures and alignments have not been determined at this time. As the EIS process advances and a preferred alternative is selected later this year, it will become more clear which permits will be required for the project.

If any other questions arise, please do not hesitate to contact Dennis Reinknecht, at his office (609) 984-0556 or e-mail at Dennis.Reinknecht@dep.nj.gov.

Sincerely,

Dennis Reinknecht
RBD Program Manager
Office of Flood Hazard Risk Reduction Measures

C. D. Rosenblatt
L. Fisher



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

APR 7 2016

Regulatory Branch

SUBJECT: New Meadowlands Rebuild by Design Project (DB#235), Boroughs of Little Ferry, Moonachie, Carlstadt, and Teeterboro, and the Township of South Hackensack, Bergen County, New Jersey

New Jersey Department of Environmental Protection
C/o Mr. Dennis Reinknecht
501 East State Street, Mail Code 501-01A
P.O. Box
Trenton, New Jersey 08625-0420

Dear Mr. Reinknecht:

On April 5, 2016, a Sandy Regional Infrastructure Team meeting was held which focused on several Sandy Resiliency projects and their progress for federal review. Based on meeting discussions, it was indicated that the New Jersey Department of Environmental Protection was currently in the process of evaluating three project design alternatives for the HUD: New Meadowlands Project (DB#235) proposal based on available project funding. The first alternative would consist of a modified rebuild by design concept, the second alternative would consist of fluvial and rain event drainage improvements, and the third alternative would consist of a modified hybrid of alternatives 1 and 2.

Based on meeting discussions and a review of the projects Executive Summary (draft version dated April 1, 2016), this office is concerned with the placement of planned structures in areas currently protected under existing conservation easements. Therefore, as part of the permit application submittal, the applicant should identify all parcels along the project alignment which are protected under existing conservation easements. In addition, this office anticipates that the permit review process for this application has the potential to be highly controversial. Therefore, a permit application for the subject proposal should be provided to this office within the next few months.

If any questions should arise concerning this matter, please contact Jim Cannon, of my staff, at (917) 790-8412.

Sincerely,

Stephan A. Ryba
Chief, Regulatory Branch

Cf: Alyson Beha, HUD



State of New Jersey
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

May 2, 2016

Katherine Marcopul
New Jersey Historic Preservation Office
501 East State Street
Trenton New Jersey 08625

Re: Initiate Section 106 Consultation Review of Rebuild By Design Hudson River Project in Hoboken, Jersey City and Weehawken

Dear Ms. Marcopul:

The New Jersey Department of Environmental Protection (NJDEP) Office of Flood Hazard Risk Reduction Measures (OFHRRM) is conducting an Environmental Impact Statement (EIS) of the Hudson River Resist Delay Store and Discharge Rebuild By Design Project (Hudson River RBD) on behalf of the State of New Jersey as the recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the US Department of Housing and Urban Development (HUD) under 42 U.S.C. 5304(g) and 79 Federal Register 62,182 (October 16, 2014). In accordance with HUD regulations at 24 CFR Part 58, the New Jersey Department of Community Affairs, as Responsible Entity has designated NJDEP to prepare environmental reviews and preparation of the EIS.

The Hudson River RBD project consists of four distinct elements that are Resist, Delay, Store and Discharge which will deal with both tidal surge and rain events in a variety of methods throughout Hoboken, Jersey City and Weehawken. While each aspect has independent utility, the project will be implemented in the same geographical region, identical schedules and share similar purpose and design elements. Therefore, the NJDEP and HUD have determined that all aspects of this project should be encompassed within a single EIS and New Jersey Historic Preservation Office review.

With this letter, the OFHRRM is formally submitting the attached document to Initiate Section 106 Consultation with the New Jersey Historic Preservation Office for the RBD project. The project's federal funding requires compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended [36 CFR 800.4(a) (1) and 36 CFR 800.4(b) (1)] along with guidelines outlined in the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716).

If you have any questions, please feel free to contact me at (609) 433-3944 and thank you for your consideration and cooperation.

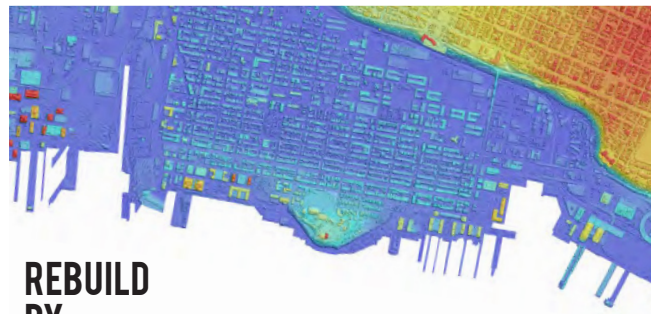
Sincerely,

Signed 5/2/16

Clay Sherman, RBDH Project Manager
New Jersey Department of Environmental Protection

cc:

Holly Leicht, Regional Administrator, Region 2, US Department of Housing & Urban Development
Nancy Diehl, Assistant Commissioner, NJ Department of Community Affairs



REBUILD BY DESIGN

• RESIST • DELAY • STORE • DISCHARGE •

HUDSON RIVER

INITIATE SECTION 106 CONSULTATION

Project Description

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City (Figure 1).

The Project's award comes in the form of Community Development Block Grant-Disaster Recovery (CDBG-DR) funding, which requires compliance with the National Environmental Policy Act (NEPA). Because of the Project's possible environmental impacts, NEPA requires the preparation of an Environmental Impact Statement (EIS). A Draft and Final EIS will be prepared in accordance with the Council on Environmental Quality's (CEQ) NEPA regulations at 40 CFR Part 1502. Furthermore, the project's federal funding requires compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended [36 CFR 800.4(a) (1) and 36 CFR 800.4(b) (1)], along with guidelines outlined in the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716).

The Project purpose is to reduce flood hazard risks, flood-related public health risks, and seeks to leverage resiliency investment to enhance the urban condition. The project's comprehensive approach to flood reduction and resiliency consists of four integrated components (Figure 2):

Rebuild by Design Hudson River: • Resist • Delay • Store • Discharge •

04.28.16 | Initiate Section 106 Consultation | 1

1. Resist: a combination of hard infrastructure (such as bulkheads, floodwalls and seawalls) and soft landscaping features (such as berms and/or levees which could be used as parks) that act as barriers along the coast during exceptionally high tide and/or storm surge events;
2. Delay: policy recommendations, guidelines and urban green infrastructure to slow stormwater runoff;
3. Store: green and grey infrastructure improvements, such as bioretention basins, and swales, that slow down and capture stormwater, and which will complement the efforts of the City of Hoboken's existing Green Infrastructure Strategic Plan; and
4. Discharge: development of new stormwater lines and pumping facilities to support Delay and Store infrastructure.

The funding awarded through the RBD competition is oriented to assist in the funding of Phase 1 of the Project. Phase 1 includes the feasibility, design and environmental analysis of the entire comprehensive project, as well as funding for the implementation of the Resist component.

Area of Potential Effect (APE)

As stated above the project's federal funding requires compliance with Section 106 of the NHPA, as amended [36 CFR 800.4(a) (1) and 36 CFR 800.4(b) (1)]. This legislation requires consideration of the effect(s) of any federally assisted undertaking on historic properties, defined as a prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places, during the project planning process.

The undertaking establishes the project's area of potential effect (APE), defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist". The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking [36 CFR 800.16(d)]. For this project, the APE is defined as the geographic area within which the resist, delay, store and discharge elements of the RBD Hudson River project may directly or indirectly alter the character or use of National Register-eligible or listed resources.

The APE for the proposed project includes those areas containing potential National Register listed or eligible cultural resources whose character and/or setting could be directly, secondarily, or cumulatively affected by the proposed undertaking. Potential effects to historic properties can be permanent or temporary, and can include damage, destruction, and acquisition, as well as visible, audible, economic, and social impacts. The APE takes into account construction staging, material removal and storage, construction vehicle movements and access improvements, traffic detours and vibrational effects resulting from construction of the project elements.

The four aspects of the project (Resist, Delay, Store, Discharge) can be divided into two categories - 1) Resist and 2) Delay, Store, Discharge (DSD) given their location within the project area. The Resist portion will generally be located along or near the waterfront. The DSD portions of the project will be distributed throughout the interior of the project area.

The project's EIS will evaluate three build alternatives, along with a no build alternative, to arrive at the project's Preferred Alternative. For the purposes of compliance with Section 106, the APE will incorporate the footprints of each of the alternatives. Within each alternative, the DSD portion will remain constant while the Resist alignments will vary between the three alternatives. Below is a description of the project components. The project is currently undergoing feasibility analysis, and minor changes to the designs may occur in the coming weeks. Should material changes occur, we will submit updates for your consideration.

Delay, Store, Discharge

The project's DSD includes approximately 60 sites with new and/or improved stormwater management techniques designed to complement other efforts by the City of Hoboken as part of the Green Infrastructure Strategic Plan and multiple redevelopment plans. The individual DSD sites will be located within the public right-of-way, such as streets and sidewalks, and will be concentrated in the interior portion of Hoboken. These sites may consist of bioswales (permeable areas with surface vegetation, allowing for gradual infiltration of stormwater into the ground), tanks (built below grade, allowing for storage of stormwater and gradual release to the storm sewer system), and hybrid tanks (tank systems with vegetation planted above, allowing for gradual infiltration into the tank). In addition to the approximately 60 sites, several large-scale sites are also proposed and will also be included in the EIS:

Rebuild by Design Hudson River: • Resist • Delay • Store • Discharge •

04.28.16 | Initiate Section 106 Consultation | 2

SECTION 106 CORRESPONDENCE



BASF Site: Flooding in the northwest corner of Hoboken can be alleviated by developing the former BASF Property, acquired by the City of Hoboken as part of the Green Infrastructure Strategic Plan and is also part of Hoboken's Western Edge Redevelopment Plan. The site which is currently paved and impermeable is planned for conversion to green park space with an underground water storage/holding tank. A new pump and outfall would be linked to this site to assist in discharge of stormwater from the overall catchment area.

Hoboken Housing Authority: The area surrounding the Hoboken Housing Authority (HHA) at Jackson and Harrison Streets from 2nd Street to 6th Street also serves as a natural low-lying catchment area. Drainage points would be added in this 17 acre development to support the discharge component of the project and direct the flow of excess stormwater westward. On the west side of the neighborhood, a linear stormwater detention area will be incorporated along the east side of the Hudson-Bergen Light Rail (HBLR) to provide storage of the water drained from the HHA area. A new pump would be incorporated to discharge the overflow from the detention facility; the force main from the pump station will cross under the HBLR to discharge into the existing canal located at the west side of the HBLR. In addition, a pump station is proposed adjacent to the HBLR in the vicinity of the North Hudson Sewerage Authority's (NHSA) treatment plant to prevent overtopping of the canal during major storm events, measured as greater than 25-year events.

Block 10: Block 10, located in the southwestern corner of Hoboken adjacent to New Jersey Transit lines and south of Paterson Avenue, would be converted to a permeable park space and catchment area allowing water to infiltrate the ground. An underground detention system proposed below the park will store runoff from the adjacent streets and parking areas collected by high level sewers. An outlet control structure will be used to delay the discharge of the detention facility into the existing street sewers.

Discharge Components: Three pumps stations will be required as part of the major "discharge" components. Two of the pumps would be located in the northwestern section of Hoboken; one to pump the runoff water from the HHA and one from the proposed BASF Property. Both pumps would assist in the drainage of the large northwestern catchment area. A third pump is proposed adjacent to the HBLR canal in the vicinity of the NHSA treatment plant to prevent overtopping of the drainage canal during major storm events.

As an alternative option, two new outfall pipes (force mains) may need to be constructed in northern Weehawken Cove as the "discharge" components of the project. One outfall would drain the flow from the drainage canal running along the western side of the HBLR. The second outfall is proposed to be located north of Harborside Park which will consist of an underground force main to drain the BASF catchment area.

Resist Alignments

Alternative 1 locates the resist structures primarily along the waterfront. This alternative's Resist structure generally follows the waterfront from the Lincoln Tunnel in Weehawken south to Weehawken Cove where it is envisioned that a boathouse, using alternate funding, will be incorporated into the structure. In addition, a bermed or terraced park will be incorporated into the southwest corner of Weehawken Cove. The alignment continues around the waterside of the Tea Building and Maxwell Place communities in North Hoboken, and then south along the waterfront to the intersection of Sinatra Drive North and Frank Sinatra Drive, just south of Maxwell Place Park. There will be a series of gates along the waterfront to allow access onto piers and across road intersections during non-flood conditions. The Resist structure also has a component along Sinatra Drive from 4th Street to 1st Street. In South Hoboken, where the design may consist of an elevated walkway that potentially ties into a deployable system running east/west on 1st Street. In the southern portion of the project area, two options will be analyzed: Option 1 features an alignment south of Observer Highway, within the rail yard (south of the proposed Hoboken Yard Redevelopment Area), whereas Option 2 includes an alignment along Observer Highway from Washington Street to Marin Boulevard, on an alignment behind NJ Transit offices. The alignment includes gates for access at various locations including at the Marin Boulevard, Grove Street and Newark Avenue underpasses beneath the rail lines, as well as protection where the HBLR tracks pass below the NJ Transit overpass in the southwest corner of the project area.

Alternative 2 Resist structure begins near the HBLR Lincoln Harbor station at Waterfront Terrace, traveling south towards Harbor Boulevard, and then south along Weehawken Cove. A bermed or terraced park will be incorporated into the southwest corner of Weehawken Cove. The alternative continues southward to 15th Street and then turns eastward along 15th Street from the northern end of Garden to Washington Street, and then south along Washington Street, where it gradually tapers off between 14th and 13th

Rebuild by Design Hudson River: ■ Resist ■ Delay ■ Store ■ Discharge ■ 04.28.16 | Initiate Section 106 Consultation | 3

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

_____I do not concur for the following reasons:

Daniel Saunders
Deputy State Historic Preservation Officer

Date

Rebuild by Design Hudson River: ■ Resist ■ Delay ■ Store ■ Discharge ■ 04.28.16 | Initiate Section 106 Consultation | 7

Streets. Street crossings will feature gates to allow for access during non-flood conditions. There are two options in the south, along the Hoboken Terminal rail yard: Option 1 will feature an alignment south of Observer Highway, within the rail yard (south of the proposed Hoboken Yard Redevelopment Area), whereas Option 2 will include an alignment along Observer Highway from Washington Street directly to Marin Boulevard. The alignment includes gates for access at various locations including at the Marin Boulevard, Grove Street and Newark Avenue underpasses beneath the rail lines, as well as protection where HBLR tracks pass below the NJ Transit overpass in the southwest corner of the project area.

Alternative 3 utilizes a private alleyway paralleling 14th Street and extended to Washington Street. This alternative's Resist structure begins near the Hudson Bergen Light Rail (HBLR) Lincoln Harbor station at Waterfront Terrace, traveling south towards Harbor Boulevard, and then continuing south along Weehawken Cove towards Garden Street. A bermed or terraced park will be incorporated into the southwest corner of the Weehawken Cove. The structure extends down an alleyway midway between 15th and 14th Streets from Garden Street to Washington Street, and then south along Washington Street, where it will gradually taper off between 14th and 13th Streets. Street crossings will feature gates to allow for access during non-flood conditions. There will then be two options: Option 1 will include an alignment south of Observer Highway, within the rail yard (south of the proposed Hoboken Yard Redevelopment Area), whereas Option 2 will feature an alignment along Observer Highway from Washington Street directly to Marin Boulevard. The alignment includes gates for access at various locations including at the Marin Boulevard, Grove Street and Newark Avenue underpasses beneath the rail lines, as well as protection where HBLR tracks pass below the NJ Transit overpass in the southwest corner of the project area.

Archaeological APE

The proposed archaeological APE is defined to include the limits of construction resulting from the proposed Resist element under consideration for each of the three build alternatives plus the DSD elements. For the purposes of Section 106, it is assumed that potential ground disturbances associated with the proposed undertaking will be confined to the land designated for construction of the Resist and DSD elements only. No provisions are made for staging, access, soil borrowing areas or temporary lay down areas. The archaeological APE incorporates the footprints to all three build alternatives for Resist and encompasses the entirety of the DSD element that will be constructed to support the Preferred Alternative. The archaeological APE is shown in Figures 3a and 3b.

Historic Architectural APE

The proposed historic architectural APE represents the areas that may contain historic properties that could be directly impacted by construction of the Project or indirectly affected by the Project either by changing the visual context of the historic resource or affected by vibration during construction of the Project. The historic architectural APE incorporates the extent of the archaeological APE plus a distance beyond to reflect the visual aspect of the historic architectural APE (Figures 4a and 4b).

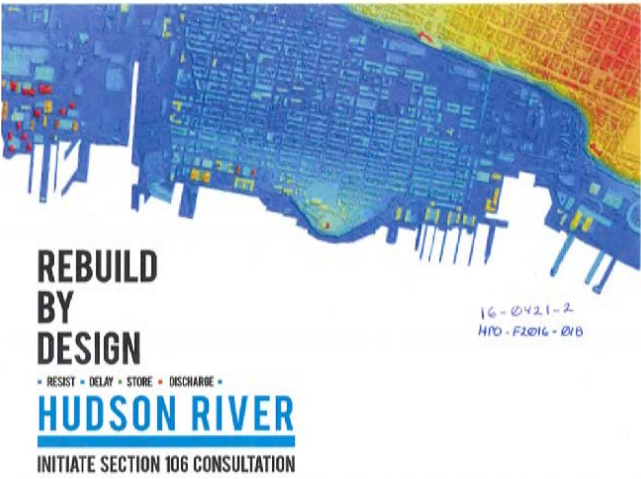
For the Resist portion of the Project, the historic architectural APE was calculated by adding one city block from the footprint of the proposed resist elements. In the case of the DSD elements, construction would cause direct impacts to the public right-of-way, but would also create vibrational effects to the ground surface that could create an indirect effect to historic properties in close proximity to construction. A distance of 90 feet was used to account for the effects of vibration to historic properties, consistent with methods used in urban settings in the metropolitan region to account for the potential effects of construction to historic buildings¹. The historic architectural APE is therefore represented by the visual effect of Resist combined with the direct effect and vibrational effect of DSD construction, as shown in Figure 3.

Public Involvement and Consulting Parties

36 CFR 800.3 sets forth the steps to initiate the Section 106 process by involving the appropriate parties to participate in the consultation process. Participants to the Section 106 process include the federal agencies involved including the lead federal agency and consulting parties, which include the state historic preservation officer (SHPO), Indian Tribes and Native Hawaiian organizations, representatives of local governments and parties from the public with an explicit interest in the potential effects of the project to historic properties.

¹New York City Department of Buildings Technical Policy and Procedure Notice # 10/08 - Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction - <http://www.nyc.gov/html/dob/downloads/dobn/tppn1008.pdf>

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Project Description

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City (Figure 1).

The Project's award comes in the form of Community Development Block Grant-Disaster Recovery (CDBG-DR) funding, which requires compliance with the National Environmental Policy Act (NEPA). Because of the Project's possible environmental impacts, NEPA requires the preparation of an Environmental Impact Statement (EIS). A Draft and Final EIS will be prepared in accordance with the Council on Environmental Quality's (CEQ) NEPA regulations at 40 CFR Part 1502. Furthermore, the project's federal funding requires compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended [36 CFR 800.4(a) (1) and 36 CFR 800.4(b) (1)], along with guidelines outlined in the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 CFR 47.116).

The Project purpose is to reduce flood hazard risks, food-related public health risks, and seeks to leverage resiliency investment to enhance the urban condition. The project's comprehensive approach to flood reduction and resiliency consists of four integrated components (Figure 2):

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The New Jersey Department of Environmental Protection (NJDEP) is conducting the EIS on behalf of the State of New Jersey as the recipient of CDBG-DR funds from HUD under 42 U.S.C. 5304(g) and 79 Federal Register 62,182 (October 16, 2014). Given the project funding from HUD, they are identified as the lead federal agency.

Under HUD regulations at 24 CFR Part 58, the New Jersey Department of Community Affairs, as Responsible Entity has designated the New Jersey Department of Environmental Protection to assist with the environmental review and preparation of the EIS. The United States Army Corps of Engineers (USACE) is involved in the Project as a cooperating agency, while the Federal Emergency Management Administration (FEMA), United States Environmental Protection Agency (US EPA), the Federal Transit Administration (FTA), and the National Oceanic and Atmospheric Administration (NOAA) are all participating agencies in the Project. Other state or local agencies to be included in the Section 106 consulting process include New Jersey Transit, the Port Authority of New York and New Jersey and the New Jersey State Department of Transportation.

Consulting parties include the New Jersey Historic Preservation Office (NJHPO), who functions as the State Historic Preservation Office (SHPO) for New Jersey and reflects the interests of New Jersey and its citizens in the preservation of the Garden State's cultural heritage. In accordance with Section 101(b)(3) of the NHPA, the NJHPO advises and assists federal agencies in carrying out their Section 106 responsibilities and cooperates with such agencies, local governments and organizations and individuals to ensure that historic properties are taking into consideration at all levels of planning and development for federal undertakings occurring in New Jersey. Additional consulting parties include federally recognized Native American nations. The following Native American Nations are consulting parties for the project: the Delaware Nation, the Delaware Tribe of Indians of Oklahoma, the Eastern Shawnee Tribe of Oklahoma, the Shawnee Tribe of Oklahoma, the Absentee Shawnee Tribe of Oklahoma and the Stockbridge-Munsee Community, Band of the Mohicans.

As part of the EIS process, the NJDEP developed a Citizen Outreach Plan (COP) which includes a variety of public techniques and programs to allow citizens and stakeholders in the project area the opportunity to participate in the planning, design and implementation of the Project. The RBDH team has also developed a Citizen Advisory Group (CAG). The CAG's purpose is to provide an avenue for a public involvement process that is dynamic in nature that can evolve as the project advances. Section 106 of the NHPA (36 CFR 800.2(d)(1)) affords the public with the opportunity to express their views on the Project as it relates to historic properties; the Project's COP and CAG function to involve the public in the Section 106 process. Consultation with the public will also occur with the following public entities.

Local governments present within the project include the City of Hoboken, the Hoboken Housing Authority, the City of Jersey City, the City of Weehawken and Hudson County. Public groups with an interest in the project's potential to affect historic resources are also part of the Section 106 process as interested parties. The following are included in the public participation process under Section 106: Erie Lackawanna Historical Society, Hudson Riverkeeper, Hoboken Historical Museum, the Hoboken Historic Preservation Commission, the Hoboken Quality of Life Coalition, Weehawken Historical Society, Jersey City Landmarks Conservancy, the New Jersey Historical Society and the Archaeological Society of New Jersey.

Consulting and Interested Parties

Table 1: List of Consulting Parties		
City of Hoboken Mayor Dawn Zimmer 94 Washington St. Hoboken, NJ 07030	City of Jersey City Mayor Steven Fulop 280 Grove Street Jersey City, NJ 07302	Federal Emergency Management Administration - Region II 26 Federal Plaza New York, NY 10278-0002
Federal Transit Administration Henrika Buchanan-Smith Region 2 Office One Bowling Green, Room 428 New York, NY 10004	Hoboken Housing Authority Marc Recko, Executive Director 400 Harrison Avenue Hoboken, NJ 07030	Hudson County Thomas A. DeGise, Executive 583 Newark Avenue Jersey City, NJ 07306

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1. Resist: a combination of hard infrastructure (such as bulkheads, floodwalls and seawalls) and soft landscaping features (such as berms and/or levees which could be used as parks) that act as barriers along the coast during exceptionally high tide and/or storm surge events;
2. Delay: policy recommendations, guidelines and urban green infrastructure to slow stormwater runoff;
3. Store: green and grey infrastructure improvements, such as bioretention basins, and swales, that slow down and capture stormwater, and which will complement the efforts of the City of Hoboken's existing Green Infrastructure Strategic Plan; and
4. Discharge: development of new stormwater lines and pumping facilities to support Delay and Store infrastructure.

The funding awarded through the RBD competition is oriented to assist in the funding of Phase 1 of the Project. Phase 1 includes the feasibility, design and environmental analysis of the entire comprehensive project, as well as funding for the implementation of the Resist component.

Area of Potential Effect (APE)

As stated above the project's federal funding requires compliance with Section 106 of the NHPA, as amended [36 CFR 800.4(a) (1) and 36 CFR 800.4(b) (1)]. This legislation requires consideration of the effect(s) of any federally assisted undertaking on historic properties, defined as a prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places, during the project planning process.

The undertaking establishes the project's area of potential effect (APE), defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist". The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking [36 CFR 800.18(d)]. For this project, the APE is defined as the geographic area within which the resist, delay, store and discharge elements of the RBD Hudson River project may directly or indirectly alter the character or use of National Register-eligible or listed resources.

The APE for the proposed project includes those areas containing potential National Register listed or eligible cultural resources whose character and/or setting could be directly, secondarily, or cumulatively affected by the proposed undertaking. Potential effects to historic properties can be permanent or temporary, and can include damage, destruction, and acquisition, as well as visible, audible, economic, and social impacts. The APE takes into account construction staging, material removal and storage, construction vehicle movements and access improvements, traffic detours and vibrational effects resulting from construction of the project elements.

The four aspects of the project (Resist, Delay, Store, Discharge) can be divided into two categories - 1) Resist and 2) Delay, Store, Discharge (DSD) given their location within the project area. The Resist portion will generally be located along or near the waterfront. The DSD portions of the project will be distributed throughout the interior of the project area.

The project's EIS will evaluate three build alternatives, along with a no build alternative, to arrive at the project's Preferred Alternative. For the purposes of compliance with Section 106, the APE will incorporate the footprints of each of the alternatives. Within each alternative, the DSD portion will remain constant while the Resist alignments will vary between the three alternatives. Below is a description of the project components. The project is currently undergoing feasibility analysis, and minor changes to the designs may occur in the coming weeks. Should material changes occur, we will submit updates for your consideration.

Delay, Store, Discharge

The project's DSD includes approximately 60 sites with new and/or improved stormwater management techniques designed to complement other efforts by the City of Hoboken as part of the Green Infrastructure Strategic Plan and multiple redevelopment plans. The individual DSD sites will be located within the public right-of-way, such as streets and sidewalks, and will be concentrated in the interior portion of Hoboken. These sites may consist of bioswales (permeable areas with surface vegetation, allowing for gradual infiltration of stormwater into the ground), tanks (built below grade, allowing for storage of stormwater and gradual release to the storm sewer system), and hybrid tanks (tank systems with vegetation planted above, allowing for gradual infiltration into the tank). In addition to the approximately 60 sites, several large-scale sites are also proposed and will also be included in the EIS:

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National Oceanic and Atmospheric Administration NEFSC James Howard Marine Sciences Laboratory NOAA-National Marine Fisheries Service 74 Magnuder Road, Sandy Hook Highlands, NJ 07732	New Jersey Department of Environmental Protection Mail Code 501-04B 401 East State Street PO Box 420 Trenton, NJ 08625-0420	New Jersey Historic Preservation Office Mail Code 501-04B State of New Jersey Department of Environmental Protection PO Box 420 Trenton, NJ 08625-0420
New Jersey State Department of Transportation P.O. Box 600 Trenton, NJ 08625-0600	New Jersey Transit 1 Penn Plaza East Newark, NJ 07105	Port Authority of New York and New Jersey 4 World Trade Center 150 Greenwich Street New York, NY 10007
Township of Weehawken Mayor Richard Turner Weehawken Town Hall 400 Park Avenue Weehawken, NJ 07086	United States Army Corps of Engineers New York District 26 Federal Plaza, Rm 2113 New York, NY 10278	United States Environmental Protection Agency Region 2 290 Broadway New York, NY 10007-1866

United States Housing and Urban Development
Alyson Beha
Jacob K. Javits Federal Building
26 Federal Plaza, Suite 3541
New York, NY 10278-0068

Table 2: List of Native American Nations Consulting Parties

Absentee Shawnee Tribe of Oklahoma Edwin Butler-Wolf, Governor 2025 South Gordon Cooper Dr. Shawnee, OK 74801	Delaware Nation Bruce Gonzalez, President P.O. Box 825 Anadarko, OK 73005	Delaware Tribe of Indians of Oklahoma Chief Dee Ketchum Delaware Tribal Headquarters 220 NW Virginia Avenue Bartlesville, OK 74003
Eastern Shawnee Tribe of Oklahoma Chief Charles Enryrt P.O. Box 350 Seneca, MO 64865	Shawnee Tribe of Oklahoma P.O. Box 189 Miami, OK 74354	Stockbridge-Munsee Community Band of the Mohicans Wallace Miller, President N8476 Moh He Con Nuck Road Bowler, WI 54417

Table 3: List of Interested Parties

Erie Lackawanna Historical Society Schuyler Larrabee, President c/o Bruce Field 30 Longcourse Lane Paoli, PA 19301	Historic Preservation Commission Dennis English, Chair Hoboken City Hall 94 Washington St. Hoboken, NJ 07030	Hoboken Historical Museum 1301 Hudson St. Hoboken, NJ 07030
Hoboken Quality of Life Coalition, Inc. P.O. Box 1195 Hoboken, NJ 07030	Hudson Riverkeeper Alex Mathiesen, Executive Director P.O. Box 130 Garrison, NY 10524	Jersey City Landmarks Conservancy P.O. Box 68 Jersey City, NJ 07303-0068
New Jersey Historical Society 52 Park Pl. Newark, NJ 07102	The Archaeological Society of New Jersey c/o New Jersey State Museum Bureau of Archaeology & Ethnography 205 West State Street P.O. Box 530 Trenton, NJ 08625-0530	Weehawken Historical Society 212 Dodd Street Weehawken, NJ 07087

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BASF Site: Flooding in the northwest corner of Hoboken can be alleviated by developing the former BASF Property, acquired by the City of Hoboken as part of the Green Infrastructure Strategic Plan and is also part of Hoboken's Western Edge Redevelopment Plan. The site which is currently paved and impermeable is planned for conversion to green park space with an underground water storage/holding tank. A new pump and outfall would be linked to this site to assist in discharge of stormwater from the overall catchment area.

Hoboken Housing Authority: The area surrounding the Hoboken Housing Authority (HHA) at Jackson and Harrison Streets from 2nd Street to 6th Street also serves as a natural low-lying catchment area. Drainage points would be added in this 17 acre development to support the discharge component of the project and direct the flow of excess stormwater westward. On the west side of the neighborhood, a linear stormwater detention area will be incorporated along the east side of the Hudson-Bergen Light Rail (HBLR) to provide storage of the water drained from the HHA area. A new pump would be incorporated to discharge the overflow from the detention facility; the force main from the pump station will cross under the HBLR to discharge into the existing canal located at the west side of the HBLR. In addition, a pump station is proposed adjacent to the HBLR in the vicinity of the North Hudson Sewerage Authority's (NHSA) treatment plant to prevent overtopping of the canal during major storm events, measured as greater than 25-year events.

Block 10: Block 10, located in the southwestern corner of Hoboken adjacent to New Jersey Transit lines and south of Paterson Avenue, would be converted to a permeable park space and catchment area allowing water to infiltrate the ground. An underground detention system proposed below the park will store runoff from the adjacent streets and parking areas collected by high level sewers. An outlet control structure will be used to delay the discharge of the detention facility into the existing street sewers.

Discharge Components: Three pumps stations will be required as part of the major "discharge" components. Two of the pumps would be located in the northwestern section of Hoboken; one to pump the runoff water from the HHA and one from the proposed BASF Property. Both pumps would assist in the drainage of the large northwestern catchment area. A third pump is proposed adjacent to the HBLR canal in the vicinity of the NHSA treatment plant to prevent overtopping of the drainage canal during major storm events.

As an alternative option, two new outfall pipes (force mains) may need to be constructed in northern Weehawken Cove as the "discharge" components of the project. One outfall would drain the flow from the drainage canal running along the western side of the HBLR. The second outfall is proposed to be located north of Harborside Park which will consist of an underground force main to drain the BASF catchment area.

Resist Alignments

Alternative 1 locates the resist structures primarily along the waterfront. This alternative's Resist structure generally follows the waterfront from the Lincoln Tunnel in Weehawken south to Weehawken Cove where it is envisioned that a boathouse, using alternate funding, will be incorporated into the structure. In addition, a bermed or terraced park will be incorporated into the southwest corner of Weehawken Cove. The alignment continues around the waterside of the Tea Building and Maxwell Place communities in North Hoboken, and then south along the waterfront to the intersection of Sinatra Drive North and Frank Sinatra Drive, just south of Maxwell Place Park. There will be a series of gates along the waterfront to allow access onto piers and across road intersections during non-flood conditions. The Resist structure also has a component along Sinatra Drive from 4th Street to 1st Street. In South Hoboken, where the design may consist of an elevated walkway that potentially ties into a deployable system running eastward on 1st Street. In the southern portion of the project area, two options will be analyzed: Option 1 features an alignment south of Observer Highway, within the rail yard (south of the proposed Hoboken Yard Redevelopment Area), whereas Option 2 includes an alignment along Observer Highway from Washington Street to Marin Boulevard, on an alignment behind NJ Transit offices. The alignment includes gates for access at various locations including at the Marin Boulevard, Grove Street and Newark Avenue underpasses beneath the rail lines, as well as protection where the HBLR tracks pass below the NJ Transit overpass in the southwest corner of the project area.

Alternative 2 Resist structure begins near the HBLR Lincoln Harbor station at Waterfront Terrace, traveling south towards Harbor Boulevard, and then south along Weehawken Cove. A bermed or terraced park will be incorporated into the southwest corner of Weehawken Cove. The alternative continues southward to 15th Street and then turns eastward along 15th Street from the northern end of Garden to Washington Street, and then south along Washington Street, where it gradually tapers off between 14th and 13th

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Streets. Street crossings will feature gates to allow for access during non-flood conditions. There are two options in the south, along the Hoboken Terminal rail yard. Option 1 will feature an alignment south of Observer Highway, within the rail yard (south of the proposed Hoboken Yard Redevelopment Area), whereas Option 2 will include an alignment along Observer Highway from Washington Street directly to Main Boulevard. The alignment includes gates for access at various locations including at the Main Boulevard, Grove Street and Newark Avenue underpasses beneath the rail lines, as well as protection where HBLR tracks pass below the NJ Transit overpass in the southwest corner of the project area.

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Federal Transit Administration Henrika Buchanan-Smith Region II Office One Bowley Green, Room 428 New York, NY 10004	Hoboken Housing Authority Marc Reider, Executive Director 553 Newark Avenue Hoboken, NJ 07030	Hudson County Thomas A. DeGisi, Executive 553 Newark Avenue Jersey City, NJ 07330

National Oceanic and Atmospheric Administration NEFSC James Howard Marine Sciences Laboratory NOAA-National Marine Fisheries Service 24 Magruder Road, Sandy Hook Highlands, NJ 07732	New Jersey Department of Environmental Protection Mail Code 401-04B 401 East State Street PO Box 420 Trenton, NJ 08625-0420	New Jersey Historic Preservation Office Mail Code 501-04B State of New Jersey Department of Environmental Protection PO Box 420 Trenton, NJ 08625-0420
New Jersey State Department of Transportation P.O. Box 630 Trenton, NJ 08625-0630	New Jersey Transit 1 Penn Plaza East Newark, NJ 07102	Port Authority of New York and New Jersey 4 World Trade Center 100 Greenwich Street New York, NY 10007
Township of Weehawken Mayor Richard Turner Weehawken Town Hall 400 Park Avenue Weehawken, NJ 07086	United States Army Corps of Engineers New York District 26 Federal Plaza, Rm 2113 New York, NY 10278	United States Environmental Protection Agency Region II 295 Broadway New York, NY 10007-1866
United States Housing and Urban Development Alyson Bohn Jacob K. Javits Federal Building 28 Federal Plaza, Suite 3541 New York, NY 10278-0655		

Table 2: List of Native American Nations Consulting Parties

Absentee Shawnee Tribe of Oklahoma Edna Butler-Wolfe, Governor 2025 South Gordon Cooper Dr. Shawnee, OK 74801	Delaware Nation Bruce Conley, President P.O. Box 828 Anodko, OK 73005	Delaware Tribe of Indians of Oklahoma Chief Dee Hestrum Delaware Tribal Headquarters 220 NW Virginia Avenue Bartlesville, OK 74003
Eastern Shawnee Tribe of Oklahoma Chief Charles Eyster P.O. Box 350 Seneca, MO 64855	Shawnee Tribe of Oklahoma P.O. Box 189 Miami, OK 74354	Stockbridge-Munsee Community Band of the Mohicans Wallace Miller, President 16475 Moh Wa Con Hack Road Boiler, WI 54417

Table 3: List of Interested Parties

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Hoboken Quality of Life Coalition, Inc. P.O. Box 1105 Hoboken, NJ 07030	Hudson Riverkeeper Alex Mathiasen, Executive Director P.O. Box 130 Garrison, NY 10324	Jersey City Landmarks Conservancy P.O. Box 65 Jersey City, NJ 07303-0068
New Jersey Historical Society 32 Park Pl Newark, NJ 07102	The Archaeological Society of New Jersey c/o New Jersey State Museum Bureau of Archaeology & Ethnography 295 West State Street P.O. Box 530 Trenton, NJ 08625-0530	Weehawken Historical Society 212 Duke Street Weehawken, NJ 07087

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

I do not concur for the following reason:

Katherine J. Marconi
Katherine J. Marconi
Deputy State Historic Preservation Officer
4/9/2016
Date

From: Sherman, Clay <Clay.Sherman@dep.nj.gov>
Sent: Tuesday, August 23, 2016 2:34 PM
To: Smith, Lawrence; Doss, Gary
Cc: Schwarz, Frank; Reinknecht, Dennis; McEvoy, Kim; DEP rbdh-archive
Subject: FW: Section 106 Consultation - Rebuild by Design Hudson River
Attachments: Absentee Shawnee Tribe Executed Consultation Letter RBD Hudson River.pdf

This message originated from outside your organization

Larry,

Forwarding.

Clay Sherman, Project Manager
Hudson River Rebuild By Design
www.rbd-hudsonriver.nj.gov

Engineering and Construction
Bureau of Flood Resilience
501 East State Street, P.O. Box 420
Mail Code 501-01A
Trenton, NJ 08625-0420
Cell (609) 433-3944

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Sent from my Windows Phone

From: Smith-Herman, Nicholas
Sent: 8/19/2016 3:31 PM
To: Joseph Blanchard@astrtribe.com
Cc: edwinab@astrtribe.com; Marcopul, Kate; Smith-Herman, Nicholas; McEvoy, Kim; Sherman, Clay; Schwarz, Frank; Reinknecht, Dennis
Subject: Section 106 Consultation - Rebuild by Design Hudson River

The New Jersey Department of Community Affairs, as HUD's responsible entity, is notifying the Absentee Shawnee Tribe of Indians of Oklahoma that the subject undertaking involves "extensive land disturbance" and meets the condition for notification specified by your tribe in the Section 106 Programmatic Agreement for Hurricane Sandy in New Jersey. Please review the attached letter, which is being sent to you in hard copy via regular mail.

If you have any initial concerns with impacts of the project on religious and cultural properties, please note them in your response. Our representative may be following up with you in approximately 10 days to make sure you received this e-mail and attached letter, and to assess your interest in consultation.

If you do not wish to consult on this project, please inform us as soon as possible by replying to all parties on this message.

Thank you very much.

Nicholas Smith-Herman
Program Specialist II
Compliance and Monitoring Office
Sandy Recovery Division
Department of Community Affairs
101 S. Broad St., PO Box 823
Trenton, NJ 08625
609-292-6068



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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

Absentee Shawnee Tribe of Oklahoma
Governor Edwina Butler-Wolfe
2025 South Gordon Cooper Drive
Shawnee, Oklahoma 74801

Rebuild by Design Hudson River Invitation to Consult as a Consulting Party under Section 106 of the National Historic Preservation Act

Dear Governor Butler-Wolfe,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDEP) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDEP, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Shawnee Tribe of Oklahoma for the proposed undertaking in accordance with 36 CFR Part 800 and the Programmatic Agreement among the Federal Emergency Management Agency, the New Jersey State Historic Preservation Officer, the New Jersey State Office of Emergency Management, the Advisory Council on Historic Preservation, the Absentee Shawnee Tribe of Indians of Oklahoma, the Delaware Nation, the Delaware Tribe of Indians, the Shawnee Tribe of Oklahoma, and the Stockbridge-Munsee Band of Mohicans as a result of Hurricane Sandy (the PA).

The NJDEP has designated NJDEP as the lead agency for this project who are assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.



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NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

We respectfully request your participation as a consulted party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be a consulting party on this project, please let us know of your interest within 30 days. If you have comments on the APE or any initial concerns with impacts of the project on religious or cultural properties, please note them in your response. An NJDEP-authorized representative may be following up with Joseph Blanchard, your THPO, in approximately 10 days to make sure you received this letter and to discuss whether you plan to consult further on this project.

See http://www.comcon.org/sites/default/files/historic_preservation/ for more information on the Section 106 review process. HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58/>.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Joseph Blanchard, THPO
Kate Marcopul, SHPO
Nicholas Smith-Herman, NJDEP
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO Box 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

The Archaeological Society of New Jersey
Dr. Irene Grossman-Bailey
c/o New Jersey State Museum
Bureau of Archaeology & Ethnography
205 West State Street
P.O. Box 530
Trenton, New Jersey 08625-0530

**Rebuild by Design Hudson River
Invitation to Consult as an Interested Party under Section 106 of the
National Historic Preservation Act**

Dear Dr. Grossman-Bailey,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Archaeological Society of New Jersey for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both

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archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

We respectfully request your participation as an interested party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be an interested party on this project, please provide your response within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

2

State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO Box 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

City of Hoboken
Mayor Dawn Zimmer
94 Washington Street
Hoboken, New Jersey 07030

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Mayor Zimmer,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. As you are well aware, the State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the City of Hoboken for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

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We respectfully request your participation as a consulted party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be a consulted party on this project, please let us know of your interest within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

2

State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO Box 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

City of Jersey City
Mayor Steven Fulop
280 Grove Street
Jersey City, New Jersey 07302

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Mayor Fulop,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the City of Jersey City for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

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We respectfully request your participation as a consulted party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be a consulted party on this project, please let us know of your interest within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

2

From: Sherman, Clay <Clay.Sherman@dep.nj.gov>
Sent: Tuesday, August 23, 2016 2:32 PM
To: Smith, Lawrence; Doss, Gary
Cc: Schwarz, Frank; Reinknecht, Dennis; McEvoy, Kim; DEP rbdh-archive
Subject: FW: Section 106 Consultation - Rebuild by Design Hudson River
Attachments: Delaware Nation Executed Consultation Letter RBD Hudson River.pdf

This message originated from outside your organization

Larry,

Forwarding.

Clay Sherman, Project Manager
Hudson River Rebuild By Design
www.rbd-hudsonriver.nj.gov

Engineering and Construction
Bureau of Flood Resilience
501 East State Street, P.O. Box 420
Mail Code 501-01A
Trenton, NJ 08625-0420
Cell (609) 433-3944

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Sent from my Windows Phone

From: Smith-Herman, Nicholas
Sent: 8/19/2016 3:31 PM
To: jross@delawarenation.com
Cc: email@DelawareNation.com; Marcopul, Kate; Smith-Herman, Nicholas; McEvoy, Kim; Sherman, Clay; Schwarz, Frank; Reinknecht, Dennis
Subject: Section 106 Consultation - Rebuild by Design Hudson River

The New Jersey Department of Community Affairs, as HUD's responsible entity, is notifying the Delaware Nation, Oklahoma that the subject undertaking involves "extensive land disturbance" and meets the condition for notification specified by your tribe in the Section 106 Programmatic Agreement for Hurricane Sandy in New Jersey. Please review the attached letter, which is being sent to you in hard copy via regular mail.

If you have any initial concerns with impacts of the project on religious and cultural properties, please note them in your response. Our representative may be following up with you in approximately 10 days to make sure you received this e-mail and attached letter, and to assess your interest in consultation.

1

If you do not wish to consult on this project, please inform us as soon as possible by replying to all parties on this message.

Thank you very much.

Nicholas Smith-Herman
Program Specialist II
Compliance and Monitoring Office
Sandy Recovery Division
Department of Community Affairs
101 S. Broad St., PO Box 823
Trenton, NJ 08625
609-292-6068



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SANDY RECOVERY DIVISION
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TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

Hoboken Historical Museum
Bob Foster, Director
1301 Hudson Street
Hoboken, New Jersey 07030

**Rebuild by Design Hudson River
Invitation to Consult as an Interested Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Foster,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Hoboken Historical Museum for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

We respectfully request your participation as an interested party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be an interested party on this project, please provide your response within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

Hoboken Housing Authority
Marc Recko, Executive Director
400 Harrison Street
Hoboken, New Jersey 07030

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Recko,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Hoboken Housing Authority for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.



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DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
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TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

Hoboken Quality of Life Coalition, Inc.
P.O. Box 1195
Hoboken, New Jersey 07030

**Rebuild by Design Hudson River
Invitation to Consult as an Interested Party under Section 106 of the
National Historic Preservation Act**

Dear Quality of Life Coalition Board Members,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Hoboken Quality of Life Coalition for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

We respectfully request your participation as an interested party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be an interested party on this project, please provide your response within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



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State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO BOX 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

Hudson County
Thomas A. DeGise, Executive
583 Newark Avenue
Jersey City, New Jersey 07306

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. DeGise,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Hudson County for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.



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We respectfully request your participation as a consulted party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be a consulted party on this project, please let us know of your interest within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP

We respectfully request your participation as a consulted party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be a consulted party on this project, please let us know of your interest within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO BOX 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor
KIM GUADAGNO
Lt. Governor
August 19, 2016

CHARLES A. RICHMAN
Commissioner

Hudson Riverkeeper
Paul Gallay, President
20 Secor Road
Ossining, New York 10562

**Rebuild by Design Hudson River
Invitation to Consult as an Interested Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Gallay,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Hudson Riverkeeper for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

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We respectfully request your participation as an interested party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be an interested party on this project, please provide your response within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO BOX 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor
KIM GUADAGNO
Lt. Governor
August 19, 2016

CHARLES A. RICHMAN
Commissioner

Jersey City Landmarks Conservancy
Justin Frohwrth, President
P.O. Box 68
Jersey City, New Jersey 07303-0068

**Rebuild by Design Hudson River
Invitation to Consult as an Interested Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Frohwrth,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

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The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

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Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

2

State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO BOX 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor
KIM GUADAGNO
Lt. Governor
August 19, 2016

CHARLES A. RICHMAN
Commissioner

New Jersey Historical Society
Steven Tettamanti, Executive Director
52 Park Place
Newark, New Jersey 07102

**Rebuild by Design Hudson River
Invitation to Consult as an Interested Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Tettamanti,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

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The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

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Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO BOX 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor
KIM GUADAGNO
Lt. Governor
August 19, 2016

CHARLES A. RICHMAN
Commissioner

New Jersey Transit
Jared Pilosio
1 Penn Plaza
Newark, New Jersey 07105

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Pilosio,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the New Jersey Transit for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

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If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

2


State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO BOX 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

Richard T. Hammer
Acting Commissioner, NJDOT
New Jersey State Department of Transportation
P.O. Box 600
Trenton, New Jersey 08625-0600

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Hammer,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the New Jersey Department of Transportation for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO



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accepted the project initiation documentation as well as the list of consulting and interested parties.

We respectfully request your participation as a consulted party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be a consulted party on this project, please let us know of your interest within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,


Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP


State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO BOX 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

National Oceanographic and Atmospheric Administration
NEFSC James Howard
Marine Sciences Laboratory
NOAA-National Marine Fisheries Service
74 Magruder Road, Sandy Hook
Highlands, New Jersey 07732

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Howard,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the National Oceanographic and Atmospheric Administration for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO



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State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
SANDY RECOVERY DIVISION
101 SOUTH BROAD STREET
PO BOX 823
TRENTON, NJ 08625-0823

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

August 19, 2016

Port Authority of New York and New Jersey
Joseph Simenic
Program Director, Storm Mitigation & Resilience
4 World Trade Center
150 Greenwich Street
New York, New York 10007

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Simenic,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Port Authority of New York and New Jersey for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO



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2

accepted the project initiation documentation as well as the list of consulting and interested parties.

We respectfully request your participation as a consulted party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be a consulted party on this project, please let us know of your interest within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,


Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

From: Sherman, Clay <Clay.Sherman@dep.nj.gov>
Sent: Tuesday, August 23, 2016 2:29 PM
To: Smith, Lawrence; Doss, Gary
Cc: Schwarz, Frank; Reinknecht, Dennis; McEvoy, Kim
Subject: FW: Section 106 Consultation - Rebuild by Design Hudson River
Attachments: Shawnee Tribe Executed Consultation Letter RBD Hudson River.pdf

This message originated from outside your organization

Larry,

Forwarding.

Clay Sherman, Project Manager
Hudson River Rebuild By Design
www.rbd-hudsonriver.nj.gov

Engineering and Construction
Bureau of Flood Resilience
501 East State Street, P.O. Box 420
Mail Code 501-01A
Trenton, NJ 08625-0420
Cell (609) 433-3944

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Sent from my Windows Phone

From: Smith-Herman, Nicholas
Sent: 8/19/2016 3:32 PM
To: kim.jumper@shawnee-tribe.com
Cc: shawneetribe@shawnee-tribe.com; Marcopol, Kate; Smith-Herman, Nicholas; McEvoy, Kim; Sherman, Clay; Schwarz, Frank; Reinknecht, Dennis
Subject: Section 106 Consultation - Rebuild by Design Hudson River

The New Jersey Department of Community Affairs, as HUD's responsible entity, is notifying the Shawnee Tribe of Oklahoma that the subject undertaking involves "extensive land disturbance" and meets the condition for notification specified by your tribe in the Section 106 Programmatic Agreement for Hurricane Sandy in New Jersey. Please review the attached letter, which is being sent to you in hard copy via regular mail.

If you have any initial concerns with impacts of the project on religious and cultural properties, please note them in your response. Our representative may be following up with you in approximately 10 days to make sure you received this e-mail and attached letter, and to assess your interest in consultation.

1

accepted the project initiation documentation as well as the list of consulting and interested parties.

We respectfully request your participation as a consulted party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be a consulted party on this project, please let us know of your interest within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,


Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

If you do not wish to consult on this project, please inform us as soon as possible by replying to all parties on this message.

Thank you very much.

Nicholas Smith-Herman
Program Specialist II
Compliance and Monitoring Office
Sandy Recovery Division
Department of Community Affairs
101 S. Broad St., PO Box 823
Trenton, NJ 08625
609-292-6068



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accepted the project initiation documentation as well as the list of consulting and interested parties.

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Thank you for your consideration and cooperation.

Sincerely,


Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



United States Army Corps of Engineers
Colonel David Cauldwell, Commander and District Engineer, New York District
26 Federal Plaza, Rm 2109
New York, New York 10278-0090

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Colonel Cauldwell,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

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The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

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Thank you for your consideration and cooperation.

Sincerely,


Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



United States Environmental Protection Agency
Region 2
Judith A. Enck
290 Broadway
New York, New York 10007-1866

**Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act**

Dear Ms. Enck,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

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The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

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Sincerely,


Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



Weehawken Historical Society
Samuel Gato, President
212 Dodd Street
Weehawken, New Jersey 07087

**Rebuild by Design Hudson River
Invitation to Consult as an Interested Party under Section 106 of the
National Historic Preservation Act**

Dear Mr. Gato,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDCA, HUD's Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Weehawken Historical Society for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.



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We respectfully request your participation as an interested party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project boundaries. To meet project timeframes, if you would like to be an interested party on this project, please provide your response within 30 days.

If you have any questions, comments, or concerns about the Proposed Project as it relates to cultural resources, please contact Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,


Charles A. Richman
Commissioner

Enclosures: Project Location
Alternative maps

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



September 2, 2016

Mr. Charles A. Richman, Commissioner
State Department of Community Affairs
Sandy Recovery Division
101 South Broad Street
P.O. Box 823
Trenton, NJ 08625

**Re: Rebuild by Design Hudson River
FTA Acceptance of Invitation to Participate as a Consulted Party under Section 106
of the Historic Preservation Act**

Dear Mr. Richman:

As a federal agency funding numerous public transit projects throughout the Rebuild by Design Hudson River (RBD Hudson River) project study area and as a participating agency on RBD Hudson River Environmental Impact Statement, the Federal Transit Administration (FTA) accepts your invitation to participate as a Consulted Party this project. FTA will limit its consultations to Section 106 resources related to transit facilities.

If you have any questions or require additional information please feel free to contact Dan Moser, FTA Community Planner, at daniel.moser@dot.gov or (212) 668-2326.

Sincerely,


Henrika Buchanan-Smith
Acting Regional Administrator

cc: Donald Burns, FTA
Daniel Moser, FTA
Dennis Reinknecht, NJDEP
Kim McEvoy, NJDEP
Clay Sherman, NJDEP
Nicholas Smith-Herman, NJDCA

2



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State of New Jersey
MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES
HISTORIC PRESERVATION OFFICE

P.O. Box 420

Trenton, NJ 08625-0420
TEL. (609) 984-0176 FAX (609) 984-0578

BOB MARTIN
Commissioner

October 28, 2016

Clay Sherman
New Jersey Department of Environmental Protection
Natural & Historic Resources
Bureau of Flood Resilience
501 East State Street
Mail Code 501-01A
P.O. Box 420
Trenton, NJ 08625-0420

Dear Mr. Sherman:

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, Hoboken City, Weehawken Township, Jersey City
Rebuild by Design: Resist, Delay, Store, Discharge Project
Community Development Block Grant-Disaster Recovery
Department of Housing and Urban Development**

Thank you for providing the Historic Preservation Office (HPO) with the opportunity for review and comment on the potential for the above-referenced project to affect historic properties. These comments are in response to the following Phase IA archaeological assessment and intensive-level historic architectural survey report received by the HPO on September 15, 2016:

Davis, Zachary, Tina Fortugno, and Deborah Van Steen
August 2016 Cultural Resources Technical Environmental Survey, Rebuild by Design: Resist, Delay,
Store, Discharge Project, Cities of Hoboken, Weehawken, and Jersey City, Hudson
County, New Jersey. Prepared for the New Jersey Department of Environmental
Protection. Prepared by Dewberry Engineers, Inc.

800.4 Identification of Historic Properties

The above-referenced report describes the results of a combined Phase IA archaeological assessment and intensive-level historic architectural survey carried out for the Rebuild by Design: Resist, Delay, Store, Discharge Project in the City of Hoboken, Township of Weehawken, and City of Jersey

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Absentee Shawnee Tribe of Oklahoma
Delaware Nation
Delaware Tribe of Indians of Oklahoma
Eastern Shawnee Tribe of Oklahoma
Shawnee Tribe of Oklahoma
Stockbridge-Munsee Community
Hoboken Historic Preservation Commission
Hoboken Historical Museum
Hoboken Quality of Life Coalition, Inc.
Jersey City Landmarks Conservancy
Weehawken Historical Society
New Jersey Historical Society
Archaeological Society of New Jersey
Erie Lackawanna Historical Society
Hudson Riverkeeper

November 29, 2016

Historic Preservation Commission
Dennis English, Chair
Hoboken City Hall
94 Washington Street
Hoboken, New Jersey 07030

Rebuild by Design Hudson River
Invitation to Consult as a Consulting Party under Section 106 of the
National Historic Preservation Act

Dear Mr. English,

In an effort to address flood and resiliency vulnerabilities exposed as a result of Superstorm Sandy in 2012, the United States Department of Housing and Urban Development (HUD) launched the Rebuild by Design (RBD) competition inviting communities and designers to craft resiliency and flood damage reduction solutions. The State of New Jersey was subsequently awarded \$230 million to pursue the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City.

Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDEA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. NJDEA, as the Tribal Responsible Entity, is initiating consultation under Section 106 of the National Historic Preservation Act with the Hoboken Historical Museum for the proposed undertaking in accordance with 36 CFR Part 800.

The NJDCA has designated NJDEP as the lead agency for this project who to assisting with the environmental review. NJDEP will prepare the Environmental Impact Statement (EIS) in accordance with HUD's procedures for NEPA found at 24 CFR Part 58, et al.

NJDEP has initiated the Section 106 process with the New Jersey Historic Preservation Office (NJHPO) and established the project's Areas of Potential Effects (APEs) for both archaeological and historic architectural resources. On June 2, 2016, the NJHPO accepted the project initiation documentation as well as the list of consulting and interested parties.

We respectfully request your participation as an interested party regarding the Proposed Project and seek your input on any cultural resources that you may be aware of or have concerns about for which you have jurisdiction and that fall within the project.

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3. Documentation provided for three resources – 1017-1031 Jefferson Street, the Mayburn Knitting Mills, and the Willow Avenue Bridge – was limited to a current photograph and a copy of the previous survey form. In accordance with the *Guidelines for Architectural Survey* (Section 3.3.2), new forms are required when the previous survey is more than 10 years old.

Additional Comments

The APE report approved by the HPO on 6/1/2016 included the Hoboken Historic Preservation Commission on the list of Interested Parties; however, Appendix B: Project Correspondence does not contain a record of consultation with this organization. The HPO requests a record of all consultation with the Hoboken Historic Preservation Commission.

As indicated above, the HPO requests a site visit with the project team in order to facilitate an understanding of the project's effects on historic properties. The site visit will also assist with the identification of historic properties.

Thank you for providing this opportunity to comment on the above-referenced proposed undertaking. Please reference HPO project number 16-0421 in any future calls, emails, submissions or written correspondence to help expedite your review and response. Please feel free to contact Jennifer Leynes (609-984-6016; jennifer.leynes@dep.nj.gov) or Jesse West-Rosenthal (609-984-6019; jesse.west-rosenthal@dep.nj.gov) or my staff with any questions.

Sincerely,

Katharine J. Harcup

Katherine J. Marcopoli
Administrator and
Deputy State Historic
Preservation Officer

KJM/MMB/JBL/JWR

cc: Zachary Davis, Dewberry Engineers
Mayor, City of Hoboken
Mayor, City of Jersey City
Mayor, Township of Weehawken
Executive, Hudson County
New Jersey State Department of Transportation
New Jersey Transit
Port Authority of New York and New Jersey
Federal Emergency Management Administration
Federal Transit Administration
National Oceanic and Atmospheric Administration
United States Army Corps of Engineers
United States Environmental Protection Agency
United States Department of Housing and Urban Development
Hoboken Housing Authority

Clay Sherman
New Jersey Department of Environmental Protection
Natural & Historic Resources
Bureau of Flood Resilience
501 East State Street
Mail Code 501-01A
P.O. Box 420
Trenton, NJ 08625-0420

Dear Mr. Sherman:

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, Hoboken City, Weehawken Township, Jersey City
Rebuild by Design: Resist, Delay, Store, Discharge Project
Community Development Block Grant-Disaster Recovery
Department of Housing and Urban Development

Summary (NEW SHPO OPINION): Based on the information provided as part of this review, the boundaries of the Hoboken Historic District have been expanded. The following properties are eligible for listing in the New Jersey and National Registers of Historic Places: 509 Madison Street; Factory Terminal Loft Buildings (Standard Brands & Lipton Tea Plant); Hoboken High School; Christopher Columbus Gardens; and John Schmalz's Sons Model Bakery. The Erie Railroad Pier D and Piershed is no longer eligible for listing in the New Jersey and National Registers due to extensive alterations. The development of a programmatic agreement, pursuant to 36 CFR 800.14 Federal Agency Program Alternatives, is required to complete the Section 106 process.

Thank you for providing the Historic Preservation Office (HPO) with the opportunity for review and comment on the potential for the above-referenced project to affect historic properties. These comments are in response to the following Phase IA archaeological assessment and intensive-level historic architectural survey report received by the HPO on September 15, 2016:

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Davis, Zachary, Tina Fortugno, and Deborah Van Steen
August 2016 Cultural Resources Technical Environmental Survey, Rebuild by Design: Resist, Delay, Store, Discharge Project, Cities of Hoboken, Weehawken, and Jersey City, Hudson County, New Jersey. Prepared for the New Jersey Department of Environmental Protection. Prepared by Dewberry Engineers, Inc.

The comments also reflect information gathered at a site visit on November 15, 2016; additional intensive-level architectural survey forms received on December 2, 2016; and documentation of consultation with the Hoboken Historic Preservation Commission received on December 5, 2016.

800.4 Identification of Historic Properties

Historic Architecture

The architectural survey in the above-referenced Cultural Resources Technical Environmental Survey identified 32 historic properties previously listed in or determined eligible for listing in the National Register of Historic Places within the Area of Potential Effects (APE) for the project, 7 of which have been demolished. The 25 extant resources include:

- 501 Adams Street (Public School No. 3), Hoboken (SHPO Opinion 8/20/1999)
- Central Hoboken Historic District, Hoboken (SHPO Opinion 2/28/1991)
- Church of the Holy Innocents, Hoboken (SR 2/4/1977; NR 5/24/1977)
- Church of Our Lady of Grace, Hoboken (COE 12/15/1994; SR 4/10/1996; NR 5/31/1996)
- Engine Company No. 2 Firehouse, Hoboken (SR 2/9/1984; NR 3/30/1984)
- Engine Company No. 3, Truck No. 2 Firehouse, Hoboken (SR 2/9/1984; NR 3/30/1984)
- Erie-Lackawanna Terminal, Hoboken (SR 6/16/1973, 12/7/2004; NR 7/24/1973, 2/17/2005)
- Ferguson Brothers Manufacturing Company, Hoboken (SHPO Opinion 10/16/1998)
- Hoboken Historic District, Hoboken (SHPO Opinion 3/5/1982, 5/12/1983)
- Hoboken Land and Improvement Company Building, Hoboken (SR 3/29/1979; NR 7/3/1979)
- Hoboken-North Hudson YMCA, Hoboken (SHPO Opinion 4/20/2007)
- Keuffel and Esser Manufacturing Complex, Hoboken (SR 7/31/1985; NR 9/12/1985)
- Machine Shop (Bethlehem Steel Corporation Shipyards), Hoboken (SHPO Opinion 5/2/1997)
- Northern Hoboken Historic District, Hoboken (SHPO Opinion 5/20/1985)
- Old Main Delaware, Lackawanna & Western Railroad Historic District, Hoboken (SHPO Opinion 9/24/1996)
- Public School No. 7, Hoboken (SHPO Opinion 9/24/1996)
- Southern Hoboken Historic District, Hoboken (SHPO Opinion 1/3/1980, 2/28/1991; DOE 4/24/1980)
- Southern Hoboken Historic District Extension, Hoboken (SHPO Opinion 4/26/1999)
- Stevens Historic District, Hoboken (SHPO Opinion 2/28/1991)
- Hudson and Manhattan Railroad Transit System (PATH), Hoboken (SHPO Opinion 3/4/2002)
- Grove Street Bridge, Jersey City (SHPO Opinion 1/20/1999)
- Holbrook Manufacturing Company, Jersey City (SHPO Opinion 2/28/1991)
- Erie Railroad Pier D and Piershed, Weehawken (SHPO Opinion 9/12/1984)

- North Hudson Tunnels, Weehawken (SHPO Opinion 11/12/1998)
- Pennsylvania Railroad New York to Philadelphia Historic District, Weehawken (SHPO Opinion 10/2/2002)
- R. Neumann & Co. Complex (SHPO Opinion 12/9/2016)

Previous SHPO Opinions for Hoboken have included six historic districts with overlapping boundaries: Hoboken Historic District, Northern Hoboken Historic District, Central Hoboken Historic District, Stevens Historic District, Southern Hoboken Historic District, and Southern Hoboken Historic District Extension. With the exception of the southernmost part of the Southern Hoboken Historic District encompassing the Hoboken Terminal, all of the districts lie within the boundaries of the larger Hoboken Historic District. **It is my opinion as Deputy State Historic Preservation Officer that four of the previously identified districts – Northern Hoboken, Central Hoboken, Southern Hoboken, and Southern Hoboken Extension – are part of a larger Hoboken Historic District and do not exist as separate distinguishable entities.** The Hoboken Historic District boundaries are expanded to include the Hoboken Terminal, which is listed in the National Register, in its entirety. The boundaries of the Hoboken Historic District also have been refined on the east to exclude the Stevens Historic District, which remains a separate entity eligible for listing in the National Register of Historic Places. They have been extended to the west to encompass the proposed Third Street Historic District in its entirety, as well as several surveyed properties on Adams Street, including the Albini Pharmacy & Crozetti House (401-403 Adams Street), and the Society Madonna dei Martiri (332 Adams Street) as contributing resources. The HPO respectfully disagrees with Dewberry Engineers, the author of the intensive-level architectural survey forms (hereinafter referred to as “the consultant”), in the identification of these properties as individually-eligible resources. The Hoboken Historic District boundaries have been further revised on the east and south to eliminate areas of modern development. As shown on the attached map, the district is generally bounded on the north by the north side of 14th Street and on the east by Hudson Street. On the south, the district includes the Hoboken Terminal and rail yard in its entirety, and extends west along Newark Street from Bloomfield Street to Park Avenue, then along 1st Street to Monroe Street. On the west, the boundary extends from 1st Street northward along Monroe Street to 8th Street, then along Grand Street to the north side of 10th Street, along Clinton Street to 12th Street, and along Willow Street to 14th Street. These boundaries are subject to refinement based on the results of future planning surveys to be conducted by the HPO in coordination with the Hoboken Historic Preservation Commission. The period of significance for the Hoboken Historic District begins in 1838 with the incorporation of the Hoboken Land and Improvement Company and ends in 1967, when ferry service from the Hoboken Terminal ended. This period of significance is subject to refinement based on future survey efforts.

The architectural survey identified 63 properties within the APE as lying within the Hoboken Historic District. The report identifies the contributing or noncontributing status of these 63 properties; however, it did not provide survey forms, photographs, or justifications regarding the properties’ National Register significance. The consultant also recommends one of these resources, the A.J. Demarest High School, as individually eligible for listing in the National Register without benefit of an intensive-level survey. The HPO cannot comment on the status of these properties based on the information provided. Because the project will result in no direct effect on the A.J. Demarest High School, the HPO will defer comment on the school’s individual National Register status. As for the other 62 properties, project effects will be assessed on the Hoboken Historic District in its entirety.

In addition to the 63 properties within the previously-identified historic districts, the architectural survey identified an additional 73 resources located outside of the boundaries of known historic districts. **It is my opinion as Deputy State Historic Preservation Officer that the following properties are eligible for listing in the New Jersey and National Registers of Historic Places:**

- 509 Madison Street

- **Factory Terminal Loft Buildings**
- **Hoboken High School**
- **Christopher Columbus Gardens**
- **John Schmalz’s Sons Model Bakery**

The five-story brick tenement located at **509 Madison Street**, Hoboken (Block 68, Lot 5), features a manufactured sheet metal and iron first-floor façade and cornice. Constructed c.1909, the building incorporates architectural elements required by the 1904 Tenement House Act of New Jersey, including fire escapes. The building is eligible for listing in the New Jersey and National Registers of Historic Places under Criterion C as a highly intact and good example of a tenement with a manufactured metal façade in Hoboken. Based upon the information provided, the period of significance is c.1909; however, additional research may identify an expanded period of significance for the property.

The **Factory Terminal Loft Buildings** (Standard Brands & Lipton Tea Plant), 1500 Hudson Street, Hoboken (Block 268.01, Lots 2,3), are eligible for listing in the New Jersey and National Registers of Historic Places as a contributing resource to the Terminal Distribution Warehouses of Hudson County Multiple Property Listing. The property includes three, 12-story reinforced concrete buildings constructed as terminal loft buildings by the Hoboken Land & Improvement Company. The buildings were designed by Hoboken architect Charles Fall and erected by the Turner Construction Company, which was responsible for numerous other terminal distribution warehouses at the Port of New York. The period of significance for the Factory Terminal Loft Buildings begins in 1915, with construction of Building D, and ends in accordance with the Multiple Property Listing period of significance in 1945, after which time warehousing operations in the Port of New York began shifting toward multi-modal facilities.

The consultant recommended **Hoboken High School**, located at 800 Clinton Street, Hoboken (Block 153, Lot 1), not eligible for listing in the New Jersey and National Registers. The HPO respectfully disagrees with this evaluation. Designed by architect William E. Lehman, Jr., the building is eligible under Criterion C is an outstanding example of a Modern school employing curtain wall construction with colored spandrel panels. Although the existing windows and panels are replacements, the building retains sufficient integrity of location, design, setting, feeling and association to convey its historic and architectural significance. Its period of significance is defined as its year of construction, 1962; however, additional research may reveal an expanded period of significance.

The consultant also recommended **Christopher Columbus Gardens**, located at 460 8th Street and 455 9th Street, Hoboken (Block 90, Lot 1), not eligible for listing in the New Jersey and National Registers. The HPO respectfully disagrees with this evaluation. Completed in 1952, this public housing complex was one of the first two such complexes built by the Hoboken Housing Authority, the other being Andrew Jackson Gardens. Christopher Columbus Gardens was designed by the architecture firm of Ricker and Axt of West New York, New Jersey, and exemplifies the “tower in the park” form of high-rise public housing popular in the 1950s and 1960s. As such, it is eligible under Criterion C as a representative example of its type. The complex also has significance under Criterion A for its associations with public housing erected in response to the Federal Housing Act of 1949. Its period of significance dates to its construction, 1950-1952; however, additional research may reveal an expanded period of significance. Additional research regarding high-rise public housing projects in New Jersey may result in a determination of eligibility for Hoboken’s other public housing projects of the 1950s, including Andrew Jackson Gardens and Harrison Gardens.

The HPO also disagrees with the consultant’s recommendation of ineligibility for **John Schmalz’s Sons Model Bakery** at 351 8th Street, Hoboken (Block 152, Lots 3.01-3.02). Built in 1909-1910, the bakery was designed by architects C.M. Bartberger & Sons of Pittsburgh and built by the

Hennebique Construction Company, which was responsible for the building’s concrete and steel substructure. This reinforced concrete structure was featured in contemporary engineering journals. The building continued in use as a bakery under several different companies, including the Continental Baking Company (later Delaware Company), makers of Wonder bread. The bakery is eligible under Criterion C as a large example of a progressive construction method. The complex includes the bakery, a two-story garage fronting Clinton Street, and a three-story wagon house facing Grand Street. Its period of significance begins with construction of the complex in 1909 and ends in 1956, when the Delaware Company sold the property.

The architectural survey included Erie Railroad Pier D and Piershed in Weehawken (Block 34.03, Lots 4, 4.07), which had a previous SHPO Opinion of Eligibility (9/12/1984). **It is my opinion as Deputy State Historic Preservation Officer that the Erie Railroad Pier D and Piershed is no longer eligible for listing in the New Jersey and National Registers of Historic Places due to extensive alterations.** As indicated by the consultant, the pier was gutted to the frame and a new building essentially constructed in 1988. The existing building lacks integrity of design, materials, feeling, and association and thus is no longer eligible for listing.

Archaeology

According to the above-referenced report, the Phase IA archaeological assessment has determined that each of the three alignments have the potential to impact historic archaeological resources. These historic resources include landfill and railroad related development, including features associated with the Erie-Lackawanna Terminal, the Long Slip Canal, and the PATH Tunnel along the southern portion of the alignments, late-nineteenth to early-twentieth century elevated rail line remains along the southern portion of the alignments, deposits associated with the development and expansion of the waterfront, including industrial development and the transatlantic shipping and passenger lines along the eastern portion of the alternatives, and the potential for seventeenth through early-twentieth century shipwrecks within Weehawken Cove.

Portions of each alternative were also determined to be sensitive for historic sewer deposits along Observer Highway, Washington Street, Newark Street, 3rd Street, and 14th Street; Alternatives 2 and 3 were each determined to be sensitive for early-nineteenth century historic seawall deposits in the vicinity of Hudson, Washington, 13th and 15th streets. The southern portions of the alternatives are considered sensitive for late-nineteenth to mid to late twentieth century resources associated with industrial and railroad-related development including ice and grain related buildings which developed alongside the DLWRR and buildings associated with the meat packing industry in Hoboken. Portions of Alternative 1 along the waterfront were also found to have the potential for mid-nineteenth century residential deposits associated with mapped historic structures. Portions of Alternatives 2 and 3 were also determined to possess historic archaeological sensitivity for mid-nineteenth century structures along Washington Street near 13th Street, in the alleyway between Washington and Garden streets, and along River Street between 1st and 3rd streets; the far northern extent of Alternative 3 was similarly considered sensitive for historic deposits associated with two mid to late-nineteenth century historic structures associated with the Hoboken Land and Improvement Company. The northern portions of the alternatives were also determined to possess the potential for historic deposits associated with the mid-nineteenth to twentieth century Tietjen & Lang Dry Docks and the Erie Freight Terminal in Weehawken.

After an examination of available soil boring data, it was determined that portions of each alternative also have the potential for buried Native American deposits. In particular, the area around Weehawken Cove and areas to its north and in the vicinity of Option 2 within each alternative were found to have the potential for cultural-bearing Native American deposits at depths generally below 10 to 15

feet from the surface. Given the limit of disturbance associated within the Resist elements, there is a high likelihood that any extant prehistoric deposits would be affected by the proposed Project. *The HPO concurs with the assessments for archaeological sensitivity for the project’s proposed APE.*

RESIST

Based on the documentation provided, the depth of disturbance associated with the Resist elements is assumed to extend to bedrock. As a result, it is assumed that any potential extant historic-period deposits would be impacted by the Resist structures. Therefore, the consultant recommends that a series of geomorphological borings be conducted within the Resist alignments prior to any ground disturbing activities. The results of these borings would further inform the potential for archaeological deposits and be used in the development of further archaeological testing protocol. *The HPO concurs with this assessment.*

DSD

Of the approximately 61 individual DSD sites, only five sites were found by the consultant to possess no archaeological sensitivity—Tank T8-JEF, Tank T2-2ST, Tank T6-4ST, Tank T5-9ST, and Tank TD12-13ST. A total of 42 of the individual tank sites were determined to possess potential Native American archaeological sensitivity. In each case, potential Native American deposits are anticipated at depths greater than 15 feet below the surface as fill deposits. The maximum excavation depth for the proposed tank sites ranges from 6.67 to 11.17 feet below the surface. As such, the limit of disturbance associated with the individual DSD locations is not anticipated to impact potential Native American cultural-bearing soils. Therefore, no additional archaeological investigations are recommended by the consultant in association with the potential Native American deposits at the individual tank sites. The sensitivity assessment determined that tank sites T2-4ST, TD1-4ST, T5- 5ST, T7-5ST, T6-5ST, T4-5ST, T2-5ST, T1-HAR, T3-JAC, T4-6ST, T3-6ST, T2-6ST, T1-6ST, T2-JAC, T2-7ST, T6- MON, T1-7ST, T4-GND, T3-GND, TD30-CLA, T11-MAD, T6-JEF, T10-MAD, T2-MON, T8-MAD, T9-MAD, T5-JEF, and T3-ADM were only potentially sensitive for Native American deposits. Thus, in light of the current design plans, no further archaeological investigations are recommended by the consultant in association with any of these DSD locations. *The HPO concurs with this recommendation.*

A total of 25 tank sites were determined by the consultant to be sensitive for historic sewer deposits dating from the mid-nineteenth to the early-twentieth century. It is anticipated that the majority of these sewers consist of brick sewer lines. Four of these sewer lines have been identified as wooden—within Newark Avenue (Tank T1-New), within 3rd Street (Tank T3-3ST), within Clinton Street (Tank T14-CLA), and within Grand Street (Tank T6-GND). On the basis of the available utility data, including the 1940 As-Built designs and additional data from the NHSA, Tank sites T7-OBS, T3-OBS, T3-OBS, TD4-OBS, TD8-GAR, T1-NEW, T3-3ST, T9-ADM, T5-JAC, T4-4ST, T3-4ST, TD14-CLA, TD1- WIL, TD6-WIL, T1-GAR, T2-BLM, T16-MAD, T15-MAD, T8-ADM, T6-GND, TD23-CLA, T7-MON, T5-GND, T6- ADM, and TD31-CLA are considered sensitive for historic sewer deposits. Given the limits of disturbance associated within the individual DSD sites, each tank site having the potential for sewer deposits could potentially impact those deposits. Therefore, archaeological monitoring has been recommended by the consultant at each of these 25 tank sites. This monitoring would include photo documentation and recordation of any exposed sewer deposits and may also include manual excavation of any exposed features or deposits. *The HPO concurs with this recommendation.*

Three of the tank sites—T6-NEW, T1-NEW, and TD25-WIL—have also been determined by the consultant as being sensitive for late-eighteenth to mid-nineteenth century historic road deposits. With respect to Tank T6-NEW and Tank T1-NEW, both sites are sensitive for historic deposits associated with

the late-eighteenth to early-nineteenth century Newark Turnpike at depths greater than 10 to 15 feet below the surface. Given that the limits of disturbance associated with these tanks is shallower than ten feet below the surface, construction activities as they are currently designed are not anticipated by the consultant to impact any extant deposits associated with the historic Newark Turnpike. Similarly, Tank TD25-WIL is considered by the consultant to be sensitive for historic deposits associated with the mid-nineteenth century Bergen Turnpike/Lackensack Plank Road at a depth of 15 to 17 feet below the surface. Given that the limit of disturbance associated with the tank is 6.67 feet, the proposed project actions will not impact any extant roadway deposits. Additionally, Tank TD25-WIL is also considered by the consultant to be sensitive for early-nineteenth century seawall deposits at a depth of 15 to 17 feet below the surface. In light of the limit of disturbance associated with the tank, the consultant recommends that Tank TD25-WIL, as it is currently designed, will not impact any existing historic seawall deposits. *The HPO concurs with this recommendation.*

Three tank sites are also considered by the consultant to be sensitive for historic deposits associated with the late-nineteenth to early twentieth century NHCR elevated train line along Observer Highway. These sites consist of Tank T3-OBS, Tank T3-OBS, and Tank TD4-OBS. Archaeological remains associated with the elevated train line could include foundational supports, landfill, and/or features associated with elevated train platforms and stops and are anticipated at depths less than ten feet below the surface. Given that the limit of disturbance associated with the three tank sites ranges from 7.17 to 9.17 feet below the surface, the consultant recommends that each site has the potential to disturb existing elevated train-related deposits. Therefore, archaeological monitoring of any ground disturbing activities within these sites is recommended by the consultant. *The HPO does not concur with this recommendation. Based on the information provided, it is unlikely that potential historic properties identified in the sensitivity analysis for Tank T3-OBS, Tank T3-OBS, and Tank TD4-OBS would be considered eligible for listing in the New Jersey and National Registers of Historic Places. Therefore, the HPO does not recommend further consideration of archaeological impacts to the locations of Tank T3-OBS, Tank T3-OBS, and Tank TD4-OBS.*

According to the consultant, the Block 10 site possesses the potential to contain historic deposits associated with the mid-nineteenth century Paterson Plank Road and late-nineteenth to early-twentieth century deposits associated with the NHCR elevated train line. These features were installed coincident with or following the development of the meadowlands. Thus, deposits associated with the plank road and with the elevated train are considered to be above or within the landfill and are anticipated at depths shallower than ten feet below the surface. Given that the excavation associated with the installation of the underground detention basin and piping within Block 10 would extend to a maximum depth of four feet below the surface, the consultant recommends that there is the potential that existing historic deposits would be impacted. Therefore, archaeological monitoring of ground disturbing activities within Block 10 is recommended by the consultant. *The HPO does not concur with this recommendation. Please see the HPO’s comments on archaeological monitoring below. In addition, it is unlikely that potential archaeological resources associated with the NHCR elevated train line would be considered eligible for listing in the New Jersey and National Registers of Historic Places. Therefore, the HPO does not recommend further consideration of archaeological impacts to resources associated with the NHCR elevated train line. Archaeological consideration of potential historic deposits associated with the mid-nineteenth century Paterson Plank Road will still be necessary, however.*

With respect to the NJ Transit Site, areas north of 3rd Street are considered by the consultant to be potentially sensitive for Native American remains at depths greater than 15 feet below the surface. Portions of the NJ Transit Site along Marshall Street between 3rd and 4th streets and at the northwest corner of Marshall and 4th streets are also considered sensitive for mid to late-nineteenth century residential deposits. Several of these lots, specifically Lots 3, 4, and 15, contained historic occupations

which extended from at least the 1870s through the 1880s. These occupations predated the extension of sewer lines along Marshall Street suggesting that there is the potential for shaft features in the rear portions of the historic lots. Similarly, portions of the NJ Transit Site along Harrison Street between 3rd and 4th streets are sensitive for early to mid-twentieth century industrial and residential deposits. The extent of past disturbance associated with the installation of the Andrew Jackson Gardens and the Harrison Gardens apartments is currently unknown. Therefore, these portion of the NJ Transit Site are considered by the consultant to be sensitive for mid to late-nineteenth century residential deposits and/or early to mid-twentieth century industrial and residential deposits at depths less than 15 feet below the surface. The Jackson Street portion of the NJ Transit Site between 2nd and 4th streets is also considered by the consultant to be sensitive for early-twentieth century sewer-related deposits. These deposits are anticipated at depths greater than seven feet below the surface. Given that the maximum depth of excavation within the NJ Transit Site is eight feet, there is the potential that the Project may impact historic residential and/or historic sewer-related deposits. Thus, archaeological monitoring of any ground disturbing activities along Marshall and Jackson streets, particularly in the vicinity of 3rd and 4th streets, is recommended by the consultant. As the limit of disturbance is shallower than the depth associated with potential Native American remains, no additional archaeological investigations are recommended by the consultant in association with the potential Native American deposits. *The HPO does not concur with this recommendation. Based on the information provided, it is unlikely that potential historic-period historic properties identified in the sensitivity analysis for the NJ Transit site would be considered eligible for listing in the New Jersey and National Registers of Historic Places. Therefore, the HPO does not recommend further consideration of archaeological impacts to historic-period archaeological resources within the NJ Transit site.*

The drainage pipe (DP) associated with the NJ Transit Site is also considered by the consultant to be potentially sensitive for Native American deposits north of 3rd Street. The piping is also considered by the consultant to be sensitive for historic deposits associated with the late-nineteenth to early-twentieth century trolley line and railroads along the western extent of Hoboken, particularly the Old Horseshoe Curve. Deposits associated with the trolley and railroad lines are anticipated between 2nd and 3rd streets, at 13th, 14th, and 17th streets. Around 8th and 13th streets, the DP is also considered sensitive for deposits associated with late-nineteenth century staircases leading up the Palisades. The historic deposits within the DP are anticipated at depths less than 15 feet below the surface. As the limit of disturbance associated with the DP is approximately 6.5 feet, the proposed DP has the potential to impact the historic railroad and trolley deposits, as well as deposits associated with the early-twentieth century structure. Therefore, archaeological monitoring is recommended by the consultant for any ground disturbing activities within the DP between 2nd and 3rd streets, at 8th, 13th, 14th, and 17th streets. *The HPO does not concur with this recommendation. Based on the information provided, it is unlikely that potential historic-period historic properties identified in the sensitivity analysis for the DP would be considered eligible for listing in the New Jersey and National Registers of Historic Places. Therefore, the HPO does not recommend further consideration of archaeological impacts to historic-period archaeological resources within the DP location.*

As current designs indicate that the Project will utilize an existing NJ Transit detention basin as a component within the NJ Transit Site, no archaeological investigations are recommended in association with the proposed NJ Transit Site detention basin. *The HPO concurs with this recommendation.*

Portions of the stormwater storage basin at the BASF Site are considered by the consultant to be potentially sensitive for Native American archaeological deposits at depths below 15 feet below the surface. Similarly portions of the proposed BASF piping between 11th Street and a point midway between 12th and 13th streets area also considered by the consultant to be sensitive for potential Native American deposits. Historic Block 108 within the BASF Site is considered by the consultant to be

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sensitive for mid to late-nineteenth century residential or commercial deposits. Historic Blocks 107 and 108 are also considered sensitive for twentieth century industrial remains associated with the Standard Chemical Product/Henkel Company's occupation. The nineteenth and twentieth century deposits are anticipated at depths less than 15 feet below the surface. Given that the maximum depth of excavation associated with the stormwater basin is 9.5 feet below the surface, the BASF Site has the potential to impact extant historic deposits associated with the nineteenth century residential/commercial occupation and the twentieth century industrial occupations. Therefore, archaeological monitoring of ground disturbing activities within the BASF Site is recommended by the consultant. Given the past industrial occupation of the BASF Site, protocols associated with hazardous waste and contaminated soils will have to be undertaken during any archaeological investigations of the site. The proposed Project activities within the site will not impact any extant Native American deposits. *The HPO does not concur with this recommendation. Based on the information provided, it is unlikely that potential historic-period historic properties identified in the sensitivity analysis for the BASF Site would be considered eligible for listing in the New Jersey and National Registers of Historic Places. Therefore, the HPO does not recommend further consideration of archaeological impacts to historic-period archaeological resources within the BASF Site.*

The BASF piping is considered by the consultant to be sensitive for deposits associated with the early-nineteenth century seawall and the mid-nineteenth century Bergen Turnpike/Hackensack Plank Road along 16th Street east of Clinton Street, and with a mid-nineteenth structure associated with James Stevens around 16th Street and Park Avenue. Deposits associated with the seawall, the plank road, and the historic structure, are anticipated at depths of 15 to 17 feet below the surface. Thus, given the anticipated depth of the piping, approximately six feet below the surface, the consultant recommends that the piping will not impact any potentially extant deposits associated with the historic seawall, roadway, and/or mid-nineteenth century structure. *The HPO concurs with this recommendation.*

The easternmost extent of the BASF piping along 16th Street is considered by the consultant to be sensitive for Native American and historic deposits around Weehawken Cove. Native American deposits in the vicinity of Weehawken Cove are anticipated at depths greater than 9 feet below the surface. As the disturbance associated with the piping is shallower than this depth, the BASF piping will not impact any extant Native American deposits in the vicinity of Weehawken Cove. This portion of the BASF piping is also considered by the consultant to be sensitive for potential seventeenth to early-twentieth century shipwrecks along Weehawken Cove. Such deposits would also be anticipated at depths below historic fill and land use, approximately 15 feet below the surface, beneath the limits of disturbance associated with the piping. The eastern terminus of the piping is also considered by the consultant to be sensitive for historic deposits associated with the early to mid-twentieth century Tietjen & Lang Dry Docks. As this occupation included development of the bulkhead and piers around Weehawken Cove, there is the potential for relatively shallow historic waterfront deposits within this area. As such, the eastern terminus of the BASF piping could pose an impact to any extant waterfront-related deposits around Weehawken Cove. Given the potential impacts of the proposed BASF piping along Weehawken Cove, archaeological monitoring of construction activities within this area is recommended by the consultant. *The HPO does not concur with this recommendation. Please see the HPO's comments on archaeological monitoring below.*

Portions of both the NJ Transit Outfall and the BASF Outfall, two discharge components, are considered by the consultant to be potentially sensitive for Native American deposits. Specifically, the eastern terminus of both outfalls in the vicinity of Weehawken Cove and the portion of the NJ Transit Outfall west of Grand Street are considered sensitive for Native American deposits at depths greater than 15 feet below the surface. Both of the outfalls are also considered by the consultant to be sensitive for deposits associated with the early-nineteenth century seawall around Willow and Park Avenues and the

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mid-nineteenth century Bergen Turnpike/Hackensack Plank Road around Clinton Street. The outfalls are also considered sensitive for early to mid-twentieth century industrial deposits in the vicinity of Willow and Park Avenues. The NJ Transit Outfall is considered by the consultant to be sensitive for deposits associated with the nineteenth century footings of the Park Avenue Viaduct; the BASF Outfall is sensitive for footings associated with both the Park and Willow Avenue Viaducts. The outfalls are also considered by the consultant to be sensitive for historic sewer lines along both Park and Willow Avenues. The BASF Outfall is located in the vicinity of a twentieth century signal tower and associated structures at Willow Avenue and 17th Street. Both outfalls are located in the vicinity of an early-twentieth century lumber yard, the Lawson and MacMurray yard, around 16th, 17th, Adams, Grand, and Clinton streets. A gangway superstructure associated with the lumber yard was located within the outfalls and, therefore, foundation remains and/or possibilities associated with the frame feature may be located within the NJ Transit and BASF outfalls. The eastern extent of both outfalls is also considered sensitive for mid-nineteenth through twentieth century waterfront deposits associated with the Tietjen & Lang Dry Docks.

Aside from the nineteenth century seawall and Bergen Turnpike, potential historic deposits within the NJ Transit Outfall and the BASF Outfall would be located within or above the historic landfill as these developments occurred after the filling. Therefore, these historic deposits are anticipated at depths less than 15 feet from the surface. It is assumed that the installation of the outfalls would result in a disturbance of approximately six feet. Thus, construction and installation of the outfalls has the potential to disturb multiple historic deposits including twentieth century industrial and commercial remains, waterfront features, sewer lines, and bridge and railroad related infrastructure and structures. Given the potential impacts of the proposed outfalls, archaeological monitoring of construction activities within the archaeologically sensitive portions of the outfalls is recommended by the consultant. *The HPO does not concur with this recommendation. Based on the information provided, it is unlikely that potential historic-period historic properties identified in the sensitivity analysis within the NJ Transit Outfall and the BASF Outfall locations would be considered eligible for listing in the New Jersey and National Registers of Historic Places. Therefore, the HPO does not recommend further consideration of archaeological impacts to historic-period archaeological resources within the NJ Transit Outfall and the BASF Outfall locations.*

Please note, while the HPO concurs with the sensitivity assessment made for these locations, the HPO does not concur with the use of archaeological monitoring as a sole investigative measure for the identification of archaeological historic properties, when controlled archaeological investigations can be undertaken. Based on the information provided, the locations of the proposed DSD sites are not in locations where archaeological investigations would be prohibitive to the surrounding community and/or infrastructure. Therefore, the HPO recommends that the methodology for identification of archaeological resources be revised to address the completion of a phased program of archaeological investigation in advance of project construction for the identification, evaluation, and treatment of archaeological historic properties within the project's area of potential effects.

800.14 Federal Agency Program Alternatives

The Department of Environmental Protection (DEP) has recommended the development of a Programmatic Agreement to govern the implementation of the Section 106 Process in accordance with 36 CFR Part 800.14(b). The HPO looks forward to further consultation with the DEP to develop a Programmatic Agreement for the identification, evaluation and treatment of historic properties within the project's area of potential effects, pursuant to Section 106 of the National Historic Preservation Act.

II. Information on the Undertaking*

6. Describe the undertaking and nature of federal involvement

On October 16, 2014, HUD announced the award of \$230 million in CDBG-DR funds to the State of New Jersey to implement Phase 1 of the Hudson River Rebuild By Design (RBD) proposal titled "Resist, Delay, Store, Discharge". Given the project's federal funding, Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment.

The project has two components: (1) construction of a resist barrier to increase resilience and reduce the magnitude and frequency of future coastal storm surge impacts on the communities within the action area and (2) a delay-store-discharge (DSD) system which reduces the rainwater volume into the combined storm-sanitary sewer system by capturing, storing and discharging rainwater. The attached Project Initiation Letter (PIL), submitted to the NJHPO on May 2, 2016, provides a full description of the project alternatives. The project identifies three Alternatives for a Resist structure. For analysis under NEPA, Alternative 3 represents the project's Preferred Alternative.

- The Preferred Alternative (Alternative 3) is described as follows for the proposed Resist structure:
- The structure begins at approximately eight feet in height near the Hoboken Light Rail (HLRL) Lincoln Harbor station at Waterfront Terrace, traveling south along HLRL rising to about 12 feet in height, and then continuing south along Weehawken Cove (nine feet high) towards Garden Street.
 - A structure starting at approximately eight feet high then tapering down to five feet in height would then travel down the east side of Garden Street adjacent to the west of the Hudson Tea Parking Garage; the structure along Garden Street may consist of an elevated planter with seating. The structure would then continue down the alleyway midway between 15th and 14th Streets from Garden to Washington Streets at about four feet in height. The structure would then travel south along Washington Street at about three feet in height, ending between 14th and 13th Streets. Street crossings will feature gates to allow for access during non-flood conditions.
 - In the southern portion of the action area, there are two options for the Resist alignment:
 - Option 1 will include an alignment south of Observer Highway, within the rail yard (south of the proposed Hoboken Yard Redevelopment Area) at approximately five to 11 feet in height.
 - Option 2 will feature an alignment along Observer Highway from Washington Street directly to Marin Boulevard. The alignment includes gates for access at various locations including at the Marin Boulevard, Grove Street and Newark Avenue underpasses beneath the rail lines, as well as protection where HLRL tracks pass below the NJ TRANSIT overpass in the southwest corner of the action area. Sheet piling will also be installed along the NJ TRANSIT railroad embankment.

The proposed DSD infrastructure associated with the project consists of three large stormwater detention facilities, approximately 61 right-of-way (ROW) sites and three pump stations. The location of the proposed facilities are based on studies of the existing flooding "hotspots" in Hoboken. Individual DSD sites will be located within the public right-of-way, such as streets and sidewalks, and will be concentrated in the interior portion of Hoboken. These sites may consist of bioswales (permeable areas with surface vegetation, allowing for gradual infiltration of stormwater into the ground), tanks (built below grade, allowing for storage of stormwater and gradual release to the storm sewer system), and hybrid tanks (tank systems with vegetation planted above, allowing for gradual infiltration into the tank). The three large stormwater detention facilities are the BASF Site, NJ TRANSIT Site and Block 10 site.

During a coastal storm surge event, water from the Hudson River is expected to inundate unprotected areas of the Hoboken waterfront. The project is designed so that if the river water overtops the waterfront bulkhead during a storm event, water can enter into the storm sewer system through existing inlets and unsealed manhole covers. To prevent water intrusion into the existing sewers, a separation of the sanitary/storm water collection system is proposed by the construction of a "High Level" storm sewer collection system. In addition to the installation of this new storm sewer system, the existing combined sewer inlets and manholes would be sealed and lined. This proposed drainage would be designed to prevent additional sewer backflow that could cause major flooding issues within the protected areas during a storm surge event. Storm water collected in this "High Level" storm sewer system would gravity flow into the Hudson River at Weehawken Cove.

7. Describe the Area of Potential Effects:

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New Jersey Register of Historic Places Act

Undertakings by the state, county, municipality (or any agency or instrumentality thereof) that may encroach upon New Jersey Register of Historic Places listed resources require prior authorization by the Commissioner of the Department of Environmental Protection (DEP), pursuant to the New Jersey Register of Historic Places Act (N.J.S.A. 13:1B-15.128 et seq.) (NJRHPA). Seven of the historic resources identified in the APE are listed in the New Jersey Register of Historic Places. Based upon the conceptual plans presented in the cultural resources report and in subsequent meetings, the project will not result in direct effects to any of these resources. Should plans change during the design process, resulting in direct effects on one or more New Jersey Register-listed resources, then the project would be subject to review under the NJRHPA and an application for project authorization would be required.

Additional Comments

Thank you for forwarding documentation of consultation with the Hoboken Historic Preservation Commission regarding the project. Please notify the HPO of any response received from the Commission.

We look forward to receiving the final Cultural Resources Technical Environmental Survey, revised in accordance with our previous consultation comments, for the HPO library.

Thank you for providing this opportunity to comment on the above-referenced proposed undertaking. Please reference HPO project number 16-0421 in any future calls, emails, submissions or written correspondence to help expedite your review and response. Please feel free to contact Jennifer Leynes (609-984-6016; jennifer.leynes@dep.nj.gov) or Jesse West-Rosenthal (609-984-6019; jesse.west-rosenthal@dep.nj.gov) of my staff with any questions.

Sincerely,



Katherine J. Marcopal
Administrator and
Deputy State Historic
Preservation Officer

KJM/MMB/JBL/JWR

Attachment

- cc: Zachary Davis, Dewberry Engineers
Mayor, City of Hoboken
Mayor, City of Jersey City
Mayor, Township of Weehawken
Executive, Hudson County
New Jersey State Department of Transportation
New Jersey Transit
Port Authority of New York and New Jersey
Federal Emergency Management Administration
Federal Transit Administration

The Area of Potential Effect (APE) for archaeological resources was defined to include the limits of construction resulting from the proposed resist element under consideration for each of the three build alternatives including the DSD elements. For the purposes of Section 106, it was assumed that potential ground disturbances associated with the proposed undertaking will be confined to the land designated for construction of the resist and DSD elements only. The archaeological APE incorporates the footprints for all three build alternatives for resist structures and encompasses the entirety of the DSD elements. The depth of the APE for archaeological resources extends to bedrock along the resist alignments and extends to a maximum depth of 11.17 feet below the surface in areas of DSD infrastructure.

The APE for historic architectural resources includes areas that may contain historic properties that could be directly impacted by construction of the Project or indirectly affected by the Project (i.e., either by changing the visual context of the historic resource or by affecting the resource from vibration during construction). The APE for historic architectural resources incorporates the extent of the archaeological APE (i.e., the limits of ground disturbance) plus a distance beyond to account for potential visual impacts. For the resist portion of the Project, the historic architectural APE was calculated by adding one city block from the footprint of the proposed resist elements. In the case of the DSD elements, construction would cause direct impacts to the public right-of-way, but would also create vibrational effects to the ground surface that could create an indirect effect to historic properties in close proximity to construction. A distance of 90 feet was used to account for the effects of vibration to historic properties associated with the DSD elements. The 90-foot buffer distance was endorsed by the New Jersey Historic Preservation Office (NJHPO) following discussions on April 25, 2016. The historic architectural APE is therefore represented by the physical, visual and/or vibrational effect from the construction of resist and the DSD.

The May 2, 2016 Project Initiation Letter submitted to the NJHPO introduced the Project, outlined the Project background, funding sources, Study Area and defined the APEs. On June 2, 2016, the NJHPO concurred with the APE, the description of efforts to involve the public, and the list of consulting and interested parties, as submitted in the PIL for Section 106 Consultation.

8. Describe steps taken to identify historic properties:

The identification of historic properties was achieved by completing a Cultural Resources Technical Environmental Study (TES) that evaluated the potential for the proposed flood reduction improvements and Project activities to impact cultural resources. The TES consisted of a Phase 1A Archaeological Assessment and a Historic Architectural Eligibility and Effects Survey of the Project's Area of Potential Effect (APE). The TES completed background research to identify previously documented historic properties and field investigations were performed to evaluate the potential of the APE to contain previously unidentified historic properties and to evaluate the potential of the Project to impact known historic properties. Contextual overviews of prehistoric and historic resources were also prepared to establish a baseline upon which the significance of potentially important historic properties within the APE can be evaluated.

The archaeological assessment determined that each of the three alternative alignments have the potential to impact historic archaeological resources. These historic resources include landfill and railroad related development, including features associated with the Erie-Lackawanna Terminal, the Long Ship Canal, and the PATH Tunnel along the southern portion of the alternatives, late-nineteenth to early-twentieth century elevated rail line remains along the southern portion of the alternatives, deposits associated with the development and expansion of the waterfront, including industrial development and the transatlantic shipping and passenger lines, along the eastern portion of the alternatives, and the potential for seventeenth through early-twentieth century shipwrecks within Weehawken Cove.

The architectural survey identified 33 historic properties previously listed in or determined eligible for listing in the National Register of Historic Places within the project's APE. Seven of these historic properties have been demolished, leaving 26 extant historic properties within the APE. Lastly, based on consultation with the NJHPO, an additional five historic properties were identified as eligible for listing in the New Jersey and National Registers of Historic Places. Further consultation comments from NJHPO have consolidated five historic districts into one historic district and removed one historic property's National Register eligibility, bringing the number of identified historic properties in the APE to 26 in all.

For further information on the identification of historic properties, please refer to the attached NJHPO consultation comments dated October 28, 2016 and December 12, 2016.

9. Describe the historic property (or properties) and any National Historic Landmarks within the APE (or attach documentation or provide specific link to this information):
The following historic properties are present within the APE. No National Historic Landmarks are known within the APE.

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National Oceanic and Atmospheric Administration
United States Army Corps of Engineers
United States Environmental Protection Agency
United States Department of Housing and Urban Development
Hoboken Housing Authority
Absentee Shawnee Tribe of Oklahoma
Delaware Nation
Delaware Tribe of Indians of Oklahoma
Eastern Shawnee Tribe of Oklahoma
Shawnee Tribe of Oklahoma
Stockbridge-Munsee Community
Hoboken Historic Preservation Commission
Hoboken Historical Museum
Hoboken Quality of Life Coalition, Inc.
Jersey City Landmarks Conservancy
Weehawken Historical Society
New Jersey Historical Society
Archaeological Society of New Jersey
Erie Lackawanna Historical Society
Hudson Riverkeeper

- 501 Adams Street (Public School no. 3), Hoboken
- Church of the Holy Innocents, Hoboken
- Church of Our Lady of Grace, Hoboken
- Engine Company No. 2 Firehouse, Hoboken
- Engine Company No. 3, Truck No. 2 Firehouse, Hoboken
- Erie-Lackawanna Terminal, Hoboken
- Ferguson Brothers Manufacturing Company, Hoboken
- Hoboken Historic District, Hoboken
- Hoboken Land and Improvement Company Building, Hoboken
- Hoboken-North Hudson YMCA, Hoboken
- Keuffel and Esser Manufacturing Complex, Hoboken
- Machine Shop (Bethlehem Steel Corporation Shipyard), Hoboken
- Old Main Delaware, Lackawanna, & Western Railroad Historic District, Hoboken
- Stevens Historic District, Hoboken
- Hudson and Manhattan Railroad Transit System (PATH), Hoboken
- Grove Street Bridge, Jersey City
- Holbrook Manufacturing Company, Jersey City
- North (Hudson) River Tunnels, Weehawken
- Pennsylvania Railroad New York to Philadelphia Historic District, Weehawken
- R. Neumann & Co. Complex, Hoboken
- 509 Madison Street, Hoboken
- Factory Terminal Loft Buildings (Standard Brands & Lipton Tea Plant), Hoboken
- Hoboken High School, Hoboken
- Christopher Columbus Gardens, Hoboken
- John Schmalz's Sons Model Bakery, Hoboken

Please consult the attached NJHPO consultation comments, dated December 12, 2016, for further discussion of the identification of historic properties within the APE.

10. Describe the undertaking's effects on historic properties:

Following 36 CFR 800.14(b)(1)(ii), the proposed project effects have not been fully determined at this stage in the development of project design and NJHPO has recommended that the development of a PA would be appropriate to conclude the Section 106 process. It is assumed that introduction of the proposed project elements will create an effect to historic properties, though the specific effects have not been finalized. Coordination with the NJHPO, the DEP and consulting parties to the Section 106 process will complete the identification, evaluation and treatment of historic properties within the project's APE.

11. Explain how this undertaking would adversely affect historic properties (include information on any conditions or future actions known to date to avoid, minimize, or mitigate adverse effects):
Echoing the prior statement, it is not known if the project will create adverse effects to historic properties at this stage in the development of project design and NJHPO has recommended that the development of a PA would be appropriate to conclude the Section 106 process. It is assumed that introduction of the proposed project elements will create an effect to historic properties, though it is unknown if those effects will be adverse.

12. Provide copies or summaries of the views provided to date by any consulting parties, Indian tribes or Native Hawai'ian organizations, or the public, including any correspondence from the SHPO and/or THPO.

Attached are copies of the PIL sent to NJHPO, the NJHPO acceptance of the PIL, and NJHPO consultation comments dated October 28, 2016 and December 12, 2016. We also include correspondence received to date from parties invited to consult under Section 106.

III. Optional Information

13. Please indicate the status of any consultation that has occurred to date. Are there any consulting parties involved other than the SHPO/THPO? Are there any outstanding or unresolved concerns or issues that the ACHP should know about in deciding whether to participate in consultation?

Invitations to consult under Section 106 were sent to numerous interested and consulting parties. These consultation invitations are attached to this correspondence.

14. Does your agency have a website or website link where the interested public can find out about this project and/or provide comments? Please provide relevant links:

The NEPA documentation is available online here - <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>

15. Is this undertaking considered a “major” or “covered” project listed on the Federal Infrastructure Projects Permitting Dashboard or other federal interagency project tracking system? If so, please provide the link or reference number:

No

The following are attached to this form (check all that apply):

- ☒ Section 106 consultation correspondence
- ☒ Maps, photographs, drawings, and/or plans
- ☐ Additional historic property information
- ☐ Other:



January 5, 2017

Delaware Tribe of Indians
Chief Chester Brooks
Delaware Tribal Headquarters
5100 Tuxedo Boulevard
Bartlesville, Oklahoma 74006

**Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge
Invitation to Participate in the Preparation of the Project's Programmatic
Agreement, Section 106 of the National Historic Preservation Act**

Dear Chief Brooks,

The State of New Jersey has received Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) for the above-noted project. Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City. In accordance with 36CFR800.14(2)(i) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we invite the Delaware Tribe of Indians to participate in the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties. For a project description and project map please go to <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>. Included with this request is a copy of the notification sent to ACHP for your review.



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Please provide your response within 15 days to this invitation to Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman
Commissioner

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO
Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



January 5, 2017

Eastern Shawnee Tribe of Oklahoma
Glenna Wallace, Chief
P.O. Box 350
Seneca, Missouri 64865

**Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge
Invitation to Participate in the Preparation of the Project's Programmatic
Agreement, Section 106 of the National Historic Preservation Act**

Dear Chief Wallace,

The State of New Jersey has received Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) for the above-noted project. Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The NJDCA, acting as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City. In accordance with 36CFR800.14(2)(i) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we invite the Eastern Shawnee Tribe of Oklahoma to participate in the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties. For a project description and project map please go to <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>. Included with this request is a copy of the notification sent to ACHP for your review.



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Please provide your response within 15 days to this invitation to Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman
Commissioner

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO
Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



January 5, 2017

Federal Transit Administration
Henrika Buchanan-Smith
Region 2 Office
One Bowling Green, Room 428
New York, New York 10004

**Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge
Invitation to Participate in the Preparation of the Project's Programmatic
Agreement, Section 106 of the National Historic Preservation Act**

Dear Ms. Buchanan-Smith,

The State of New Jersey has received Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) for the above-noted project. Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City. In accordance with 36CFR800.14(2)(i) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we invite the Federal Transit Administration to participate in the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties. On September 2, 2016, your office had indicated interest in the project's effect to historic transit facilities. For a project description and project map please go to <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>. Included with this request is a copy of the notification sent to ACHP for your review.



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2

Please provide your response within 15 days to this invitation to Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman
Commissioner

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO
Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



January 5, 2017

New Jersey Historic Preservation Office
Kate Marcopul
Mail Code 501-04B
State of New Jersey
Department of Environmental Protection
PO Box 420
Trenton, New Jersey 08625-0420

**Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge
Invitation to Participate in the Preparation of the Project's Programmatic
Agreement, Section 106 of the National Historic Preservation Act**

Dear Ms. Marcopul,

The State of New Jersey has received Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) for the above-noted project. Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.


The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City. In accordance with 36CFR800.14(2)(i) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we invite the New Jersey Historic Preservation Office to participate in the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties. For a project description and project map please go to <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>. Included with this request is a copy of the notification sent to ACHP for your review.



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Please provide your response within 15 days to this invitation to Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman
Commissioner

Enclosures: ACHP Letter

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



January 5, 2017

Shawnee Tribe
Ron Sparkman, Chief
29 South Highway 69A
Miami, Oklahoma 74355

**Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge
Invitation to Participate in the Preparation of the Project's Programmatic
Agreement, Section 106 of the National Historic Preservation Act**

Dear Chief Sparkman,

The State of New Jersey has received Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) for the above-noted project. Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City. In accordance with 36CFR800.14(2)(i) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we invite the Shawnee Tribe to participate in the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties. For a project description and project map please go to <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>. Included with this request is a copy of the notification sent to ACHP for your review.



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Please provide your response within 15 days to this invitation to Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman
Commissioner

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO
Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



January 5, 2017

Absentee Shawnee Tribe of Oklahoma
Governor Edwina Butler-Wolfe
2025 South Gordon Cooper Drive
Shawnee, Oklahoma 74801

**Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge
Invitation to Participate in the Preparation of the Project's Programmatic
Agreement, Section 106 of the National Historic Preservation Act**

Dear Governor Butler-Wolfe,

The State of New Jersey has received Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) for the above-noted project. Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City. In accordance with 36CFR800.14(2)(i) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we invite the Absentee Shawnee Tribe of Oklahoma to participate in the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties. For a project description and project map please go to <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>. Included with this request is a copy of the notification sent to ACHP for your review.



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Please provide your response within 15 days to this invitation to Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman
Commissioner

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO
Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



January 5, 2017

City of Hoboken
Mayor Dawn Zimmer
94 Washington Street
Hoboken, New Jersey 07030

**Rebuild by Design Hudson River
Invitation to Consult on the Preparation of the Project's Programmatic
Agreement, Section 106 of the National Historic Preservation Act**

Dear Mayor Zimmer,

The State of New Jersey has received Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) for the above-noted project. Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.


The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency in the City of Hoboken, and parts of Weehawken and Jersey City. In accordance with 36CFR800.14(2)(ii) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we invite the City of Hoboken to participate as a consulting party with the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties. For a project description and project map please go to <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>. Included with this request is a copy of the notification sent to ACHP for your review.



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Please provide your response within 15 days to this invitation to Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman
Commissioner

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO
Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP



January 5, 2017

Delaware Nation, Oklahoma
Kerry Holton, President
P.O. Box 825
Anadarko, Oklahoma 73005

**Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge
Invitation to Participate in the Preparation of the Project's Programmatic
Agreement, Section 106 of the National Historic Preservation Act**

Dear President Holton,

The State of New Jersey has received Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) for the above-noted project. Under HUD regulation 24 CFR 58.4, the New Jersey Department of Community Affairs (NJDCA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City. In accordance with 36CFR800.14(2)(i) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we invite the Delaware Nation, Oklahoma to participate in the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties. For a project description and project map please go to <http://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm>. Included with this request is a copy of the notification sent to ACHP for your review.



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Please provide your response within 15 days to this invitation to Clay Sherman, Project Manager, Office of Flood Hazard Risk Reduction Measures at the address above or at clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation.

Sincerely,



Charles A. Richman
Commissioner

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO
Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

From: [Smith, Lawrence](#)
To: [Davis, Zachary](#)
Subject: FW: Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge Invitation to Participate in the Project's Programmatic Agreement, Section 106 of the National Historic Preservation Act
Date: Friday, January 20, 2017 3:57:36 PM
Attachments: [Image001.jpg](#)

Lawrence I. Smith PP, AICP
Senior Planner
Dewberry
600 Parsippany Road, Suite 301
Parsippany, New Jersey 07054
973.576.9847
973.428.8509 fax
www.dewberry.com

From: McEvoy, Kim [mailto:Kim.McEvoy@dep.nj.gov]
Sent: Friday, January 20, 2017 3:54 PM
To: Smith, Lawrence <lsmith@Dewberry.com>; Doss, Gary <gdoss@Dewberry.com>
Cc: Reinknecht, Dennis <Dennis.Reinknecht@dep.nj.gov>; Schwarz, Frank <Frank.Schwarz@dep.nj.gov>; Sherman, Clay <Clay.Sherman@dep.nj.gov>; DEP rbdh-archive <rbdh-archive@dep.nj.gov>; Taylor, Alexis <Alexis.Taylor@dep.nj.gov>
Subject: FW: Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge Invitation to Participate in the Project's Programmatic Agreement, Section 106 of the National Historic Preservation Act

This message originated from outside your organization

Larry,
Please see the attached response to the PA invitation. I have saved this in our files but will be awaiting a formal letter response shortly.
Thanks
Kim

From: Moser, Daniel (FTA) [mailto:Daniel.Moser@dot.gov]
Sent: Friday, January 20, 2017 10:21 AM
To: Smith-Herman, Nicholas <Nicholas.Smith-Herman@dca.nj.gov>; Buchanan, Henrika (FTA) <Henrika.Buchanan@dot.gov>
Cc: Marcopul, Kate <Kate.Marcopul@dep.nj.gov>; Simon, Michael <Michael.Simon@dca.nj.gov>; Roddy, Kevin <Kevin.Roddy@icfi.com>; McEvoy, Kim <Kim.McEvoy@dep.nj.gov>; Schwarz, Frank <Frank.Schwarz@dep.nj.gov>; Sherman, Clay <Clay.Sherman@dep.nj.gov>; Reinknecht, Dennis <Dennis.Reinknecht@dep.nj.gov>; House, Tonya <Tonya.House@dep.nj.gov>
Subject: RE: Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge Invitation to Participate in the Project's Programmatic Agreement, Section 106 of the National Historic Preservation Act

Dear Mr. Smith-Herman

FTA received a copy of the invitation to join the Section 106 PA on January 10, 2017 (though the original letter is dated January 5).

FTA is in the process of providing you with an official letter of response, hopefully by January 25, (15 days after the day we received the letter).

Because this is the 15th day after the date of your official letter, I am writing to provide a preliminary response to your request.

Based on uncertainty in the final design and demonstrable impacts on historic resources with FTA investment, [FTA declines to participate in the proposed PA at this time](#). However, if, during project design and development it becomes clear that the project will have direct adverse effects on transit-related historic resources, we request additional consultation, and possibly amendment of the PA.

Our official response will be provided shortly.

Thank you

Dan Moser
Community Planner
Federal Transit Administration - Region 2
1 Bowling Green, Room 429
New York, NY 10004
Phone: (212) 668-2326 / Fax (212) 668-2136

From: Smith-Herman, Nicholas [mailto:Nicholas.Smith-Herman@dca.nj.gov]
Sent: Tuesday, January 10, 2017 2:00 PM
To: Buchanan, Henrika (FTA)
Cc: Moser, Daniel (FTA); Marcopul, Kate; Simon, Michael; Roddy, Kevin; McEvoy, Kim; Schwarz, Frank; Sherman, Clay; Reinknecht, Dennis; House, Tonya
Subject: Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge Invitation to Participate in the Project's Programmatic Agreement, Section 106 of the National Historic Preservation Act

The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council on Historic Preservation (ACHP) to participate in the preparation of a site-specific Programmatic Agreement to address likely adverse effects to historic properties as a result of the implementation of the "Hudson River Project: Resist, Delay, Store, Discharge" (the Project), which seeks to reduce flooding and enhance resiliency

In the municipality of Hoboken, and parts of Weehawken and Jersey City.

In accordance with 36CFR800.14(2)(i) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we are inviting your agency to participate in the development of the project's Programmatic Agreement to address the project's adverse effects to historic properties, please see attached invitation letter.

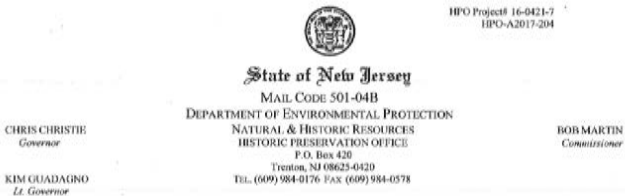
Please provide your response within 15 days of this email.

Thank you very much,

Nicholas Smith-Herman
Program Specialist II
Compliance and Monitoring Office
Sandy Recovery Division
Department of Community Affairs
101 S. Broad St., PO Box 823
Trenton, NJ 08625
609-292-6068



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January 23, 2017

Charles A. Richman, Commissioner
New Jersey Department of Community Affairs
101 South Broad Street
P.O. Box 823
Trenton, NJ 08625-0823

Dear Mr. Richman:

Thank you for the invitation to participate in the development of a programmatic agreement for proposed Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge, in the Cities of Hoboken and Jersey City and Township of Weehawken, Hudson County, New Jersey. The Historic Preservation Office (HPO) is pleased to accept the invitation and looks forward to working with you to address project effects on historic properties.

Should you have any questions, please feel free to contact Jennifer Leynes (609-984-6016; jennifer.leynes@dep.nj.gov) or Jesse West-Rosenthal (609-984-6019; jesse.west-rosenthal@dep.nj.gov) of my staff with any questions. Please reference HPO project number 16-0421 in any future calls, emails, submissions or written correspondence to help expedite your review and response.

Sincerely,



Katherine J. Marcopul
Administrator and
Deputy State Historic
Preservation Officer

KJM/MMB/BL

cc: Nicholas Smith-Herman, NJDCA
Kim McEvoy, NJDEP
Frank Schwarz, NJDEP
Dennis Reinknecht, NJDEP
Clay Sherman, NJDEP

April 28, 2017

Kimberly McEvoy
Rebuild by Design Environmental Team Leader
New Jersey Department of Environmental Protection
Bureau of Flood Resilience
501 East State Street
Mail Code 501-01A
P.O. Box 420
Trenton, NJ 08625-0420

Dear Ms. McEvoy:

Thank you for submitting the draft Programmatic Agreement (PA) for the Rebuild by Design (RBD) Hudson River Resist, Delay, Store, Discharge Project on behalf of the New Jersey Department of Community Affairs (DCA). The Historic Preservation Office (HPO) has reviewed the draft PA and requests that the DCA and Department of Environmental Protection (DEP) address the following comments and make the necessary revisions, as appropriate. The comments are in addition to those previously addressed by the Advisory Council on Historic Preservation (ACHP) in its consultation letter of April 11, 2017.

In general, the HPO believes that the PA should be a standalone document, without reference to the New Jersey Hurricane Sandy PA of April 30, 2013 or its amendment of May 1, 2015. Elements of the previous PA may be repeated in the RBD PA, where appropriate, but reference to the previous PA and its attachment as an Exhibit is discouraged in order to provide a clear and concise document. Similarly, the Cultural Resources Management Protection Plan included as Exhibit I should be integrated into the PA rather than appended as a separate document.

As discussed in our meeting of April 20, 2017, a period of 14 calendar days is insufficient to review project plans given current staff workloads. The HPO requests a standard 30-day period for the review of project plans. It is acceptable to add language stating that DEP may request an expedited review and that the parties will try to accommodate as much as possible. A shorter period of 14 calendar days may be acceptable for notifications regarding site visits. More specific comments follow by section:

Whereas clauses:

- Include a chronology of the project, including but not limited to Hurricane Sandy's landfall in New Jersey, the resulting property damage in Hoboken, and the funding of the RBD project.
- Identify the selection of a preferred alternative.
- Memorialize the completion of a cultural resources survey under Section 106.

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HPO Project#: 16-0421-6
HPO- A2017-267
Page 3 of 3

KJM/MMB/JBL/JWR

Attachment

cc: Zachary Davis, Dewberry Engineers
Mayor, City of Hoboken
Mayor, City of Jersey City
Mayor, Township of Weehawken
Executive, Hudson County
New Jersey State Department of Transportation
New Jersey Transit
Port Authority of New York and New Jersey
Federal Emergency Management Administration
Federal Transit Administration
National Oceanic and Atmospheric Administration
United States Army Corps of Engineers
United States Environmental Protection Agency
United States Department of Housing and Urban Development
Hoboken Housing Authority
Absentee Shawnee Tribe of Oklahoma
Delaware Nation
Delaware Tribe of Indians of Oklahoma
Eastern Shawnee Tribe of Oklahoma
Shawnee Tribe of Oklahoma
Hoboken Historic Preservation Commission
Hoboken Historical Museum
Hoboken Quality of Life Coalition, Inc.
Jersey City Landmarks Conservancy
Weehawken Historical Society
New Jersey Historical Society
Archaeological Society of New Jersey
Eric Lackawanna Historical Society
Hudson Riverkeeper

- Stipulations:*
- Reorganize Stipulations to follow the Section 106 process of determining the Area of Potential Effects (APE); identifying historic resources; assessing project effects; and avoiding/minimizing/mitigating adverse effects. A separate section for Administrative stipulations is also recommended. The Stipulations should be retitled to reflect this.
 - Specify that archaeology will occur prior to construction.
 - Include an interim design review at 60 percent.
 - The administrative stipulations should clearly spell out the consultation process, including which parties are involved in consultation regarding above- and below-ground resources. Consultation should also be specified as a requirement for any part of the process where the project plans are open-ended or questions may arise. The HPO needs to be a part of the consultation process at all stages of the process, even when a determination of no historic properties affected is reached.
 - Section IV, Unforeseen Effects, can be incorporated into Section III, Unanticipated Discoveries.
 - The Stipulations should include amending and terminating clauses.

Exhibit G – Location of Archaeologically Sensitive Areas:

- Please remove from the PA to protect the anonymity of the resource locations.

Exhibit I – Cultural Resources Management Protection Plan (CRMPP):

- Integrate the CRMPP into the body of the PA. If modifications to the CRMPP are anticipated, then the PA should stipulate the process for modifying the plan. The HPO recommends using less detail in the CRMPP to avoid this likelihood and avoid problems in execution.

In addition to the above comments, the HPO has offered additional comments and questions using "track changes" in the attached draft PA.

Should you have any questions, please feel free to contact Jennifer Leynes (609-984-6016; jennifer.leynes@dep.nj.gov) or Jesse West-Rosenthal (609-984-6019; jesse.west-rosenthal@dep.nj.gov) or my staff with any questions. Please reference HPO project number 16-0421 in any future calls, emails, submissions or written correspondence to help expedite your review and response.

Sincerely,

Katherine J. Marcupul
Administrator and
Deputy State Historic
Preservation Officer

[enclosure]

KJM/MMB/JBL/JWR

NATURAL ECOSYSTEMS CORRESPONDENCE AND JURISDICTIONAL DETERMINATION

January 31, 2017

Clay Sherman
New Jersey Department of Environmental Protection
Natural & Historic Resources
Bureau of Flood Resilience
501 East State Street
Mail Code 501-01A
P.O. Box 420
Trenton, NJ 08625-0420

Dear Mr. Sherman:

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 continued consultation comments for the following proposed undertaking:

**Hudson County, Hoboken City, Weehawken Township, Jersey City
Rebuild by Design: Resist, Delay, Store, Discharge Project
Community Development Block Grant-Disaster Recovery
Department of Housing and Urban Development**


Summary (NEW SHPO OPINION): The R.B. Davis Company is eligible for listing on the New Jersey and National Registers of Historic Places.

These comments are in response to your January 6, 2017 submission of the following Phase IA archaeological assessment and intensive-level historic architectural survey report:

Davis, Zachary, Tina Fortugno, and Deborah Van Steen
December 2016 Cultural Resources Technical Environmental Survey, Rebuild by Design: Resist, Delay, Store, Discharge Project, Cities of Hoboken, Weehawken, and Jersey City, Hudson County, New Jersey. Prepared for the New Jersey Department of Environmental Protection. Prepared by Dewberry Engineers, Inc.

The report was revised to address technical deficiencies identified by the Historic Preservation Office (HPO) on October 28, 2016 (HPO-2016-171). The revised report includes the requested survey forms for three properties: 1017-1031 Jefferson Street, John Schmalz's Sons Model Bakery (formerly identified as the Mayburn Knitting Mills), and the Willow Avenue Bridge. A record of correspondence with the

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Cohasset, MA 01930-2275

MAY 8 2017

Ms. Kim McEvoy
New Jersey Department of Environmental Protection
Office of the Deputy Commissioner
Sandy Recovery Environmental and Historic Preservation Review Program
Mail Code 401-07
P.O. Box 402
Trenton, NJ 08625-0402

RE: Rebuild By Design: Resist, Delay, Store, Discharge Project
Hudson River, Hudson County, New Jersey

Dear Ms. McEvoy:

We have reviewed the essential fish habitat (EFH) assessment for the Rebuild by Design: Resist, Delay, Store Discharge Project provided with your March 16, 2017, letter to our Protected Resources Division. The proposed project is being funded by U.S Department of Housing and Urban Development under the Community Development Block Grant -- Disaster Relief funds. In accordance with 24 CFR 58.1 (b)(1), the New Jersey Department of Environmental Protection has assumed the environmental compliance responsibilities for this project including the consultation responsibilities under the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

The project includes the construction of infrastructure in Hoboken, Jersey City and Weehawken to minimize impacts from coastal storm surge and rainfall flood events, while providing benefits that will enhance the urban condition and address the challenges that exist within a highly urbanized area. From the information provided, it is clear that the project developers expended significant effort to overcome these challenges and satisfy the project purpose, while minimizing in-water construction activities and adverse effects to aquatic resources.

Magnuson-Stevens Fishery Conservation and Management Act (MSA)

The project area has been designated as essential fish habitat (EFH) for a number of federally managed species including Atlantic butterfish (*Peprilus triacanthus*), Atlantic sea herring (*Clupea harengus*), bluefish (*Pomatomus saltatrix*), black sea bass (*Centropristis striata*), red hake (*Urophycis chuss*), scup (*Stenotomus chrysops*), summer flounder (*Paralichthys dentatus*), winter flounder (*Pseudopleuronectes americanus*), windowpane flounder (*Scophthalmus aquosus*), clearnose skate (*Raja eglanteria*), little skate (*Leucoraja erinacea*), and winter skate (*Leucoraja ocellata*).



Hoboken Historic Preservation Commission was also included. As such, the revised report satisfies the HPO's requirements.

800.4 Identification of Historic Properties

In previous consultation, the HPO did not comment regarding the eligibility of the R.B. Davis Company Manufacturing Complex, located at 38-56 Jackson Street, Hoboken (Block 6, Lots 1-29). **It is my opinion as Deputy State Historic Preservation Officer that the R.B. Davis Company Manufacturing Complex is eligible for listing on the New Jersey and National Registers of Historic Places.** Constructed in several distinct building campaigns between 1904 and 1958, the complex includes eight contributing buildings and one noncontributing building (660 Newark Avenue). The complex is eligible under Criterion C as one of the largest and most intact surviving industrial complexes in Hoboken. The buildings illustrate the evolution of industrial architecture during the first half of the twentieth century, including c.1904-1909 brick mill construction (Baking Powder Manufacturing and Storage, Buildings 3, 4 and 5); c. 1923 concrete daylight factory (Main Building); and c.1958 curtain wall building (Padding Manufacturing Building). The period of significance extends from c.1904, when the earliest of the extant buildings was constructed, until c.1958, when the last buildings related to the food manufacturing concern were erected.

As indicated in the previous consultation comments, five previously identified, overlapping historic districts have been combined into one larger district, identified as the Hoboken Historic District. The district is eligible for the New Jersey and National Registers of Historic Places under Criterion C in the area of architecture as a significant and distinguishable entity whose components may lack individual distinction. In a Certification of Eligibility issued on January 26, 2017, the Hoboken Historic District boundary was extended southward along Monroe Street to include The Church of Our Lady of Grace & Saint Joseph (aka Saint Joseph's Roman Catholic Church), located at 61 Monroe Street, as well as several other contributing properties on Monroe Street and Observer Highway (HPO-A2017-052). Although this area appears to lie outside of the Area of Potential Effects (APE) for the current project, the extension encompasses a concentration of buildings in the area that continues the visual sense of the overall historic environment within the Hoboken Historic District.

Additional Comments

We look forward to continued consultation with the Department of Environmental Protection to develop a Programmatic Agreement for the identification, evaluation and treatment of historic properties within the project's area of potential effects, pursuant to Section 106 of the National Historic Preservation Act.

Thank you for providing this opportunity to comment on the above-referenced proposed undertaking. Please reference HPO project number 16-0421 in any future calls, emails, submissions or written correspondence to help expedite your review and response. Please feel free to contact Jennifer Leynes (609-984-6016; jennifer.leynes@dep.nj.gov) or Jesse West-Rosenthal (609-984-6019; jesse.west-rosenthal@dep.nj.gov) or my staff with any questions.

Sincerely,

Katherine J. Marcupul
Administrator and
Deputy State Historic
Preservation Officer

The in-water construction related effects to EFH have been evaluated adequately in the EFH assessment. The measures proposed to minimize turbidity, including the installation of cofferdams and the use of turbidity curtains will reduce the effects of the construction activities on federally managed species and their EFH. However, because the project area is EFH for winter flounder early life stages, we recommend that the cofferdams and turbidity curtains be installed before January 15 of any year and that the cofferdams be removed after May 31. Turbidity curtains can be removed at any time.

Winter flounder migrate into shallow water or estuaries and coastal ponds to spawn, and tagging studies show that most return repeatedly to the same spawning areas. They typically spawn in the winter and early spring although the exact timing is temperature dependent and thus varies with latitude. Winter flounder have demersal eggs that sink and remain on the bottom until they hatch. After hatching, the larvae are initially planktonic, but following metamorphosis they assume an epibenthic existence. Winter flounder larvae are negatively buoyant, and are typically more abundant near the bottom. These life stages are less mobile and thus more likely to be affected adversely by in-water work activities that disturb the sediments, or installing measures. As a result, avoiding these activities when eggs and larvae are present will minimize adverse effects to winter flounder and winter flounder EFH.

The EFH assessment does not address the potential effects of the operation of the outfalls on EFH. Because water depths that the proposed outfall locations are shallow, particularly the two outfalls proposed in Weehawken Cove, we are concerned that high velocity discharges may affect EFH adversely. If large volumes of water are discharged through the outfalls at high velocities, the discharge may result in scouring of the bottom sediments, impacts to benthic organisms, and increases in turbidity that may degrade water quality and affect the ability of sight feeding fishes to capture prey. Because many of the project elements are still in the early phases of design and specific details have not yet been developed, it is not possible to evaluate fully the effects of the stormwater discharge on EFH or for us to offer design-specific EFH conservation recommendations for the outfalls. However, with the information that is currently available, we can recommend that the outfalls be designed to minimize scour.

Essential Fish Habitat Conservation Recommendations

Pursuant to Section 305(b)(4)(A) of the MSA we recommend the following EFH conservation recommendations to minimize adverse effects on EFH for winter flounder, summer flounder, bluefish and others:

1. Install cofferdams and turbidity curtains prior to January 15 and remove cofferdams after May 31 to minimize adverse effects to winter flounder EFH. Turbidity curtains can be removed at any time.
2. Design outfalls to minimize potential for the scouring of sediments at the discharge points.

Please note that Section 305(b)(4)(B) of the MSA requires you to provide us with a detailed written response to this EFH conservation recommendations, including a description of measures you have adopted to avoid, mitigate, or offset the impact of the project on EFH. In the case of a response that is inconsistent with these conservation recommendations, Section 305(b)(4)(B) of

the MSA also indicates that you must explain your reasons for not following the recommendations. Included in such reasoning would be the scientific justification for any disagreements with us over the anticipated effects of the proposed action and the measures needed to avoid, minimize, mitigate, or offset such effects pursuant to 50 CFR 600.920(k).

Please also note that a distinct and further EFH consultation must be reinitiated pursuant to 50 CFR 600.920(j) if new information becomes available or the project is revised in such a manner that affects the basis for the above EFH conservation recommendations. If you have any questions or need additional information about EFH, or our EFH conservation recommendations, please contact Karen Greene at (732) 872-3023 or karen.greene@noaa.gov.

Sincerely,



Louis A. Chiarella
Assistant Regional Administrator
Habitat Conservation Division

cc:
D. Marrone – PRD



APR 21 2017

Kim McEvoy
Sandy Recovery EHP
State of New Jersey DEP
Mail Code 401-07
P.O. Box 402
Trenton, NJ 08625-0402

Re: Rebuild By Design: Resist, Delay, Store, Discharge Project

Dear Ms. McEvoy:

We have completed our consultation under section 7 of the Endangered Species Act (ESA) in response to your letter received on March 16, 2017 and additional information on April 3, 2017, and April 13, 2017, regarding the above-referenced proposed project. We reviewed your consultation request document and related materials. Based on our knowledge, expertise, and your materials, we concur with your conclusion that the proposed action is not likely to adversely affect the NMFS ESA-listed species or proposed critical habitat. Therefore, no further consultation pursuant to section 7 of the ESA is required.

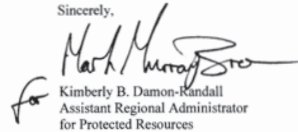
We agree with the rationale you provided to support your determination that the proposed action is not likely to adversely affect listed species or critical habitat. Specifically, we agree with your project description and the description of the action area. We agree with your description of listed species, life stages, and behaviors in the action area. Although you state there is no suitable habitat in the action area for shortnose sturgeon and they are extremely unlikely to occur in the action area, we assume occasional transients may be found in the action area and thus they are included in your effects analysis. We agree that the effects, which you analyzed, constitute all of the direct and indirect effects of the action and that there are no interrelated or interdependent activities. We agree with your application of the terms “insignificant” and “discountable” to each of the effects you analyzed, and that your analysis of the effects of the action when added to baseline conditions supports your “not likely to adversely affect” determination. Finally, we agree that you based your determinations on the best available scientific and commercial information.

Reinitiation of consultation is required and shall be requested by the Federal agency, or by the Service, where discretionary Federal involvement or control over the action has been retained or is authorized by law and: (a) If new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered in the consultation; (b) If the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation or; (c) If a new species is listed or critical habitat designated that may be affected by the identified action. No take is anticipated or exempted. Should you have any questions about this correspondence



please contact Dan Marrone at 978-282-8465 or Daniel.Marrone@noaa.gov. For questions related to Essential Fish Habitat please contact Karen Greene with our Habitat Conservation Division at 732-872-3023 or Karen.Greene@noaa.gov.

Sincerely,



Kimberly B. Damon-Randall
Assistant Regional Administrator
for Protected Resources

EC: Marrone NMFS/PRD; Sherman NIDEP; Greene NMFS/HCD
PCTS: NER-2017-14145
File Code: Section 7/Non-Fisheries/HUD/2017/Hudson River Project Resist, Delay, Store, Discharge



July 8, 2015

Andrew Raddant, Office of Environmental Policy and Compliance, Department of the Interior
Nancy Danzig, Federal Transit Administration, Region 2, Department of Transportation
Timothy Timmermann, Region 1, EPA
Grace Musumeci, Region 2, EPA
Katherine Zeringue, Region 2, FEMA
Irene Chang-Cimino, Sandy Recovery Office, FEMA
Therese Fretwell, Regions I and II, HUD
COL David Caldwell, New York District, USACE
LTC Michael Bliss, Philadelphia District USACE
COL Christopher Barron, New England District, USACE

Re: Sandy Regional Infrastructure Resilience Coordination - Federal Review and Permitting

Dear Mr. Raddant, Ms. Danzig, Mr. Timmerman, Ms. Musumeci, Ms. Zeringue, Ms. Chang-Cimino, Ms. Fretwell, Col. Caldwell, Lt Col. Bliss, and Col. Barron:

You have requested guidance on consulting with NMFS Protected Resources Division, Greater Atlantic Region, under Section 7 of the Endangered Species Act (ESA), as amended, for species listed under our jurisdiction, and with NMFS Habitat Conservation Division, Greater Atlantic Region under the essential fish habitat (EFH) provisions of the Magnuson Stevens Fishery Conservation and Management Act (MSA), regarding the projects in the Sandy-affected region funded under the following federal grant/loan programs, some of which are supported by the Disaster Relief Appropriations Act of 2013 (Sandy Supplemental), and/or other federal programs or authority including the following:

- DOI's Hurricane Sandy Coastal Resiliency Competitive Grant Program
- DOT's FHWA Emergency Relief Program and FTA Emergency Relief Program
- EPA's Clean Water State Revolving Fund (annual + Sandy Supplemental) and Drinking Water State Revolving Fund (annual + Sandy Supplemental)
- FEMA's Public Assistance and Hazard Mitigation Grant Program
- HUD's Community Development Block Grant - Disaster Recovery
- NOAA's Coastal Resilience Networks (CRest) and Cooperative Institute of North American Research (CINAR)
- USACE's Civil Works Program, Sandy Supplemental appropriations to USACE, and the USACE Regulatory Program
- USDA's Natural Resources Conservation Service (NRCS) Emergency Watershed Protection Program



You have requested technical guidance to help you determine which activities funded by the program may require additional coordination with NOAA's National Marine Fisheries Service, including potential future consultation pursuant to Section 7 of the ESA and the MSA. We propose that it would be more efficient to consider ESA Section 7 and MSA EFH consultation needs as they apply to the entire group of above-funded projects rather than having you submit a separate request for each project. The guidelines provided below are intended to be incorporated into your environmental review process so that you can determine which projects require additional coordination with us. This letter is provided as technical assistance, and Section 7 and EFH consultations have not been initiated. In fact, as indicated below, we expect the majority of activities being considered for funding will not need additional coordination with us.

We understand that this guidance applies to (but is not limited to) the following proposed land-based activity:

1. Rehabilitation and repair of 1-4 unit homes, 5-9 unit buildings, and commercial properties, including appropriate elevations of properties within a floodplain.
2. Repair and replacement of bulkheads in accordance with the USACE Nationwide General Permit Program, for which EFH consultation is complete on a regional basis.
3. Buy-out of certain storm-damaged properties for conversion to green space or other public facility in perpetuity.
4. Acquisition of certain damaged properties for future redevelopment.
5. Coastal infrastructure, both green and gray.

Endangered Species Act Guidance

Several species of listed sea turtles and Atlantic and shortnose sturgeon occur in the coastal waters of New York and New Jersey. Distribution maps are currently available on our website (<http://www.greateratlantic.fisheries.noaa.gov/protected/section7/guidance/maps/index.html>). Because these species only occur in the water in New York and New Jersey, they would not be exposed to any effects of activities that occur solely on land or above the high tide line and do not involve work in waterways. We also understand that appropriate best management practices will be required by other permits and employed to avoid any discharge into waterways and wetlands during any work. While there are ESA listed species under our jurisdiction in the coastal waters adjacent to where these land projects may be based, these species are aquatic and limited to oceans and rivers (e.g., there are no nesting beaches for sea turtles in New York or New Jersey). Activities that have no effect on waterways or wetlands do not have the potential to impact our listed species and their habitats. ESA Section 7 consultation is required when a proposed Federal action may affect a listed species. Because no listed species under our jurisdiction will be exposed to effects from proposed activities on land, no section 7 consultation is necessary.

For activities such as bulkhead repair and replacement that occur along the shoreline, typical bulkhead repair and replacement methodologies include sheet pile installation, individual piles used to support an aboveground structure, or, gravity construction resting on the shore bottom supported by its own weight. The presence of sea turtles and sturgeon in shallow waters adjacent to the shoreline where bulkheads are typically installed would be rare. Impacts to these species are more likely to occur as a result of increased turbidity (due to sediment disturbance) and noise

resulting from the installation of piles. Measures that can be implemented to minimize the potential exposure of these species to these stressors include the use of turbidity or silt curtains, construction at low tide when water is absent from the area, use of vinyl piles, use of the smallest diameter piles practicable, and use of vibratory pile drivers. Avoidance of the May-October time period would also reduce the likelihood of impacts to listed species of sea turtles. We also encourage you to follow the guidance of the relevant permit conditions of the USACE Nationwide Permit Program (e.g. #3 (maintenance), 13 (Bank Stabilization), 23 (NEPA CE exclusions)), as well as general and regional specific conditions for New York and New Jersey.

The lead action agency, or their designated non-Federal representative, is responsible for determining if a proposed action may affect a listed species. If you determine that listed species will not be exposed to any effects of a proposed activity, no additional coordination with us is necessary. For any activities that may affect a listed species, section 7 consultation is required. We expect the projects that will require additional coordination would be any that result in negative impacts to submerged aquatic vegetation (SAV), shellfish resources, or involve pile installation, or dredging and disposal.

Essential Fish Habitat Guidance

EFH has been designated within the proposed project area by the New England and Mid-Atlantic Fishery Management Councils. The MSA requires federal agencies to consult with us on any action or proposed action authorized, funded, or undertaken by the agency that may adversely affect EFH identified under the MSA. Additional information on EFH designations and the EFH consultation process can be found at <http://www.greateratlantic.fisheries.noaa.gov/habitat>. Programs occurring along the shoreline and adjacent to nearshore coastal waters will likely require federal authorizations by USACE pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, potentially through the Nationwide General Permit Program. One aspect of the conditions for these authorizations is to identify and implement measures which would avoid and minimize adverse effects to EFH and other trust resources; therefore, avoiding the need for additional consultation with us.

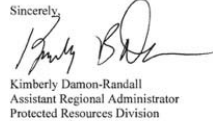
In order to avoid and minimize impacts to EFH, we encourage you to design any shoreline structures in accordance with the regional and general conditions for the Nationwide Permits. The regional conditions for New Jersey can be found on the USACE Philadelphia District website (<http://www.nap.usace.army.mil/Missions/Regulatory/Permits/NWP.aspx>). The regional conditions for New York can be found on the USACE New York District website (http://www.nap.usace.army.mil/Portals/37/docs/regulatory/geninfo/natp/NWP_PN_30MAY12.pd). Activities that do not meet these regional conditions will require additional EFH consultation with our office.

Conclusion

Under the ESA and MSA and our implementing regulations, it is up to the action agency to make the determination of whether to consult. This guidance applies to all present and potential projects under the above-listed grants and loan programs, including bulkhead repair activities, housing rehabilitation for homes of all sizes, reimbursement for costs incurred, demolition, redevelopment activities, economic development, and infrastructure activities, and will assist you in determining if consultation is necessary.

We look forward to continuing to work with you on projects funded by the above-listed programs. Should you have any questions regarding the ESA comments, please contact Jennifer Goebel in our Protected Resources Division (978-281-9373 or jennifer.goebel@noaa.gov). If you have any questions concerning the EFH comments, please contact Karen Greene in our Habitat Conservation Division (732-872-3023 or karen.greene@noaa.gov).

Sincerely,



Kimberly Damon-Randall
Assistant Regional Administrator
Protected Resources Division

EC: Goebel, Murray-Brown GARFO PRD
Chiarella, Greene – GARFO HCD





NOTICE OF AVAILABILITY

DEPARTAMENTO DE VIVIENDA Y DESARROLLO URBANO

Aviso de la Disponibilidad del Borrador de la Declaración de Impacto Ambiental (DEIS, por sus siglas en inglés) y el Anuncio de Audiencia Pública para el Proyecto Reconstrucción por Diseño Rio Hudson: Resistencia, Retraso, Almacenamiento, Descarga en la ciudad de Hoboken, municipio de Weehawken y ciudad de Jersey, Nueva Jersey

AGENCIA: Oficina del Subsecretario de Planificación Comunitaria y Desarrollo, HUD (por sus siglas en inglés)

ACCIÓN: Aviso de Disponibilidad y solicitud de comentarios; Aviso de audiencia pública

RESUMEN: El Nueva Jersey Departamento de Protección Ambiental (NJDEP, por sus siglas en inglés, en nombre del Nueva Jersey Departamento de Asuntos Comunitarios (NJDECA, por sus siglas en inglés), anuncia la disponibilidad de un Borrador de la Declaración de Impacto Ambiental (DEIS, por sus siglas en inglés) y una audiencia pública en Hoboken, Nueva Jersey (NJ) para el Proyecto Reconstrucción por Diseño Rio Hudson: Resistencia, Retraso, Almacenamiento, Descarga (Proyecto Propuesto). El Proyecto Propuesto ha sido asignado fondos del Comunidad Desarrollo Recuperación de Desastre Block Grant de HUD (CDBG-DR, por sus siglas en inglés), NJDECA, como el destinatario de fondos y "Entidad Responsable" del E.U. Departamento de Vivienda y Desarrollo Urbano (HUD, por sus siglas en inglés), ha designado al NJDEP como la Agencia Principal para preparar el DEIS para el Proyecto Propuesto en conformidad con la Ley Nacional de Política Ambiental (NEPA, por sus siglas en inglés). El Proyecto Propuesto se desarrolló de un concepto concebido por el Grupo de Trabajo de Reconstrucción Huracán Sandy's programa de Reconstrucción por Diseño (RBD, por sus siglas en inglés), un concurso para promover el desarrollo de la resiliencia de regiones afectadas por Sandy. El Proyecto Propuesto consiste de una estrategia integral de cuatro partes, incluyendo: 1) infraestructura dura y suave pasaje para defensa costera (Resistencia); 2) recomendaciones de política, directrices e infraestructura urbana para disminuir la recurrencia de tormenta (Retraso); 3) mejoras en la infraestructura verde y gris para permitir un mayor almacenamiento de agua de lluvia exceso (Almacenamiento); y 4) bombas de agua y rutas alternativas para drenaje (Descarga). El Proyecto Propuesto se producirá a lo largo de la ciudad de Hoboken y se extenderá en Weehawken y ciudad de Jersey. Una descripción del Proyecto Propuesto se presenta en la sección de INFORMACIÓN COMPLEMENTARIA. El DEIS incluye una descripción detallada del proyecto a nivel de proyecto y una descripción de los impactos ambientales, incluyendo impactos indirectos y acumulados asociados con tres Alternativas de Construcción, así como una Alternativa de No Acción. Solicitamos sus comentarios sobre el RBD Proyecto Rio Hudson DEIS.

DISPONIBILIDAD DE LA DES: Copias electrónicas de la DES están disponibles para revisión del público en los siguientes sitios web: www.rbd-hudsonriver.org y www.nj.gov/divisions/landuseanddevelopment/review/. City y copias en papel de la DES también estarán disponibles para revisión en los siguientes lugares durante las horas regulares de negocio:

- Hoboken City Hall: 94 Calle Washington, Hoboken, Nueva Jersey
- Biblioteca Hoboken: 500 Avenida Park, Hoboken, Nueva Jersey
- Hoboken Housing Authority: 400 Calle Harrison, Hoboken, Nueva Jersey
- Jersey City Hall: 280 Calle Grove, Jersey City, Nueva Jersey
- Biblioteca Publica Libre Jersey City: 472 Avenida Jersey, Jersey City, Nueva Jersey
- Weehawken Town Hall: 400 Avenida Park, Weehawken, Nueva Jersey
- Biblioteca Weehawken: 49 Avenida Hochstadt, Weehawken, Nueva Jersey

FECHAS Y COMENTARIOS PÚBLICOS: La DES estará disponible en los lugares identificados en la sección DISPONIBILIDAD DE LA DES a partir del 24 de febrero de 2017. Esta fecha es el inicio del periodo de comentario público. Cualquier persona que quiera comentar sobre la DES puede hacerlo. El periodo de comentario público será 45 días. Comentarios y material relacionado deben ser presentados antes de la hora del día del 20 de abril de 2017, utilizando uno de los métodos en la sección de DIRECCIONES de este NOA (por sus siglas en inglés). Una audiencia pública será realizada el jueves, 16 de marzo de 2017 desde las 6:00 pm hasta la 9:00 pm para dar la oportunidad

para comentarios orales. La audiencia pública se llevará a cabo en el Auditorio DeBauw en 24 Calle 5, Hoboken, Nueva Jersey 07030. Detalles adicionales sobre la audiencia pública se proporcionan en la sección de INFORMACIÓN COMPLEMENTARIA. Cualquier comentario oral proporcionado durante la reunión será transcrita y considerado para su revisión por parte del NJDEP. Por favor tenga en cuenta que la audiencia puede cerrar más temprano si todo negocio está terminado. Comentarios escritos y material relacionado también pueden ser presentados al personal NJDEP identificado en esa reunión para consideración del NJDEP.

DIRECCIONES: Usted puede enviar comentarios utilizando cualquiera de los siguientes métodos:

- (1) Correo Electrónico: rd-hudsonriver@dep.state.nj.us
- (2) Por el sitio web de NJDEP en www.rbd-hudsonriver.org o el sitio web de NJDECA en www.nj.gov/divisions/landuseanddevelopment/review/
- (3) Correo: Nueva Jersey Departamento de Protección Ambiental (NJDEP), c/o Dennis Reinkecht, Gerente de Programa, Oficina de Fundación Resiliencia, 501 Calle East State, Mail Code 501-01A, P.O. Box 420, Trenton, NJ 08622-0420.
- (4) Entrega de Manos: Igual a dirección de correo arriba, entre 9:00am y 5:00pm, el lunes a viernes, excepto días festivos federales.

Para estar la duplicación, por favor use solo uno de estos métodos.

El NJDEP Oficina de Fundación Resiliencia, 501 Calle East State, Mail Code 501-01A, P.O. Box 420, Trenton, NJ 08622-0420, mantendrá una copia de la DES para revisión pública. El documento estará disponible para inspección o copia en este lugar entre 9:00am y 3:30pm, el lunes a viernes, excepto días festivos federales.

PARA MÁS INFORMACIÓN, PÓNGASE EN CONTACTO CON: Si usted tiene preguntas sobre este aviso o sobre la audiencia pública, escriba o llame al personal de contacto a Dennis Reinkecht, Gerente del Programa Oficina de Fundación Resiliencia del Nueva Jersey Departamento de Protección Ambiental (NJDEP), 501 Calle East State, Código de correo 501-01A, P.O. Box 420, Trenton, NJ 08622-0420, correo electrónico rd-hudsonriver@dep.state.nj.us.

INFORMACIÓN COMPLEMENTARIA:

Descripción del proyecto:

El NJDEP ha preparado un DES para el Proyecto Reconstrucción por Diseño Rio Hudson: Resistencia, Retraso, Almacenamiento, Descarga (el Proyecto Propuesto) en la ciudad de Hoboken, municipio de Weehawken y ciudad de Jersey. El Proyecto Propuesto se desarrolló de un concepto concebido por el Grupo de Trabajo de Reconstrucción Huracán Sandy's programa de Reconstrucción por Diseño (RBD, por sus siglas en inglés), un concurso para promover el desarrollo de la resiliencia de regiones afectadas por Sandy. El Proyecto Propuesto consiste de una estrategia integral de cuatro partes, incluyendo: 1) infraestructura dura y suave pasaje para defensa costera (Resistencia); 2) recomendaciones de política, directrices e infraestructura urbana para disminuir la recurrencia de tormenta (Retraso); 3) mejoras en la infraestructura verde y gris para permitir un mayor almacenamiento de agua de lluvia exceso (Almacenamiento); y 4) bombas de agua y rutas alternativas para drenaje (Descarga). El Proyecto Propuesto se producirá a lo largo de la ciudad de Hoboken y se extenderá en Weehawken y ciudad de Jersey. El Proyecto Propuesto se producirá a lo largo de la ciudad de Hoboken y se extenderá en Weehawken y ciudad de Jersey. El Proyecto Propuesto se producirá a lo largo de la ciudad de Hoboken y se extenderá en Weehawken y ciudad de Jersey.

Página 20 - EL ESPECIALITO - HUDSON 24 - 02 DE MARZO DEL 2017 - Edición 1078

¡GRAN RE-APERTURA!

A&D SUPERMARKET

¡BAJO NUEVA ADMINISTRACIÓN!

VENGA Y AHORRE EN GRANDE

Arroz Canilla 20 Lbs. (Solo 1 por compra)	Muslo de Pollo Con especias
\$7.99	3 Lbs x \$1.00
Poland Spring Water 40 Unidades	Uvas Rojas o Verdes
\$5.99	79¢ lb.
Habichuelas Goya 15.5 Oz. (Solo 1 Variedad)	Huevos Pine Belt Medianos
\$1.79	89¢ doc.
Manzanas Rojas	
5 x \$1.00	

Los Mejores Precios en Vegetales y Embutidos

DELIVERY GRATIS

Abierto de Lunes a Domingo: 7:00 am - 9:00 pm

ACEPTAMOS: FOOD STAMP

4521 Bergenline Avenue
Union City, NJ 07087
Tel: 201-552-9740

Página 21 - EL ESPECIALITO - HUDSON 24 - 02 DE MARZO DEL 2017 - Edición 1078

EL ESPECIAL U.S.A Distributors, Inc. **El Especialito**

Declaration of Performance Affidavit

Product: *Fitzgerald & Halliday / NS DEP*

Newspaper: *El Especialito Hudson*

ID/Job #: *Color, Full Page, Display ad + 1/2 page Display*

Tab Size: *2/24/2017*

Insertion Date: *2/24/2017*

Quantity Received:

Quantity Shipped:

Newspaper Gross Run:

Quantity Inserted: *25,000 copies*

Newspaper Net Paid Circ.:

Method of Destruction:

If not destroyed, state method of disposal:

Declaration Completed: *Milady Tizon* Date: *2/24/17*

I declare under penalty of perjury that the information set forth in the Declaration of Performance is accurate in all aspects.

Signature: *Milady Tizon* Title: *Accounts Receivable*

Print Name: *Milady Tizon*

State of: *New Jersey*

County of: *Bergen*

Notary Public Seal

Notary Public Signature

SASHA MENOCAL
NOTARY PUBLIC OF NEW JERSEY
ID # 2389788
My Commission Expires 12/1/2019

Sworn to and Subscribed Before Me Date: *2/24/17*

NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT STATEMENT AND REQUEST FOR COMMENTS

Notice of Availability of Draft Environmental Impact Statement (DEIS) and Request for Comments (RFC) for the proposed project, the Hudson River Resilience Project, is hereby provided to the public. The project is located in the City of Hoboken, New Jersey, and the project area includes the Hudson River, the Hudson River Park, and the Hudson River Waterfront. The project is a multi-phased project that includes the construction of a new bridge, the construction of a new park, and the construction of a new waterfront. The project is a multi-phased project that includes the construction of a new bridge, the construction of a new park, and the construction of a new waterfront. The project is a multi-phased project that includes the construction of a new bridge, the construction of a new park, and the construction of a new waterfront.