

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**



REGION 2 290 BROADWAY

MAR 0 7 2016

Director of the Office of Flood Hazard Risk Reduction Measures Department of Environmental Protection 501 East State Street

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

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.goy) will be our contact person on this

Sincerely yours,

Lugara Zmitzn Grace Musumeci, Chief Environmental Review Section

Internet Address (URL) * http://www.epa.gov ith Vegetable Oil Based Inks on Recycled Paner (Minimum





State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL & HISTORIC RESOURCES
Office of Flood Hearard Risk Reduction Measures
501 East State Street
Mail Code 501-01A
9 0 He- 420 P. O. Box 420 Trenton, NJ 08625-0420 Tel. 609-292-9236 FAX 609-984-1908

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 (NIDEP) is conducting an Environmental Impact Statement (ElS) 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 MDEP to assist with the environmental review and preparation of the ElS. With this letter, the NIDEP also requests the Federal Transit Administration (FTA) participation in the ElS review as a nuclicipation as proper to the state of the Participation of the ElS. 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 Wechawken. 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 NIDEP 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 requirement s of 24 CFR 58. More project descriptions is available at http://www.state.nj.us/dep/floodhazard/rbd-hudsonriver.htm

As part of the environmental review process for this project, the lead agencies must identify, as early as 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
- · 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

If your agency consents to the NIDEP'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 Reduction y. If the NIDEP 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 Deunis.Reinknecht@idep.nj.gov. Thank you for your consideration and cooperation of

Dave Rosenblatt, NJDEP, Assistant Commissioner for Engineering and Construction

dersigned participating agency hereby consents to the New Jersey Department of Environ serving as lead agency for the Hudson River RBD EIS described above.

ental Protection Agency, Region 2

Date: 6/20/16
Name: Date Moser
Title: Community Planner

1948



Sentember 2, 2016

Mr. Charles A. Richman, Commi 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

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.

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



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 609-984-1908

BOB MARTIN

Program Director, Storm Mitigation & Resilience Port Authority of NY & NJ 4 World Trade Center - 15th Floor New York, NY 10007

> 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) flunds 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 linear 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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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 would satisfy the requirements of 24 CFR Part 58.

Your agency has been identified as a potential cooperating, participating, or interested agency for the review Your agency has been identified as a potential cooperating, participating, or interested agency for the review of the Hudson River RBD project. 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 cooperate in the review, please indicate by signing this letter and returning it at your earliest convenience to Dave Rosenblatt, Director of the Office of Flood Hazard Risk Reduction Measures at the address above or at dayer osenblatt@depn_igov_
If the NJDEP has not received a response from you within 30 day from this letter, your consent will be

If you have any questions, please feel free to contact me at 609-292-9236 or at dave.rosenblatt@dep.ni.gov

Bernice Malione, Deputy Director, Office of Environmental & Energy Programs, Port Authority of NY &

Qunizell McKenzie, Manager, Performance Reporting, Office of the Chief Operating Officer, Storm Mitigation and Resiliency, Port Authority of NY & NJ

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

Port Authority of NY & NJ

Stephenie Dawson
Chief Operating Officer



State of New Jersey

Engineering and Construction Office of Flood Hazard Risk Reduction Measur

April 12, 2016

BOB MARTIN

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 Hudson River Project (DB#15)

CHRIS CHRISTIE

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

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

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.

Office of Flood Hazard Risk Reduction Measures

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Regulatory Branch

APR 0 7 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

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.

Cf: Alvson Beha, HUD

State of New Hersen

501 Bast State Street
Mail Code 501-01A
P. O. Box 420
Trenton, NJ 08625-0420
Tel. 609-777-4152 FAX 609-984-1908

BOB MARTIN

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)

CHRIS CHRISTIE

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.

Now have been found the control of the foundation of the first of an Branched Design and Described.

RBD Program Manager Office of Flood Hazard Risk Reduction Measures

DEPARTMENT OF THE ARMY

APR 7 - 2016

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

New Jersey Department of Environmental Protection 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 evements, and the third alternative would consist of a modified hybrid of alternatives 1

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.

Cf: Alyson Beha, HUD

SECTION 106 CORRESPONDENCE

1 Resist: a combination of hard infrastructure (such as hulkheads, floodwalls and seawalls) and soft landscaning 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

Delay: policy recommendations, guidelines and urban green infrastructure to slow stormwater runoff;
 Store: green and grey infrastructure improvements, such as bioretention basins, and swales, that slow down and capture

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

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 prodefined as a prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Registe

The undertaking establishes the project's area of potential effect (APE), defined as "the geographic area or areas within which an

and discharge elements of the RBD Hudson River project may directly or indirectly alter the character or use of National Register-

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

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

The project's DSD includes approximately 60 sites with new and/or improved stormwater management techniques designed to

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.

stormwater, and which will complement the efforts of the City of Hoboken's existing Green Infrastructure Strategic Plan; and



State of New Jersey

CHRIS CHRISTIE

KIM GUADAGNO

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL, & HISTORIC RESOURCES
Office of Flood Hazard Risk Reduction Measures
50 East State Street
Mail Code 501-01A
P. O. Box 420
Trenton, NJ (08625-0420

Trenton, NJ 08625-0420 Tel. 609-292-9236 FAX 609-984-1908

BOB MARTIN

May 2, 2016

Katherine Marcopul New Jersey Historic Preservation Office 501 East State Street

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 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) Rinds from the US Department of Housing and Urban Development (HUD) under 2 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 ended [36 CFR 800.4(a) (1) and 36 CFR 800.4(b) (1)] along with guidelines outlined in the Secretary of Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716).

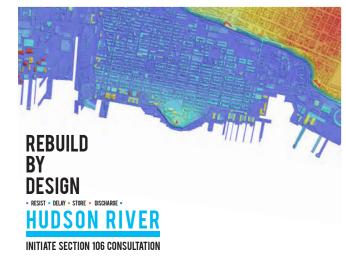
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If you have any questions, please feel free to contact me at (609) 433-3944 and thank you for your consideration and cooperation.

Signed 5/2/16

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

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



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, Dischange" (the Project) which seeks to reduce flooding and enhance resiliency in the municipality of Hoboken, and parts of Weehawken and Jersey City (Figure 1).

real regions a wario clinies in the common community of the compliance with the National Environmental Policy Act (NEPA), securise of the project's possible period 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 Historia

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

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 in 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

Delay, Store, Discharge

storm surge events;

Area of Potential Effect (APE)

of Historic Places, during the project planning process.

04.28.16 | Initiate Section 106 Consultation | 2

BASF Site: Flooding in the northwest corner of Hoboken can be alleviated by developing the former BASF Property, acquired by the City of Hoboken's Apart 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 Rall (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 (MHSA) treatment plant to prevent overotopping of the canal during major storm events, measured as greater than 25-year event than 25-year event

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. At 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 nesist structures primarily along the waterfront. This alternative's Resist structure generally follows the waterfront from the Lincoin 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 confinues 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 Sharta Drive, last 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 asstructure and 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, or an alignment behind NJ Transit offices. The alignment includes gates for access at various locations including at the Marin Boulevard, or an alignment behind NJ Transit offices to the HBLR tracks pass below the NJ Transit offices in the southerns 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

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 principal rains.

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 (HBIR) 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 lapser 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 Hobsken Yard Redevelopment Area), whereas Option 2 will fleature 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, a well as protection where HBLR tracets, pass below the NJ Transit overgens 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 understaing 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 DSC element that will be constructed to support the Preferred Alternative. The archaeological APE is shown in Figures 3 and 35.

listoric Architectural ADF

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 withational 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 buildings. 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 80.3 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 (SHPD), 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.

New York City Department of Buildings Technical Policy and Procedure Notice # 10/88 - Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction - http://www.nyc.gov/html/dob/downloads/pon/tippn1088.pdf

Rebuild by Design Hudson River:
Resist Delay Store Discharge

04.28.16 | Initiate Section 106 Consultation | 4 Rebuild

The New Jersey Department of Environmental Protection (NLDEP) 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 S8, the New Jersey Department of Community Alfairs, 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 1010(s)'d of the NHPA, the NLHPG 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 Nather 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 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/I)) 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

of Hoboken or Dawn Zimmer Vashington St.

> Hoboken Housing Auth Marc Recko, Executive 400 Harrison Street

rity Hu Pirector Th 58: Jer

National Oceanic and Atmospheric Administration NEFSC James Howard Marine Sciences Laboratory NOAA-National Marin Fisheries Servic

> -New Jersey State Department of Transportation P.O. Box 600 Trenton, NJ 08625-0600

Township of Weehawken United States
Mayor Richard Turner New York Dis
Weehawken Town Hall 26 Federal PI
00 Park Avenue New York, N's

Jnited States Housing and Urban Development Alyson Beha Jacob K. Javits Federal Building 25 Federal Plaza, Suite 3541 New York, NY 10278-0068

New Jersey Department of Environm Protection Mail Code 401-04B 401 East State Street PO Box 420

PO Box 420 Trenton, NJ 08625-0420

Plaza East 4
NJ 07105 11
Ntates Army Corps of Engineers

 Army Corps of Engineers
 United States Environmental Pro

 aza, Rm 2113
 Region 2

 10278
 290 Broadway

 New York NY 10007-1866

Table 2: List of Native American Nations Consulting Parties

Absentee Shawnee Tribe of Oklahoma Dela Edwina Butler-Wolf, Governor Bru 2025 South Gordon Cooper Dr. P.O. Shawnee, OK 74801 Ana

Shawnee Tribe of Oli P.O. Box 189 Miami. OK 74354 Delaware Tribe of Indians of Oklaho Chief Dee Ketchum Delaware Tribal Headquarters 220 NW Virginia Avenue Bartlesville, OK 74003 Stockbridge-Munsee Community

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

awanna Historical Society Historic Preservation Cor Larrabee, President Dennis English, Chair Field Hoboken City Hall ourse Lane 94 Washington St.

oken Quality of Life Coalition, Inc. Hudson Ri Box 1195 Alex Matth Iden, NJ 07030 P.O. Box 1: Garrisson

New Jersey Historical Society 52 Park Pl Newark, NJ 07102 Hoboken, NJ 07030

Hudson Riverkeeper
Alex Matthiessen, Executive Dire
P.O. Box 130
Garrisson, NY 10524

The Archaeological Society of New Jersey clo New Jersey State Museum Bureau of Archaeology & Ethnography 205 West State Street P.O. Box 530 Trenton, NJ 08625-0530 Hoboken Historical Museum 1301 Hudson St Hoboken, NJ 07030

Jersey City Landmarks Conservancy P.O. Box 68 Jersey City, NJ 07303-0068 Weehawken Historical Society

Weehawken Historical Society 212 Dodd Street Weehawken, NJ 07087

Rebuild by Design Hudson River: Resist Delay Store Discharge

04.28.16 | Initiate Section 106 Consultation | 6

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:

iniel Saunders eputy State Historic Preservation Officer Date

REBUILD BY DESIGN

HUDSON RIVER

INITIATE SECTION 106 CONSULTATION

Project Description

In an effort to address flood and resiliency valnerabilities exposed as a result of Superstorm Sandy in 2012, the United States
Department of Housing and Ultran Development (HUD) launched the Rebuild by Design (RIDD) competition inviting communities and
designars to cart resiliency and flood demange reduction autorition. The State on New Jersey was absoquently averaded \$230 million to
pursue the "Hubston Ritwer Project. Resist, Delay, Store, Discharge" (the Project) which seeks to reduce flooding and enhance resiliency
in the municipality of Hobbolen, and pasts of Webnishwan and Jersey Clay (figure 1).

The Project's award comes in the form of Community Development Block Gree-Disaster Recovery (2008-07f) snotling, which requires compliance with the National Environmental Prolyce Act (19EA). Decisions of the Project's possible environmental impacts Statement (185). A Don't and Final Els will be proported in accordance with the Council on Environmental Casality's (ECG) (19EA) regulations at 40 CFR Part 1502. Furthermore, the project's federal funding requires compliance with Section 100 of the National Plasticity Proservation Act of 1566 (NePPA), as amended [36 CFR 800.4(p)] if and 30 CFR 800.4(p)] (1) alony with publishmes unlimited in the Sectionary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716).

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

Rebuild by Design Hudson River: * Resist * Dolay * Storo * Discharge *

94,28,15 | Initiate Section 106 Consultation | 1

 Resist: a combination of hard infrastructure (such as bullsheads, floodwells and seawalls) and soft landscaping feetures (such as berms and/or levees which could be used as parks) that act as barriers along the coast during exceptionally high title and/or storm surge exempts:

Delay: policy recommendations, guidelines and urban green infrastructure to slow stormwater runoff;

 Ottop: green and grey infrastructure improvements, such as bioreterminor basins, and swales, that slow down and capture stormwater, and which will complement the efforts of the City of Hobbother's existing Green Infrastructure Startegie Plan; and Infrastructure and which will complement the efforts of the City of Hobbother's existing Green Infrastructure Startegie Plan; and Infrastructure and 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

Area of Potential Effect (APE)

As stated above the project's federal funding requires compliance with Section 103 of the NHPA, as amended [35 CFR 800.4(a) (1) and 35 CFR 800.4(b) (1). This legislation requires consisteration 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 afterations 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 or effects caused by the undertaking 136 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 RID Hudson River project may directly or indirectly after the character or use of National Register-eligible or listed resources.

The APE for the proposed project includes tose areas containing potential National Register fisted or eligible cultural resources whose hersocker 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 cleaments.

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

The project's EIIs 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 compensers. 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 00 alias with new and/or improved stammwater management techniques designed to complement other efforts by the City of Hoboten 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 advasalss, and will be concentrated in the interior portion of Hoboten. These alias may consist of blowarias (permeable areas with surface vegetation, allowing for gradual infiltration of atomwater into the ground), tanks (bull below grade, allowing for stronge of stommwater and gradual release to the storm sever system), and hybrid tanks (tank systems with vegetation planed above, allowing for gradual infiltration into the tank). In addition to the approximately 60 sizes, several large-scale sists are also proposed and will aliable to included in the EIS:

Rebuild by Design Hudson Föver: # Resist # Delay # Store # Discharge #

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

Hoboten Housing Authority: The area surrounding the Hoboten Housing Authority (HHA) at Jackson and Harrison Streets from 2nd Street to 8th Street also serves as a natural law-lying catchment area. Drainage points would be added in this 17 area development to support the discharge component of the project and direct the flow of excess stormwater westward. On the west added of the neighborhood, a linear stormwater detention area will be incorporated along the seat side of the Husbon-Dergen Light Rail (HBLR) to provide storage of the water drained from the HHA men. A new grame you would be incorporated of scilarage the overflow from the detention facility; the torice 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 asterion is proposed adjacent to the HBLR in the vicinity of the North Husbon Sewerage Authority's (HHSD) restarters plant to prevent overtopeling of the canal during majes sorme everts, 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 mont 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 blocker; one to pump the runnelf water from the HHA and one from the proposed BASIF Property. Both pumps would assist in the drainage of the farge northwestern eachterner 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 cutfall 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 Harbonside 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 storucture. In addition, a between of the respect of the 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 Pairs. There will be a series of glates along the waterfront to allow access not to pleas and across roal 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 welkney while potentially lies into a deployable system running earthest 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 from Washington Street to Marin Bostevard, or an alignment befind NJ Transit offices. The alignment fielding alter the rail lines, as well as protection where the HIBLR transpass pass before the XT Transit composin the souther other HIBLR transpass because the real lines, as well as protection where the HIBLR transpass pass before the XT Transit composin the southernes 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 perk will be incorporated into the southwest corner of Weehawken Cove. The alternative continues southward to 15th Street and then turns essisted along 15th Street from the northern and of Cardon to Watshipston Street, and then south slong Waterhalton Street, where it gradually tagens of between 14th and 13th

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

04.28.16 | Initiate Section 106 Consultation | 3

B-4 | Appendix B: Agency Correspondence

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

Streets. Street crossings will feature gates to allow for access during non-fleed conditions. There are two options in the south, along the serection. Little colorating is war election graded to an over a document entry of instruction continued and entry of instructions in the source, some great production of the source and an analysis of the source and an advantage of the source and advantage of the source and advantage of the source and an advantage of the source and advantage isses beneath the rail lines, as well as protection where HBLR tracks pass below the NJ Transit overpass in

Alternative 3 utilizes a private alleywey paralleling 14th Street and cotended to Washington Street. This alternative's Resist structure begins near the Indian Berger Light Ralf (HILP) Lincoln Harbor station at Weiterfront Terraco, tovelling south towards farbor Boulevard, and then cominising south along Weelhawten Cove towards Gardon Street. A bermed or ferraced park will be incorporated into the southwest corner of the Weelhawten Cove. The structure scheded does not allegowy indiving between 15th and 41th Streets from Gardon Street to Washington Street, and then south along Weshington Street, where it will gradually taper off between 14th and 13th Streets. Street crossings will learning rates to allevo for occess during one-field conditions. There will then he wo options. Option 1 will include an alignment south of Observer Highway, within the rall yard (south of the proposed Hoboken Yard Redevelopment Area), whereas Option 2 will finishes an alignment along Observer Highway from Weshington Street directly to Marin Boulevard. The alignment includes gas to access at various colorism including on the Marin Boulevard, Grove Street and Nevent Avenue undergrasses benefit the rall lines, as well as protection where HBLR tracks pass below the NJ Trensit overpass in the southwest corner of the project area.

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 total attendances the DSD elements. For the purposes of Section 108, 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, soll borrowing prace or temporarylay down areas. The archaeological API 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

PRISODIC AFCHIVECULUI AFFE.
The proposed historic enhancement 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 enchancement APE interpretate the astern 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 incommon and the public direct and indirect effect to historic properties in close proximity to construction. A distance of 60 feet was used to account for the effects of vibration to historic properties, consistent with methods used in urban settings in the metropolation region to account for the potential effects of construction to tristaric buildings? The historic architectural API is therefore propensented 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

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* New York City Department of Buildings Technical Policy and Procedure Notice & 10/85 - Procedures for the Avoidance of Damage to Historic Structures Heading from Adjacent Construction - 186 (June 196 and Adjacent Construction - 186 and Adjacent Construction - 186 (June 196 and Adjacent Construction - 186 and Adjacent Construction - 186 (June 196 and Adjacent Construction - 186 (June 196 and Adjacent Construction - 186 and Adjacent Construction - 186 (June 196 and Adjacent Construction - 186 and Adjacent Construction - 186 (June 196 and Adjacent Construction - 186 (June

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

84.28.16 | Initiate Section 106 Consultation | 4

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. 5334(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 Under Holl regulations at 24 CEPH 241 St. in New Joseph Cooperation of Community Allars, as Tesponsible Entiry has designated the New Jersey Oppartment of Environmental Protection to assist with the environmental review and representation of the ISE. The United States Purry Corps of Engineers (USA/CE) is involved in the Project as a cooperating agency, while the Present Emergency Management Administration (PEMA), United States Environmental Protection Append, VISE PSA, In Profestal Ternal Administration (PTA), and the National Coaser's 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 (NJHPO), who functions as the State Historic Preservation Office (NJHPO) 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 100 (ego-parties with such appendix), both of the Section 100 (ego-parties) in a consideration and individuals to onsure that historic proporties are taking into consideration at all levels of planning and development for federal undertakings occurring in New Jersey, Additional consulting parties included federally recognized Nativa American nations. The following Native American Nations are consulting parties for explicit the Delaware Nation, the Casterior Trible of Indians of Chilahorna, the Essente Shawners Trible of United States and State of States are taking that the American States of States are taking that the States of States of States are taking that the States of States Oklahoma, the Shawnee Tribe of Oklahoma, the Absentee Shawnee Tribe of Oklahoma and the Stockbridge-Munsee Community, Band

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 evenue for or set principles from the control of the control o

Local governments present within the project include the City of Hoboken, the Hoboken Housing Authority, the City of Jersey City, the City of Weethersken and Hudson County, Public groups with an interest in the project's potential to affect historic resources are also part of the Section 166 process as interested parties. The following are included in the public participation process under Section 160: Eira Lackwarens Historical Society, Hudson Riverskeeper, Hotchen Historical Masseum, the Hoboken Historical Masseum, the Hoboken Historical Passeumonia Commission, Commission, the Hotoken Caustilly of Life Costilion, Weelnewise Historical Society, Jessey City Landmarks Conservancy, the New Jersey Historical Society Jessey City Landmarks Conservancy, the New Jersey Historical Society Jessey City Landmarks Conservancy, the New Jersey Historical Society Jessey City Landmarks Conservancy, the New Jersey Historical Society Jessey City Landmarks Conservancy, the New Jersey Historical Society Jessey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy, the New Jersey Historical Society Jersey City Landmarks Conservancy City Lan Society and the Archaeological Society of New Jersey.

Consulting and Interested Parties

Table 1: List of Consulting Parties

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

04.28.16 | Initiate Section 106 Consultation | 5

Department of turneumen PO Box 420 Tueston, NJ 08625-0420

Table 2: List of Native American Nations Consulting Parties

Jersey Cky Landmarks Conse P.O. Box 68 Jersey Cky, NJ 07303-0068

CHARLES A. RICHMAN

Table 3: List of interested Parties

Hoboken Quality of Life Coalition, Inc. P.O. Box 1195 Hoboken, NJ 07030 Hudson Riverkeeper Alex Matthlesson, Exec P.O. Box 130 Garrisson, NY 10524

Rebuild by Dosign Hudson River: * Resist * Delay * Store * Discharge * 94.28.16 | Initiate Section 106 Consultation | 6 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:

Katherine J. Marcopel 42/2016

Katherine J. Marcapel 42/2016

Date Deputy Date Masses Preservation Officer

Sherman, Clay <Clay.Sherman@dep.nj.gov> Tuesday, August 23, 2016 2:34 PM

Tuesday, August 25, 20 fe 2-94 rm.
Smith, Lawrence; Doss, Gary
Schwarz, Frank; Reinknecht, Dennis; McEvoy, Kim; DEP rbdh-archive
FW: Section 106 Consultation - Rebuild by Design Hudson River
Absentee Shawnee Tribe Executed Consultation Letter RBD Hudson River.pdf

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Forwarding.

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

501 East State Street, P.O. Box 420 Mail Code 501-01A

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To: Joseph.Blanchard@astribe.com Cc: edwinab@astribe.com; Marcopul, Kate; Smith-Herman, Nicholas; McEvoy, Kim; Sherman, Clay; Schwarz, Frank;

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

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 appromail 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

Thank you very much

Program Specialist II Compliance and Monitoring Office Sandy Recovery Division 609-292-6068





August 19, 2016

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

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

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 Onder HDD regulation 24 CFs. 56.4, the New Jersey Department of Community Atlan's (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 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 NJDCA 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 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 NJDCA-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 https://www.comcon.org/sites/default/files/historic preservation/ for more information on the Section 106 review process. <a href="https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-under-section-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultation-not-pd-12-006-tribal-consultatio

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

Thank you for your consideration and cooperation.

John -Charles A. Richman

Enclosures: Project Location Alternative maps

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





DEPARTMENT OF COMMUNITY AFFAIR SANDY RECOVERY DIVISION

CHARLES A. RICHMAN

August 19, 2016

CHRIS CHRISTIE

The Archaeological Society of New Jersey Dr. Ilene 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

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

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

Thank you for your consideration and cooperation.

(Quatele

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



State of New Jersey

KIM GUADAGNO

Lt. Governor August 19, 2016

CHRIS CHRISTIE

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

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.

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Thank you for your consideration and cooperation.

Charles A. Richman

Enclosures: Project Location Alternative maps

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

State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIR. SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET PO BOX 823 TRENTON, NJ 08625-0823

CHARLES A. RICHMAN

City of Jersey City Mayor Steven Fulop 280 Grove Street

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

August 19, 2016

KIM GUADAGNO

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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Thank you for your consideration and cooperation.

(VORet Charles A. Richman

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

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

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Hudson River Rebuild By Design www.rbd-hudsonriver.nj.gov

Engineering and Construct Bureau of Flood Resilience 501 East State Street, P.O. Box 420 Mail Code 501-01A

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Sent: 8/19/2016 3:31 PM

Cc: email@DelawareNation.com; Marcopul, Kate; Smith-Herman, Nicholas; McEvoy, Kim; Sherman, Clay; Schwarz,

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 representative may be following up with you in approximately 10 days to make sure you received this email 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

Thank you very much

Program Specialist II
Compliance and Monitoring Office
Sandy Recovery Division. 101 S. Broad St., PO Box 823 Trenton, NJ 08625 609-292-6068







State of New Jersey DEPARTMENT OF COMMUNITY AFFAIR

CHARLES A. RICHMAN

CHRIS CHRISTIE KIM GUADAGNO

August 19, 2016

Delaware Nation, Oklahoma P.O. Box 825 Anadarko, Oklahoma 73005

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

Dear President Holton.

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. Weehawken and Jersev City.

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The NJDCA 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

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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-

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.

Oct Reb-Charles A. Richman

Alternative maps

Jason Kate Marcopul, SHPO Nicholas Smith-Herman, NJDCA Kim McEvoy, NJDEP Clay Sherman, NJDEP

2

Sherman, Clay <Clay.Sherman@dep.nj.gov> Tuesday, August 23, 2016 2:31 PM

Smith, Lawrence; Doss, Gary
Schwarz, Frank; Reinknecht, Dennis; McEvoy, Kim; DEP rbdh-archive
FW: Section 106 Consultation - Rebuild by Design Hudson River
Delaware Tribe of Indians Executed Consultation Letter RBD Hudson River.pdf

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Larry,

Clay Sherman, Project Manage dson River Rebuild By Design www.rbd-hudsonriver.nj.gov

Engineering and Construction eau of Flood Resilience Mail Code 501-01A Trenton, NJ 08625-0420 Cell (609) 433-3944

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Sent: 8/19/2016 3:31 PM

Cc: cbrooks@delawaretribe.org; 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 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 email 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

Thank you very much

Compliance and Monitoring Office Compliance and Monitoring Sandy Recovery Division. Department of Community Aff 101 S. Broad St., PO Box 823 Trenton, NJ 08625 609-292-6068

State of New Jersey DEPARTMENT OF COMMUNITY AFFAIRS

SANDY RECOVERY DIVISION

CHARLES A. RICHMAN

August 19, 2016 Delaware Tribe of Indians Chief Chester Brooks Delaware Tribal Headquarters 5100 Tuxedo Boulevard Bartlesville, Oklahoma 74006

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

Dear Chief Brooks,

CHRIS CHRISTIE

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 Development (HOD) launched the Rebuild op 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 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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under Section 106 is described in a Notice available at https://www.oneepd.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.

VOARU-Charles A. Richman

Enclosures: Project Location

Brice Obermeyer, THPO Kate Marcopul, SHPO Nicholas Smith-Herman, NJDCA Kim McEvov, NJDEP Frank Schwarz N.IDEP Dennis Reinknecht, NJDEP Clay Sherman, NJDEP

Sherman, Clay <Clay.Sherman@dep.nj.gov> Tuesday, August 23, 2016 2:33 PM Tidesday, Anguss Ed. 2007.
Smith, Lawrence; Doss, Gary
Schwarz, Frank; Reinknecht, Dennis; McEvoy, Kim; DEP rbdh-archive
FW. Section 106 Consultation - Rebuild by Design Hudson River
Eastern Shawnee Tribe Executed Consultation Letter RBD Hudson River.pdf

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Larry.

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

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Sent: 8/19/2016 3:31 PM

To: RDushane@estoo.net
Cc: chief@estoo.net; Marcopul, Kate; Smith-Herman, Nicholas; McEvoy, Kim; Sherman, Clay; Schwarz, Frank;

Subject: Section 106 Consultation - Rebuild by Design Hudson River

The New Jersey Department of Community Affairs, as HUD's responsible entity, is notifying the Eastern 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.

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

Trenton, NJ 08625

Nicholas Smith-Herman Program Specialist II Compliance and Monitoring Office Department of Community Affairs 101 S. Broad St., PO Box 823





DEPARTMENT OF COMMUNITY AFFAIR SANDY RECOVERY DIVISION

CHARLES A. RICHMAN

August 19, 2016

CHRIS CHRISTIE

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

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

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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

Thank you for your consideration and cooperation.

Varele Charles A. Richman

Enclosures: Project Location Alternative maps

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



State of New Jersey DEPARTMENT OF COMMUNITY AFFAIR

SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET

Kim Guadagno Lt. Governor August 19, 2016 Erie Lackawanna Historical Society Michael Connor, President c/o David Start 22 Ice Plant Road Lafayette, New Jersey 07848-2403

CHRIS CHRISTIE

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

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 Erie Lackawanna 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 rol and 12 cm.

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

Thank you for your consideration and cooperation.

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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 AFFAIR SANDY RECOVERY DIVISION

CHARLES A. RICHMAN

August 19, 2016

Federal Emergency Management Authority Region II Jerome Hatfield 26 Federal Plaza New York, New York 10278-0002

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

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

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

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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

Thank you for your consideration and cooperation.

Stale-Charles A. Richman

Enclosures: Project Location

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



DEPARTMENT OF COMMUNITY AFF SANDY RECOVERY DIVIS

CHARLES A. RICHMAN

CHARLES A. RICHMAN

Kim Guadagno Li. Governor August 19, 2016 Federal Transit Administration

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

CHRIS CHRISTIE

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

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 food 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 129 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.

WARek-Charles A. Richman

Enclosures: Project Location Alternative maps

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



SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET PO BOX 823 TRENTON, NJ 08625-0823

DEPARTMENT OF COMM

CHARLES A. RICHMAN

August 19, 2016

CHRIS CHRISTIE

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 Roo.

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@dp.nig.ed.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman

Enclosures: Project Location

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

nin 30 days.

DEPARTMENT OF COMMUNITY AFF
CHES CHRISTIE
General 101 South Broad Street
PO Box 823
KIM GUADMON TENSION, 10 9625-9623

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

State of New Jersey

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 80.

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.ni.gov.

Thank you for your consideration and cooperation.

Sincerely.

Charles A. Richman

Enclosures: Project Location

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



State of New Jersey
Department of Community Affairs
Sandy Recovery Division
101 South Broad Street

CHARLES A. RICHMAN

August 19, 2016

CHRIS CHRISTIE

August 19, 2016

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

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, 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 26 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

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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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.

We respectfully request your participation as an interested party regarding the Proposed

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 claysherman@dep.ni.gov.

Thank you for your consideration and cooperation.

Sincerely,

Charles A. Richman

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 Affai
Sandy Recovery Division
101 South Broad Striett
PO Box 823

CHARLES A. RICHMAN

CHARLES A. RICHMAN

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Kim Guadagno
Lt. Governor
August 19, 2016

CHRIS CHRISTIE

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.

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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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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

Enclosures: Project Location

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

Dewberry Department of Environmental Protection



State of New Jersey DEPARTMENT OF COMMUNITY AFFAI

CHRIS CHRISTIE

CHARLES A. RICHMAN

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

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 rest of flooding and enhance resiliency in the municipality of Hoboken, and parts of

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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

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

Thank you for your consideration and cooperation.

Q Relle Charles A. Richman

Enclosures: Project Location Alternative maps

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



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

CHRIS CHRISTIE

Jersey City Landmarks Conservancy Justin Frohwirth, President P.O. Box 68

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

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 food 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

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

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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

Thank you for your consideration and cooperation.

Clark Rober

Enclosures: Project Location Alternative maps

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

CHRIS CHRISTIE



State of New Jersey DEPARTMENT OF COMMUNITY AFFAIRS

SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET

CHARLES A. RICHMAN

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,

August 19, 2016

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

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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

Thank you for your consideration and cooperation.

O CARROL Charles A. Richman

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



State of New Jersey DEPARTMENT OF COMMUNITY AF SANDY RECOVERY DIVISION

CHARLES A. RICHMAN

CHARLES A. RICHMAN

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

August 19, 2016

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New Jersey Transit

CHRIS CHRISTIE

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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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

Thank you for your consideration and cooperation

Cloth

Enclosures: Project Location Alternative maps

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

CHARLES A. RICHMAN

August 19, 2016

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

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

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

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

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,

Ostrol-Charles A. Richman

Alternative maps

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

CHARLES A. RICHMAN

State of New Jersey

PARTMENT OF COMMUNITY AFFAIRS SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET PO Box 823 TRENTON, NJ 08625-0823

August 19, 2016

CHRIS CHRISTIE

KIM GUADAGNO

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 Cocanographic, and Atmospheric Administration for the proposed and structures with significant tribal association. RJD-CA, TUD'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

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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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,

OUTTH-Charles A. Richman

Enclosures: Project Location

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

State of New Jersey DEPARTMENT OF COMMUNITY AFFAIRS SANDY RECOVERY DIVISION

CHARLES A. RICHMAN

August 19, 2016

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

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 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 56 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

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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

Thank you for your consideration and cooperation.

Sincerely,

OUTEL

Enclosures: Project Location

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

Sherman, Clay <Clay.Sherman@dep.nj.gov> Tuesday, August 23, 2016 2:29 PM

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Clay Sherman, Project Manage 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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If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.

Sent: 8/19/2016 3:32 PM To: kim.jumper@shawnee-tribe.com

Cc: shawneetribe@shawnee-tribe.com; Marcopul, Kate; Smith-Herman, Nicholas; McEvoy, Kim; Sherman, Clay; Schwarz,

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 onse. Our representative may be following up with you in approximately 10 days to make sure you received this email 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

Thank you very much.

Nicholas Smith-Herman Sandy Recovery Division 101 S. Broad St., PO Box 823







CHRIS CHRISTIE

August 19, 2016

Shawnee Tribe Ron Sparkman, Chief 29 South Highway 69A Miami, OK 73005

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

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 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

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accepted the project initiation documentation as went 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 NJDCA-authorized representative may follow up with Jim Jumper, 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 <a href="https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visual-visua

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.

Destah Charles A. Richman

Kate Marcopul, SHPO Nicholas Smith-Herman, NJDCA Kim McEvov, NJDEP

Frank Schwarz, NJDEP Dennis Reinknecht, NJDEP Clay Sherman, NJDEP

Sherman, Clay <Clay. Sherman@dep.nj.gov>
Tuesday, August 23, 2016 2:31 PM
Smith, Lawrence; Doss, Gary
Schwarz, Frank; Reinknecht, Dennis; McEvoy, Kim; DEP rbdh-archive
FW: Section 106 Consultation - Rebuild by Design Hudson River
Stockbridge Musee Community Executed Consultation Letter.pdf

Forwarding.

Hudson River Rebuild By Design

Bureau of Flood Resilience 501 East State Street, P.O. Box 420 Mail Code 501-01A Trenton, NJ 08625-0420

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From: Smith-Herman, Nicholas Sent: 8/19/2016 3:32 PM

Cc: wally.miller@mohican-nsn.gov; Marcopul, Kate; Smith-Herman, Nicholas; McEvoy, Kim; Sherman, Clay; Schwarz,

The New Jersey Department of Community Affairs, as HUD's responsible entity, is notifying the Stockbridge-Munsee Community 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-

Nicholas Smith-Herman Program Specialist II
Compliance and Monitoring Office
Sandy Recovery Division. 101 S. Broad St., PO Box 823 609-292-6068



From: Bonney Hartley [mailto:Bonney.Hartley@mohican-nsn.gov]
Sent: Thursday, September 01, 2016 12:31 PM
To: Smith-Herman, Nicholas
Cc: Marcopul, Kate; McEvoy, Kim; Sherman, Clay; Schwarz, Frank; Reinknecht, Dennis
Subject: RE: Section 106 Consultation - Rebuild by Design Hudson River

I have completed review of the letter inviting comment on the Rebuild by Design Hudson River. On behalf of Stockbridge-Munsee Mohican Tribe I thank you for providing the information, but we have determined the locations are

 $For future\ reference\ too\ please\ note\ our\ President\ is\ Ms.\ Shannon\ Holsey\ \underline{(Shannon.Holsey@mohican-nsn.gov)}.$

Kind regards,

www.mohican-nsn.gov

Bonney Hartley Tribal Historic Preservation Officer Stockbridge-Munsee Mohican Tribal Historic Preservation New York Office 65 1st Street Troy, NY 12180 (518) 244-3164 Bonney.Hartley@mohican-nsn.gov

State of New Jersey DEPARTMENT OF COMMUNITY AFFAIR

SANDY RECOVERY DIVISION

CHARLES A. RICHMAN

August 19, 2016

CHRIS CHRISTIE

Stockbridge-Munsee Community Band of the Mohicans Wally Miller, Chairman N8476 Moh He Con Nuck Road

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

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 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 Absence 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 NJDCA 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

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 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 NJDCA-authorized representative may follow up with Bonney Hartley, 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

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.

(Vert & he

cc: Bonney Hartley, THPO Kate Marcopul, SHPO Nicholas Smith-Herman, NJDCA Kim McEvoy, NJDEP Frank Schwarz, NJDEP



State of New Jersey DEPARTMENT OF COMMUNITY AFFAIR

CHARLES A. RICHMAN

CHRIS CHRISTIE

Township of Weehawken Mayor Richard Turner Weehawken Town Hall 400 Park Avenue Weehawken, New Jersey 07086

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

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

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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

Thank you for your consideration and cooperation.

WASTER Charles A. Richman

Enclosures: Project Location

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



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIR: SANDY RECOVERY DIVISION

CHARLES A. RICHMAN

KIM GUADAGNO
Lt. Governor August 19, 2016

CHRIS CHRISTIE

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

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

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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

Thank you for your consideration and cooperation.

Sincerely.

(Der Palu Charles A. Richman

Enclosures: Project Location

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

State of New Jersey

CHARLES A. RICHMAN

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

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 Weebawken and Jersey Gift. Weehawken and Jersey City.

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Thank you for your consideration and cooperation.

Sincerely,

Work Charles A. Richman

Enclosures: Project Location

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



State of New Jersey DEPARTMENT OF COMMUNITY AFFAIR

CHARLES A. RICHMAN

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

August 19, 2016

CHRIS CHRISTIE

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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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,

(Ardu Charles A. Richman

Enclosures: Project Location

Kim McEvov, NJDEP Frank Schwarz, NJDEP Dennis Reinknecht, NJDEP Clay Sherman, NJDEP



U.S. Departmo Federal Transit

One Bowling Green Room 429 New York, NY 10004-1415 212-688-2170 212-688-2136 (Fax)

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

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

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

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.

Henrika Buchanan-Smith

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

Dewberry Department of Environmental Protection



State of New Jersey MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION NATURAL & HISTORIC RESOURCES Trenton, NJ 08625-0420 Tel.. (609) 984-0176 Fax (609) 984-0578

KIM GUADAGNO

CHRIS CHRISTIE

Clay Shorman
New Jersey Department of Environmental Protection
Natural & Historic Reousrees
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 Jorsey, 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

Hudson County, Hoboken City, Weehnwken 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 (IIPO) 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, Dolny,

Store, Discharge Project, Cities of Hoboken, Weehuwken, 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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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 if more than 10 years old.

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 IFPO requests a site visit with the project team in order to facilitate an anderstanding of the project's effects on historic properties. The site visit will also assist with the dentification 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 (699-984-6016; jennifer.leynes@dep.nij.gov) or Jesse West-Rosenthal (609-984-6019; jesse,westosenthal@dep.nj.gov) of my staff with any questions

Latherine & Tharapul

Katherine J. Marcopul Administrator and Deputy State Historic

KJM/MMB/JBL/JWR

Mayor, City of Hoboken Mayor, City of Jersey City Mayor, Township of Weehawker Executive, Hudson County New Jersey State Department of Transportation New Jersey Transit
Port Authority of New York and New Jersey
Federal Emergency Management Administratio
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

City, Hudson County. The survey was conducted in compliance with Section 106 of the National Historic Preservation Act as part of the Environmental Impact Statement (EIS) under the National Environmental Policy Act (NIPPA).

The project offers a comprehensive urban water strategy for the Hoboken, Jersey City and The project offers a comprehensive urban water strategy for the Hoboken, Jersey City and Weehawken area that includes hard infrastructure and soft landscape for constal defense (Resist); policy recommendations, guidelines and urban infrastructure to slow storm water runoff (Delay); green and grey infrastructure improvements to allow for greater storage of excess rainwater (Store); and water pumps and alternative routes to support drainage (Discharge). The report presented three alternatives for the Resist aspect of the project, On September 27, 2016, the HPO was informed that alternative 3 had been selected as the preferred alternative. Thus, the HPO has focused its assessment of effects for the project on the identified seedered alternative. identified preferred alternative.

The area of potential effects (APE) for this undertaking was defined as the limits of construction for the proposed Resist element under consideration for each of the three build alternatives, plus one city block from those proposed elements to account for potential visual effects. The APE also included the limits of construction for the Delay Store Discharge (DSD) elements, plus a distance of 90 feet to account for the effects of vibration to historic properties. The HPO concurred with the proposed APE on 6/2/2016

The APE includes 32 previously identified historic properties, 7 of which are no longer extant either due to replacement and/or demolition. 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
- 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.
- 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
- 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 Shipyard), Hoboken (SHPO Opinion
- Northern Hoboken Historic District, Hoboken (SHPO Opinion 5/20/1985) Old Main Delaware, Lackawanna & Western Railroad Historic District, Hoboken (SHPO
- Southern Hoboken Historic District, Hoboken (SHPO Opinion 1/3/1980, 2/28/1991; DOE 4/245/1980)
- Southern Hoboken Historic District Extension, Hoboken (SHPO Opinion 4/26/1999)

entee 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 Historica Preservation Commission Hoboken Historical Museum New Jersey Historical Society Archaeological Society of New Jersey Erie Lackawanna Historical Society Hudson Riverkeeper

- 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)
 Eric Railroad Pier D and Piersthed, Wechawken (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)

The six historic districts within the APE have overlapping boundaries. Sixty-three properties within the APE were identified as lying within one or more of these historic districts. The report identifies within the APE were identified as lying within one or more of these historic districts. The report identifies the contributing or noncontributing status of these 63 properties; however, it does not provide survey forms, photographs, or justifications regarding the properties' National Register status. The consultant also recommends one of these resources, the A.J. Demarest High School, as individually eligible for the NR without benefit of an intensive-level survey. The HPO cannot comment on the status of those properties based on the information provided.

The historic architectural survey also identified 73 individual resources and one historic district. Intensive-level survey forms were not completed for three resources for which the previous survey was more than 10 years old: 1017-1031 Jefferson Street, the Mayburn Knitting Mills, and the Willow Avenue more than 10 years old: 1017-1031 Jetlerson Street, the Mayburn Kmitting Mills, and the Willow Avenue Bridge. Additionally, many individual resources lacking clear historical associations were grouped together on a single Base Form and Eligibility Worksheet (608-614 2rd Street, 224-232 Jetferson Street, et al.). Many, though not all, of the survey forms for these grouped resources lack clear photographs of the façade of each individual building within the group. The rationale for these groupings is not explained in the methodology, and the organization of the survey forms does not facilitate an understanding of the overall architectural character of the neighborhood. The HPO's unable to comment on the eligibility for inclusion on the National Register of Historic Places of these resources without additional information,

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-Lackawana Terminal, the Long Slip 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 transaltantic shipping and passenger lines along the eastern portion of the alternatives, and the potential for seventeenth through early-twentieth century shipwrecks within Wechwigen Cove. within Wechawken 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 ently-inneteenth century historic seawall deposits in the vicinity of Hudson, Washington, 13th and 15th streets. The southern portions of the alternatives are considered ensitive for late-nineteenth to mid to late twentieth century resources associated with industrial and ailroad-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 along the waterfront were also found to have the potential for mid-nineteenth century residential deposits ciated 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 entury Tietjen & Lang Dry Docks and the Eric 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. The HPO looks forward to further consultation regarding the identification, evaluation, and treatment of historic properties as the development of this undertaking moves forward.

As stated previously, the HPO was notified on September 27, 2016, that alternative 3 had been chosen as the preferred alternative. At this time, the HPO is unable to comment on project effects. The chosen as the preferred alternative. At this time, the HPO is unable to comment on project effects. The report does not include photographs of the areas that will be impacted in relation to historic resources, It does not assess project effects on contributing resources in the Hoboken and Southern Hoboken Historic Districts on Washington Street (Ref. No. H-51, H-52, H-53), which will be directly adjacent to a Resist structure under Option 2; these resources were also omitted from the map illustrating historic properties potentially affected by the project (Figure 127). The HPO understands that specific information regarding the size, scale and appearance of the proposed project elements is not available at this phase of the project; however, that information is critical to evaluating the magnitude of the effect on historic properties. The HPO requests a site visit in order to facilitate an understanding of the project's effects on historic properties.

New Jersey Register of Historic Places Act

Undertakings that may encronch 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 (NJ.S.A. 13:18-15.128 et seq.) (NJRIPA). Seven of the historic resources identified in the APE are listed on the New Jersey Register. Additional information regarding project impacts is necessary to determine whether the project is subject to review under the NJRHPA.

Report Editorial Comments

The above-referenced report contains the following technical deficiencies and should be revised:

- HPO report guidelines require that figures and plates be incorporated into the body of the text.
 Two survey forms, for the Hudson Electric Light Works and the Hoboken Business Center, prepared by another consultant for another project were included with the architectural survey. In accordance with the HPO's Guidelines for Architectural Survey (Section 3.3.2), these forms should be accompanied by a current photograph.

November 29, 2016

Dennis English, Chair Hoboken City Hall 94 Washington Street

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 Weehausten and Jersey City. 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

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

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

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

Enclosures: Project Location Alternative maps

Nicholas Smith-Herman, NJDCA Kim McEvov, NJDEP Frank Schwarz, NJDEP Dennis Reinknecht, NJDEP Clay Sherman, NJDEP

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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

CURIS CHRISTIE

December 12, 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 propose

Hudson County, Hoboken City, Wechawken 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 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 Eric 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 3 6 CFR 800.14 Federal Agency Program Alternatives, is required to complete the Section 106 process.

Thank you for providing the Historie 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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Hennebique Construction Company, which was responsible for the building's concrete and steel Hennebuque 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 (fater 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 fating Grand Street. Its period of significance begins with construction of the complex in 1909 and ends in 1956, when the Delaware Company of the property of the complex in 1909 and ends in 1956, when the Delaware Company sold the property.

The architectural survey included Eric Railroad Pier D and Piershed in Weehawken (Block 34.03 The architectural survey included Eric Railroad Pier D and Piershed in Wechawken (Block 34.03).

Lots 4, 4.07), which had a previous SEPIC Opinion of Edigibility (9/12/1984). It is my opinion as Deputy State Historic Preservation Officer that the Eric 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 large reliable for listing. longer eligible for listing.

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 Eric-Lackawanna Terminal, the Long Slip Canal, and the PATH Turnuel along the southern portion of the alignments, late-nineteenth to early-twentieth century elevated rail line remains along the southern portion of the alignments, development and the transaltantic shipping and passenger lines along the eastern portion of the alternatives, and the potential for seventeenth through early-twentieth century shipwrecks within Weebauken Core

Portions of each alternative were also determined to be sensitive for historic sewer deposits alon Observer Highway, Washington Street, Newark Street, 3rd Street, and 14th Street; Alternatives 2 and 3 were each determined to be sensitive for early-ineteenth century historic seavall deposits in the vicinity of Hudson, Washington, 13th and 15th streets. The southern portions of the alternatives are considered ensitive for late-nineteenth to mid to late twentieth century resources associated with industrial and ailroad-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 DL-WRR 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-ninteenth 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 deposicated 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

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

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 resor

- 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
- 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
- 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

- 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 Shipyard), Hoboken (SHPO Opinion
- 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 4/245/1980)
- 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 3/4/20023
- 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)

HPO Project#: 16-0421-4

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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

Based on the documentation provided, the depth of disturbance associated with the Resist tents 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 a deposits and be used in the development of further archaeological testing protocol. The HPO concurs with

Of the approximately 61 individual DSD sites, only five sites were found by the co 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 Tank TD12-1ST. 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 72-45T, TD1-45T, TS-5ST, T-5-ST, T-6-ST, T-5-ST, T-6-ST, T-6-ST, T-1-6ST, 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-ST), within Clinton Street (Tank T14-CLA), and within Grand Street (Tank T6-GND). On the basis of the available utility data, including ne 1940 As-Built designs and additional data from the NHSA, Tank sites T7-OBS, T5-OBS, T3-OBS, in 13-00 a Studie designs and additional total from the Prinse, Tank sites 17-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13-005, 13deposits could potentially impact those deposits. Therefore, archaeological monitoring has been ecommended by the consultant at each of these 25 tank sites. This monitoring would include photo documentation and recordation of any exposed sewer denosits 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 Page 3 of 12

- Pennsylvania Railroad New York to Philadelphia Historic District, Weehawken (SHPC 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 encompassing the Hoboken Terminal, all of the districts he 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 boundaries of the Hoboken Historic District of the National Register of Historic Places. They have been refined to the west to exceede this Research 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 reso 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 Test to Monroe Street. On the west, the boundary extends from 1st Street on them of the 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 whiter to refinement based on the results of future dynamics areas to be subject to refinement based on the results of future dynamics areas to the street. The results of future dynamics areas to be subject to refinement based on the results of future dynamics areas to be subject to refinement based on the results of future dynamics areas to be subject to refinement based on the results of future dynamics areas to be subject to refinement beard on the results of future dynamics areas. 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 conducted by the HPO in coordination with the Hoboken Historic Preservation Commission. The peric of significance for the Hoboken Historic District begins in 1838 with the incorporation of the Hoboker 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 Historic District. The report identifies the Continuing of noncommunity and the properties Natio however, it did not provide survey forms, photographs, or justifications regarding the properties Natio Resister significance. The consultant also recommends one of these resources, the A.J. Demarcs! High 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 henefit 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

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- Hoboken High School Christopher Columbus Garden
- John Schmalz's Sons Model Bake

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 comice. 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 esponsible for numerous other terminal distribution warehouses at the Port of New York. The period of responsible for intellegation of the terminal subtribution where the state of 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 warchousing 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 respectfully disagrees with this evaluation. Designed by architect William E. Lehman, Jr., the building eligible under Criterion C is an outstanding example of a Modern school enploying 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 complex was one of the first two such complexes built by the Hoboken Housing Authority, the other being Andrew Jackson Gardenes. Christopher Columbus Gardenes 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 also to is 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 write in a description of Guidelite. But Medicale and the second of the control sult 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 Bakers at 351 8" Street, Hoboken (Block 122, Lots 3,01-3,02). Built in 19 1910, the bakery was designed by architects C.M. Bartberger & Sons of Pittsburgh and built by the

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e 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 are shallower than ten feet below the surface, construction activities as they are currently designed are not anticipated by the insultant to impact any extant deposits associated with the historic Newark Turnpike, Similarly, Tank consultant to impact any extant deposits associated with the historic Newark Tumpike. Similarly, Tank TD25-WIL is considered by the consultant to be sensitive for historic deposits associated with the mid-nineteenth century Bergen Tumpike/Hackensack 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 to expenditure of the consultant to the consultant to expenditure of the consultant to the consultant to expenditure of the consultant to the consultant to expenditure of the consultant to the consultant to expenditure of the consultant to the consultant Tank TD25-WIL, as it is currently designed, will not impact any existing historic seawall deposits. The

Three tank sites are also considered by the consultant to be sensitive for historic deposits Three tank sites are also considered by the consultant to be sensitive for historic deposits associated with the late-nineteenth to early twentieth century NHICR elevated train line along Observer Highway. These sites consist of Tank T5-OBS, Tank T3-OBS, and Tank TD4-OBS. Archaeological remains associated with the 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 exhibits the strict in the servement of the sense that the three trains the sense of the sense o activities within these sites is recommended by the consultant. The HPO does not concur with this endation. Based is recommended by the Constitution, in Prior a case and concar with a endation. Based on the information provided, it is unlikely that potential historic properties of in the sensitivity analysis for Tank TS-OBS, Tank T3-OBS, and Tank TD4-OBS would be evel eligible for listing in the New Iersey and Maitonal Registers of Historic Places. Therefore, the es not recommend further consideration of archaeological impacts to the locations of Tank TS-

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-twe 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 exervation associated with the installation of the underground detention basin and piping within Block IO 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 IO is recommended by the consultant. The HPO does not occur with this recommendation. Please see the HPO's comments on archaeological monitoring below. In addition, it is unlikely that potential in the life of the properties of the properties of the surface of the properties of th rchaeological resources associated with the NHCR elevated train line would be considered elivible for Isiting 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-nimeteenth 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 residential deposits. Several of these lots, specifically Lots 3, 4, and 15, contained historic occupation

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 Transis Site along Harrison Street between 3r 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 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 potential valive American tentalis, in adultional 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 sile would be considered eligible for listing in the New Jersey and National Registers of Historic Hoeces. Therefore, the HPO does not recommend further consideration of archaeological impacts to historic-period archaeological resources recommend further conside within the NJ Transit site.

The drainage pipe (DP) associated with the NJ Transit Site is also considered by the consultant to The dramage 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 milroads 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 staticases 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 reconstructive the DP is a deposit associated with the PD is a decirated with the PD is a decirated to the proceeding the PD is a decirated to the proceeding the PD is the development of the process of the proceeding the PD is the development of the process of the proceeding the PD is the development of the process of the proceeding the PD is the development of the process of the proceeding the PD is the development of the process of the proceeding the PD is the development of the process of the proceeding the PD is the proceeding the process of the proceeding the PD is the proceeding the process of the proceeding the PD is a development of the PD is a develo 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 deligible 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. 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 is with the proposed NJ Transit Site detention basin. The HPO concurs with this recommended.

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

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 stormwarder 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 digible for listing in the New Jersey and National Registers of Historic Places. Therefore, the HPO does not conceous and further consideration of archaeological impacts to historic-period archaeological resources within the BASF Site. sensitive for mid to late-nineteenth century residential or commercial deposits. Historic Blocks 107 and

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 Road along 16th Street east of Clinton Street, and with a mid-inneteenth structure associated with Janues 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 The easternmost extent or the BASE piping along foth Street is considered by the consultant to be sensitive for Native American adhistoric 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 BASE piping will not impact any extant Native American deposits in the vicinity of Weehawken Cove. This portion of the BASE 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 occupation included development of the building and piers around wechawken Love, 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 balance.

Portions of both the NJ Transit Outfall and the BASF Outfall, two discharge components, are Portions of both the NJ Transt Outfall and the JASF 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

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 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 postholes 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-micropath through 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

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Aside from the nineteenth century seawall and Bergen Turnpike, potential historic deposits within the IVI 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. to disturb multiple historic deposits including twentieth century industrial and commercial remains, waterfront features, sewer lines, and bridge and ralinoad 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 cancur with this recommendation. Based on the information provided, it is unlikely that potential historic-period historic properties identified in the sensitivity analysis within the NI Transit Outfall and the BASF Outfall works 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 immacts to historic-period archaeological success within the NI Transit Outfall and the DESC Outfall. impacts to historic-period archaeological resources within the NJ Transit Outfall and the BASF Outfall

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 prolibitive to the surrounding community and/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.

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 natic 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.

New Jersey Register of Historic Places Act

Undertakings by the state, county, municipality (or any agency or instrumentality thereof) that Internatings by the same, county, management of the properties of the same control 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 the Commissioner of the Department of Environmental Protection (DEP), pursuant to the New Jersey Register of Historic Places Act (N.J.S. A). 131–15.12 8 et sep.) (NRIPHA). 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.

Thank you for forwarding documentation of consultation with the Hoboken Historic Preservation ission 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 (600-948-6016; jennifex-eynes@dep.nj.gov) or Jesse West-Rosenthal (609-984-6019; jesse.vest-rosenthal@dep.nj.gov) of my staff with any questions.

> Katherine Therropal Katherine J. Marcopul

KJM/MMB/JBL/JWR

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 Page 12 of 12

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 ockbridge-Munsee Community Hoboken Historic Preservation Commission Hoboken Historical Museum Hoboken Quality of Life Coalition, Inc. New Jersey Historical Society Archaeological Society of New Jersey Erie Lackawanna Historical Society Hudson Riverkeeper

Advisory Council on Historic Preservation Electronic Section 106 Documentation Submittal System (e106) Form MS Word format

Send to: e106@achp.gov

I. Basic information 1. Name of federal agency:

United States Department of Housing and Urban Development (HUD)

* State of New Jersey Department of Community Affairs (NIDCA) is the responsible entity for the HUD Community Development Block Grant - Disaster Recovery (CDBG-DR) funding The State of New Jersey's Department of Environmental Protection, acting on behalf of the New Jersey Department of Community Affairs (NJDCA), has assumed all environmental compliance responsibilities, including compliance with the National Environmental Policy Act (NEPA), for the Superstorm Sandy CDBG-DR-funded Rebuild by Design Hudson River project.

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2. Name of undertaking/project (Include project/permit/application number if applicable):

Rebuild by Design Hudson River: Resist, Delay, Store, Discharge HUD Grant No. B-13-DS-34-0001

3. Location of undertaking

Proposed project is located in the City of Hoboken, City of Jersey City and the Township of Weehawken, Hudson County, New Jersey. No work will occur on tribal lands.

4. Name and title of federal agency official and contact person for this undertaking

HUD: Alyson Beha Senior Regional Planner, New Jersey & Connecticut New York City Office of Field Policy & Management U.S. Department of Housing & Urban Development OF Federal Plaza New York, New York 10278 Phone: 212-542-7117 Alyson.E.Beha@hud.gov]

NJDCA: Charles A. Richman Commissioner, Department of Community Affairs Commissioner, Department of Community NJDCA, Sandy Recovery Division 101 South Broad Street, PO Box 823, Trenton, NJ 08625-0823 Phone: 609-292-6401

NJDEP: Dennis Reinknecht NJDEF: Dennis Keinknecht Program Manager, Bureau of Flood Resilience NJDEP, 501 East State Street, Mail Code 501-01A, PO Box 420 Trenton, NJ 08625-0420 Phone: 609-984-0556 Dennis, Reinknecht@dep.nj.gov

5. Purpose of notification.

The purpose of this notification is to invite the ACHP to participate in the development of the project Programmatic Agreement (PA), following 36 CFR 800.14(b)(3). The proposed project has the potential to affect multiple historic properties and consultation with the New Jersey Historic Preservation Office (NJHPO) has identified the completion of a PA as necessary to complete the Section 106 process. We provide copies of consultation comments provided by NJHPO that outline their response to the historic property documentation submitted under 36 CFR800.4.

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 (New Jersey to implement Phase I of the Hudson River Rebuild By Design (RBD) proposal titled "Febelay, 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 opportun comment.

The project has two components: (1) construction of a resist barrier to increase resilience and reduce to magnitude and frequency of future coastal storm surge impacts on the communities within the action 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 (PLI), submitted to the NJHPO on May 2, 2016, provides a full description of the pro tivies. The project identifies three Alternatives for a Resist structure. For analysis under NEPA, attives The project identifies three Alternatives for a Resist structure. For analysis under NEPA, attive 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 (HBLR) Lincoln Harbor station at Waterfront Terrace, traveling south along HBLR 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 HBLR tracks pass below the NJ TRANSIT overpass in the southwest corner of the action area. Sheeting 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 "hostpots" 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 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 unscaled manhole covers. To prevent water intrusion into the existing sewers, a separation of the event conditions of the existing sewers, and the existing sewers are provided in the existing sewers and the existing sewers are provided in 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.

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 forprints 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 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 IA Archaelogical 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 Poject 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 potento impact historic archaeological resources. These historic resources include landfill and railroad related evelopment, including features associated with the Erie-Lackwanna Terminal, the Long Silp 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 transatlant 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 Places. Further and the NJHPO have consolidated five historic districts into one historic district and removed one historic properties were also that the NJHPO have consolidated five historic districts into one historic district and removed one historic properties with the NJHPO have consolidated five historic district and removed one historic properties with the NJHPO have consolidated five historic district and removed one historic properties with the NJHPO have consolidated five historic district and removed one historic properties with the NJHPO have consolidated five historic district and removed one historic properties with the NJHPO have consolidated five historic district and removed one historic d

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.

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
Engine Company No. 3, Truck No. 2 Firehouse, Hoboken
Erge-Lackawanna Terminal, Hoboken
Ferguson Brothers Manufacturing Company, Hoboken
Hoboken Historic District, Hoboken
Hoboken Land and Improvement Company Building, Hoboken
Hoboken-North Hudson YMCA, Hoboken
Hoboken - Hoboken Land and Improvement Company Building, Hoboken
- Hoboken-North Hudson YMCA, Hoboken
- Keutfiel and Esser Manufacturing Complex, Hoboken
- Keutfiel and Esser Manufacturing Complex, Hoboken
- Machine Shop (Bethlehem Steel Corporation Shipyard), Hoboken
- Old Main Delaware, Lackawanna, & Western Raifroad Historic District, Hoboken
- Public School No. 7, Hoboken
- Stevens Historic District, Hoboun
- Hudson and Manhattan Raifroad Transit System (PATH), Hoboken
- Hoboxon and Manhattan Raifroad Transit System (PATH), Hoboken
- Holbrook Manufacturing Company, Jersey City
- Holbrook Manufacturing Company, Jersey City
- North (Hudson) River Tunnels, Wechawken
- Pennsylvania Raifroad New York to Philadelphia Historic District, Weehawken
- R. Neumann & Co. Complex, Hoboken
- Factory Terminal Loft Buildings (Standard Brands & Lipton Tea Plant), Hoboken
- Hoboken High School, Hoboken
- Hoboken High School, Hoboken
- Christopher Columbus Gardens, Hoboken
- John Schmalz's Sons Model Bakery, Hoboken
- John Schmalz's Sons Model Bakery, Hoboken
- Pease 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.

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

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

Attached are copies of the PIL sent to NJHPO, the NJHPO acceptance of the PIL, and NJHJPO 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.

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 unresolve that the ACHP should know about in deciding whether to participate in consultation?



State of New Jersey DEPARTMENT OF COMMUNITY AFFA SANDY RECOVERY DIVISION

TRENTON, NJ 08625-0823

CHRIS CHRISTIE

KIM GUADAGNO

CHARLES A. RICHMAN

January 5, 2017

Delaware Tribe of Indians Chief Chester Brooks Delaware Tribal Headquarter:

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

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 wavestie. For 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.

CHRIS CHRISTIE

KIM GUADAGNO

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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 man@dep.ni.gov.

Thank you for your consideration and cooperation

Soffe Charles A. Richman

Enclosures: ACHP Letter

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

State of Rew Jersey DEPARTMENT OF COMMUNITY AFFAIR

SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET PO Box 823 Trenton, NJ 08625-0823

CHARLES A. RICHMAN

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 Programma Agreement, Section 106 of the National Historic Preservation Act

CHRIS CHRISTIE

The State of New Jersey has received Community Development Block Grant - Disaster 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 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 https://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm. Included with this request is a copy of the notification sent to ACHP for your review.



CHRIS CHRISTIE

KIM GUADAGNO

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.

14. Does your agency have a website or website link where the interested public can find out

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

15. Is this undertaking considered a "major" or "covered" project listed on the Federal Infrastructure Projects Permitting Dashboard or other federal interagency project tracking

about this project and/or provide comments? Please provide relevant links

system? If so, please provide the link or reference number

The following are attached to this form (check all that apply): __x_ Section 106 consultation correspondence x Maps, photographs, drawings, and/or plans

___ Additional historic property information

Thank you for your consideration and cooperation

Sincerely.

Cotto Charles A. Richman

Enclosures: ACHP Letter

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



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIR SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET PO Box 823 TRENTON, NJ 08625-0823

CHARLES A. RICHMAN

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 Program Agreement, Section 106 of the National Historic Preservation Act

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.n4(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 endwares. amended (NFLA), we invite the rederal 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 https://www.nj.gov/dep/floodresilience/rbd-hudsonriver.htm. Included with this request is a copy of the notification sent to ACHP for your review.

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.

Je Allen Charles A. Richman

Enclosures: ACHP Letter

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



State of New Jersey

DEPARTMENT OF COMM SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET PO Box 823 TRENTON, NJ 08625-0823

CHARLES A. RICHMAN

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 ton. New Jersey 08625-0420

Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge Invitation to Participate in the Preparation of the Project's Programma 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 The NJDCA, as the HUD Responsible Entity, has invited the Advisory Council of 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)(t) of Section 106 of the National Historic Preservation Act of 1966, as 36CFR800.14(2)(1) of Section 106 of the National Historic Preservation Act of 1906, 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 to https://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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Dewberry DEPARTMENT OF ENVIRONMENTAL PROTECTION

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.

OF Belle Charles A. Richman

Enclosures: ACHP Letter

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

State of New Jersey

CHRIS CHRISTIE

DEPARTMENT OF COMMUNITY AFFAIR: SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET PO Box 823 rox, NJ 08625-0823

CHARLES A. RICHMAN

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 Programms 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 andscapes, plant and animal communities, and buildings and structures with

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 30CFR800.14(2)(1) of Section 100 of the National Historic Preservation Act of 1906, as amended (NHPA), we invite the Shawnee Trible 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.nij.gov/dep/floodresilience/rbd-hudsonrive.htm. Included with this request is a copy of the notification sent to ACHP for your review.

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.

SATA Charles A. Richman

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO an, NJDCA Kim McEvoy, NJDEP Frank Schwarz, NJDEF Dennis Reinknecht, NJDEP Clay Sherman, NJDEP

State of New Jersey

DEPARTMENT OF COMMUNITY AL SANDY RECOVERY DIVISION 101 SOUTH BROAD STREET PO Box 823

CHARLES A. RICHMAN

January 5, 2017

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

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

Dear Governor Butler-Wolfe,

CHRIS CHRISTIE

KIM GUADAGNO

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.

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CHRIS CHRISTIE

KIM GUADAGNO

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CHRIS CHRISTII

KIM GUADAGNO

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 clay.sherman@dep.nj.gov.

Thank you for your consideration and cooperation

CARIL Charles A. Richman

Enclosures: ACHP Letter

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



State of New Jersey PARTMENT OF COMMUNITY AFI
SANDY RECOVERY DIVISION

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

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 36CFR80.14.2(ii) of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), we 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/foodresilience/rbd-hudsonriver.htm. Included with this request is a copy of the notification sent to ACHP for your review.

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

Thank you for your consideration and cooperation.

Sincerely

V201866-Charles A. Richman

Enclosures: ACHP Letter

cc: Kate Marcopul, SHPO Nicholas Smith-Herman, NJDCA Kim McEvov, N.IDEP Frank Schwarz, NJDEP Dennis Reinknecht, NJDEP Clay Sherman, NJDEP



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIR SANDY RECOVERY DIVISION PO Box 823 TRENTON, NJ 08625-0823

CHARLES A. RICHMAN

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 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 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 https://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.

SARa Charles A. Richman

Enclosures: ACHP Letter

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

Friday, January 20, 2017 3:57:36 PM

Lawrence I, Smith PP, AICP Senior Planner Dewberry 600 Parsippany Road, Suite 301 Parsippany, New Jersey 07054 973.576.9647 973.428.8509 fax

From: McEvoy, Kim [mailto:Kim.McEvoy@dep.nj.gov]

Sent: Friday, January 20, 2017 3:54 PM

To: Smith, Lawrence smith@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-</pre>

archive@dep.ni.gov>: Taylor, Alexis <Alexis.Taylor@dep.ni.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

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

From: Moser, Daniel (FTA) [mailto:daniel,moser@dot.gov]

Sent: Friday, January 20, 2017 10:21 AM

To: Smith-Herman, Nicholas < Nicholas.Sr rman@dca.ni.gov>; Buchanan, Henrika (FTA) <<u>Henrika.Buchanan@dot.gov</u>>

Cc: Marcopul, Kate <Kate Marcopul@dep.ni.gov>: Simon, Michael <Michael Simon@dca.ni.gov>: Roddy, Kevin <Kevin.Roddy@icfi.com>; McEvoy, Kim <Kim.McEvoy@dep.ni.goy>; Schwarz, Frank <<u>Frank.Schwarz@dep.nj.gov</u>>; Sherman, Clay <<u>Clay.Sherman@dep.nj.gov</u>>; 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

🚺 The Delaware Nation NAGPRA/106 Department

State of New Jersey

MAIL CODE 501-04B DEPARTMENT OF ENVIRONMENTAL PROTECTION NATURAL & HISTORIC RESOURCES

BOB MARTIN

NATURAL & HISTORIC RESOURCES HISTORIC PRESERVATION OFFICE P.O. Box 420 Trenton, NJ 08623-0420 TEL. (609) 984-0176 FAX (609) 984-0578

January 23, 2017

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

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.ni.gov) or Jesse West-Rosenthal (609-984-6019; jesse west-rosenthal@dep.ni.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

Katherine & Thancopul Katherine J. Marcopul Deputy State Historic Preservation Office

KJM/MMB/JBL

Kim McEvoy, NJDEP Frank Schwarz, NJDEP Dennis Reinknecht, NJDEP Clay Sherman, NJDEP

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To Whom It May Concern

The Delaware Nation Cultural Preservation Department received correspondence regarding the following

26 January 2017

Hudson River Project: Resist, Delay, Store, Discharge. Invitation for Participation in The project's Programmatic Agreement.

Our office is committed to protecting tribal heritage, culture and religion with particular concern for archaeological sites potentially containing burials and associated funerary objects

The Lenape people occupied the area indicated in your letter during, or prior to, European contact until their eventual removal to our present locations. According to our files, the location of the proposed project does not endanger cultural or religious sites of interest to the Delaware Nation. Therefore on behalf of the Delaware Nation, and having read the provided planning information, I would request that the standard element of most Nation, and naving feat the provided paining information, would request that the standard refinent of no PA documents of keeping in mind that during construction should an archaeological site or artificial inadvertently be uncovered, all construction and ground disturbing activities should immediately be halted until the appropriate state agencies, as well as this office, are notified (within 24 hours), and a proper archaeological assessment can be made. With consideration to the existing development, the potential for a site discovery is likely very low, although one never knows what may be discovered with the movement of earth.

Please note the Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge Munsee Band of Mohican Please note the Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge sutursee band or sommen Indians are the only Federally Recognized Delaware/Lenape entities in the United States and consultation must be made only with designated staff of these three tribes. We appreciate your cooperation in contacting the Delaware Nation Cultural Preservation Office to conduct proper Section 106 consultation. Should you have any questions, feel free to contact our offices at 405/247-8903 or by email: <a href="mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto:national-mailto tion.com.

Nekole Alligood NAGPRA/106 Director The Delaware Nation

Dear Mr. Smith-Herman

FTA received a copy of the invitation to join the Section 106 PA on January 10, 2017 (though the

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

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 transitrelated historic resources, we request additional consultation, and possibly amendment of the PA.

Our official response will be provided shortly.

Thank you

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 823 609-292-6068



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CITY OF HOBOKEN

DAWN ZIMMER



Stephen Marks PP, AICP Business Administrator

> Patrick Wherry Municipal Manager

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

January 30th, 2017

Re: 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

On behalf of Mayor Zimmer, please accept this letter as an affirmation that the City of Hoboken would like to participate as a consulting party with the development of the Hudson River Project: Resist, Delay, Store, Discharge(the Project) Programmatic Agreement to address the project's adverse effects to historic properties. Please contact me at your earliest convenience should you need any further confirmation of our interest to participate.

ISH ENDER

Kim McEvoy, NJDEP Stephen Marks, Hoboker Jen Gonzalez, Hoboken

U.S. Department Federal Transit

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

February 1, 2017

Mr. Nicholas Smith-Herman Compliance and Monitoring Office, Sandy Recovery Division State of New Jersey Department of Community Affairs 101 S. Broad St., PO Box 823 Trenton, NJ 08625

Thank you for inviting us to participate in the Hudson River Rebuild by Design Project (RBD) Section

There are several historic railroad districts and other resources in the project Area of Potential Effect which contain significant Federal Transit Administration (FTA)-funded investments, including:

- Erie-Lackawanna Terminal, Hoboken · Old Main Delaware, Lackawanna, & Western Railroad Historic District, Hoboken
- Hudson and Manhattan Railroad Transit System (Port Authority Trans Hudson tunnels), Hoboken
 North (Hudson) River Tunnels, Weehawken
- · Pennsylvania Railroad New York to Philadelphia Historic District, Weehawken

Based on our understanding of the Project alternatives presented in the Environmental Impact Statement, one option of the Preferred Alternative proposes construction of a flood wall on what is now the NJ TRANSIT Hoboken Yard (which is part of one or more of the above historic rail districts), Another option of the Preferred Alternative will result in flood wall structures adjacent to - but not on - NJ TRANSIT properties. The first option may have direct effects on historic transit resources funded by FTA while the second option will likely not.

Since there are no known direct adverse effects on historic transit investments at this stage of project development, 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 effects on transit-related historic resources, we request that you contact FTA for additional consultation, which could result in an amendment to the PA to include FTA's participation.

If you have any questions on the above, please contact Dan Moser, Community Planner, at (212) 668-

Thank you,



CHRIS CHRISTIE

DEPARTMENT OF COMMUNITY A SANDY RECOVERY DIVISIO 101 SOUTH BROAD STREET

CHARLES A. RICHMAN

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 50CFR800-14(20)(i) 6 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.ni.gov/dep/floodresilience/rixd-hudsonriver.htm. Included with this request is a copy of the notification sent to ACHP for your review.

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Smith-Herman, Nicholas < Nicholas. Smith-Herman@dca.nj.gov> Tuesday, January 10, 2017 2:00 PM

Buchanan, Henrika (FTA)

Buchanant, Frenina (F.IA) Moser, Daniel (FA); Marcopul, Kate; Simon, Michael; Roddy, Kevin; McEvoy, Kim; Schwarz, Frank; Sherman, Clay; Reinknecht, Dennis; House, Tonya 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

PA Invite RBD Hudson Federal Transit Administration.pdf; e106 ACHP

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

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. 01 S. Broad St., PO Box 823



OFTA



Initiating Offic	NSRO NSRO	Originator	D. Moser	Phone	212-668-26
Forwarding	Scan and file	Date/Time Field Jan 20, 2017			
Notes		and US HUD, lead federal a ic Agreement PA for review			

The attached letter declines the offer to participate in the Section 106 Programmatic Agreement unless and until the final project design demonstrably impacts historic resources with FTA investment (at which time FTA would i consulted to reconsider joining the PA. Neel Sent NLT Ju 25th

Route	Office	Signature	Date
×	Planning	Sim Bu	1/20/17
	Operations	/	
	LMRO/Mega Projects		
	HSRO		
	Civil Rights		
×	Legal	Um	1/24/17
Ø	Deputy Regional Administrator	A	dala
×	Regional Administrator	Men	2/1/17

Signed Hardcopy to Recipient to Chron file For Helen: Horricane Sandy. Mike 1/20/17. weed 1-29-17! Ply spell and Redergons. No there are A cap to the Preferred Alter

STEVE: IT SEEMS THAT THE LETTER MARKS AN ARROUGHT for Authornity IN the Da, yet we DECUTIVED , PEGASE EXPLATING

sday, February 07, 2017 11:36:31 AM

This message originated from outside your organization

We have another interested party for the Programmatic Agreement. I also forwarded the invite for the RBDH Programmatic Agreement meeting on Tuesday the 14th to the interested party.

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-1st Floor Mail Code 501-01A P.O. Box 420 Trenton, NJ 08625-0420

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If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.

From: Tonya Tipton [mallto:tonya@shawnee-tribe.com]
Sent: Tuesday, February 07, 2017 11:05 AM
To: Sherman, Clay
Cc: ben.barnes@gmail.com
Subject: Rebuild by Design Hudson River Project

The Shawnee Tribe is interested in establishing a Programmatic Agreement.

Please contact Second Chief Ben Barnes at ben.barnes@gmail.com

Thank you,



April 11, 2017

New Jersey Department of Environmental Protection 501 East State Street Mail Code 501-01A Trenton, NJ 0862-0420

Ref: Proposed Rebuild by Design Hudson River Project Hudson County, New Jersey

On March 29, 2017, the Advisory Council on Historic Preservation (ACHP) received a draft Programmat Agreement (PA) for the referenced undertaking from the New Jersey Department of Community Affairs (DCA) and the New Jersey Department of Environmental Protection (DEP). The DCA is the Responsible Entity pursuant to the environmental regulations of the U.S. Department of Housing and Urban Development (24 CFR Part 58); the DEP is assisting the DCA in complying with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800). The ACHP is participating in consultation to develop the undertaking's PA as the project's design has not been finalized and phased evaluation of effects will be required.

We believe that this draft PA is a good start. However, it will require a number of edits and revisions before the ACHP would be prepared to execute the PA. As such, we request that DCA address the following comments and make the necessary revisions, as appropriate.

- The PA's title is typically limited to signatories, which are the federal agency or Responsible Entity, the State Historic Preservation Office (SHPO), and the ACHP.
 Is HUD participating in consultation? We understood this to be a project subject to HUD's
- Is HUD participating in consultation? We understood this to be a project subject to HUD's regulations at 24 CFR Part 58.

 The Whereas clauses would benefit from reviewing the ACHP's Guidance on Agreement Documents checklist, to ensure their order is logical and contains the necessary background
- Additional detail about consultation with tribes and the public will be needed in the Whereas

401 F Street NW, Suite 308 • Washington, DC 20001-2637 Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov

- . The stipulation regarding consultation with federally recognized tribes would benefit from
- additional detail.
- Stipulation IV.A should reference the Programmatic Agreement that was executed by the Federal Emergency Management Agency (FEMA), which DCA is following.
 The duration stipulation should have a specific expiration date that considers all phases of the
- undertaking. Stipulations that address the need for amendments, as well as a process for the PA's termination,
- Supulations that address the frect for alternations, as well as a process for the PA's termination, should be included in the revised draft PA.
 A reporting stipulation is required to ensure that consulting parties are aware of key developments in the PA's implementation

Signatures and general comments

- . It is unclear from the draft PA whether DCA is using the NEPA substitution process contained It is unclear from the draft PA whether DCA is using the NEPA substitution process contained within 36 CFR Section 800.8 of our regulations. If so, was notification provided to the ACHP, SHPO and consulting parties per the Section 106 regulations? If not using the NEPA substitution process, DCA cannot evidence compliance with Section 106 through the publication of a Final Environmental Impact Statement or the issuance of a Record of Decision.
 DCA should review the ACHP/CEQ NEPA-NHPA handbook to ensure that proper coordination with NEPA is convenient.
- with NEPA is occurring.
- While DEP can assist the DCA in meeting its Section 106 responsibilities, it cannot be a signatory
 as it is not the Responsible Entity, Signatories are limited to the agency responsible for compliance
 with Section 106, the SHPO and the ACHP. Accordingly, the DCA will need to consider whether
 the DEP, the City of Hoboken and the Shawnee Tribe should be invited signatories or concurring
- Additional questions have been made using "track changes" and are enclosed in the draft PA.

Following its review of all the comments received by consulting parties, the DCA should revise the draft PA. The DCA should then schedule a consultation meeting to discuss the revisions and edits. It would be helpful for the DCA to develop a timeline for the PA's development and execution to ensure that consulting parties are able to effectively participate within the undertaking's proposed project schedule.

We look forward to participating in the next consultation meeting. If there are questions about our comments, please contact Ms. Jaime Loichinger at (202) 517-0219 or via email at jloichinger@achp.gov.

Thailene Dain Church Charlene Dwin Vaughn, AICP

Office of Federal Agency Program Federal Permitting, Licensing and Assistance Section

CITY OF HOBOKEN

DAWN ZIMMER Mayor



Stephen Marks PP, AICP Business Administrato

> Patrick Wherry Municipal Manager

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

On behalf of Mayor Zimmer, please accept this letter as an affirmation that the City of Hoboken would like to participate as a consulting party with the development of the Hudson River Project: Resist, Delay, Store, Discharge(the Project) Programmatic Agreement to address the project's adverse effects to historic properties. Please contact me at your earliest convenience should you need any further confirmation of our interest to participate.

State of New Jersey

MAIL CODE 501-04B MAIL CODE 501-0418

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL & HISTORIC RESOURCES
HISTORIC PRESERVATION OFFICE
P.O. Box 420
Tenton, M 08625-0420
TEL (609) 984-078

January 23, 2017

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

KJM/MMB/JBL

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 Fersey City and Township of Weelawken, 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; iennifer.leynes@dep.ni.gov) or Jesse West-Rosenthal (609-984-6019; jesse west-rosenthal@dep.ni.gov) of my staff with any questions. Please reference HPO project number 16-6421 in any future calls, emails, submissions or written correspondence to help expedite your review and response.

Katherine & Tharapul Katherine J. Marcopul

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



MAIL CODE 501-04B DEPARTMENT OF ENVIRONMENTAL PROTECTION NATURAL & HISTORIC RESOURCE

PRESERVATION OFFICE P.O. Box 420

BOB MARTIN

Trenten, NJ 08623-0420 Till. (609) 984-0176 FAX (609) 984-0578

April 28, 2017

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

Dear Ms. McEyov

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 (FIPO) 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

In general, the HPO believes that the PA should be a standalone document, without reference to In general, the HPO believes that the IPA should be a standatione 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 1 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 insuffic 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:

- 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
- Identify the selection of a preferred alternative
- Memorialize the completion of a cultural resources survey under Section 106

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Page 2 of 2

Cite the need for the PA because effects cannot be fully assessed until design is complete [see 36 CFR 800.14(b)(1)(ii)].

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.
- 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 IPD needs to be a part of the consultation process at all stages of the process, even when a determination of an historic properties affected is reached.
 Section IV. Inforcesses Februs each in Secreparated into Section IV. Unput industed.
- · Section IV, Unforeseen Effects, can be incorporated into Section III, Unanticipated
- · 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 icipated, then the PA should stipulate the process for modifying the plan. The HPO ommends using less detail in the CRMPP to avoid this likelihood and avoid problems

In addition to the above comments, the HPO has offered additional comments and question 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-Rosenthat (609-984-6019; jesse.west-rosenthat@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.

Katherine g. Marcopul

Katherine J. Marcopul Administrator and Deputy State Historic Preservation Officer

[enclosure]

KJM/MMB/JBL/JWR

HPO- A2017-267 Page 3 of 3

KJM/MMB/JBL/JWR

Zachary Davis, Dewberry Engineer 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 Hoboken Historical Museum
Hoboken Historical Museum
Hoboken Quality of Life Coalition, Inc. Jersey City Landmarks Conservancy Weehawken Historical Society New Jersey Historical Societ Archaeological Society of New Jersey Erie Lackawanna Historical Society Hudson Riverkeeper

NATURAL ECOSYSTEMS CORRESPONDENCE AND JURISDICTIONAL **DETERMINATION**



MAIL CODE 501-04B

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DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL & HISTORIC RESOURCES
HISTORIC PRESERVATION OFFICE
P.O. Box 420
Trenton, NJ 08625-0420
TEL (609) 984-0175 FAX (609) 984-0578

New Jersey Department of Environmental Protection Natural & Historic Resources Bureau of Flood Resilience 501 East State Stree 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 propos

adson 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 repor

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-J2016-171). The revised report includes the requested survey forms for three properties: 1017-1031 Jefferson Street, John Schmalz's Sons Model Bakery (formerly identified as roperties: 1017-1031 Jetterson Street, John Schmatz's Sons Moves States (Volume Street) ayburn Knitting Mills), and the Willow Avenue Bridge. A record of correspondence with the

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MAY 8 2017

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

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

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 ultation responsibilities under the Magnuson-Stevens Fishery Conservation and

The project includes the construction of infrastructure in Hoboken. Jersey City and Weehawker The project includes the constitution of 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 paged species including Atlantic butterfish (Peprilus triacanthus), Atlantic sea herring ladiaged species including Adantic Baletins (e.g.) mass includings, Adantic Sacriffication (Clupea havengus), bluefish (Pomatomus saltarix), black sea bass (Centropristis striata), red hake (Urophycis chuss), scup (Stenotomus chrysops), summer flounder (Paralichthys dentatus), winter flounder (Pseudonleuronectes americanus), windowpane flounder (Scophthalmus aquosus), clearnose skate (Raja eglanteria), little skate (Leucoraja erinacea), and winter skate (Leucoraja ocellata).



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 installed before January 15 of any year and that the cofferdams be removed after May 31. Turbidity curtains can be removed at any time.

Hoboken Historic Preservation Commission was also included. As such, the revised report satisfies the

In previous consultation, the HPO did not comment regarding the eligibility of the R.B. Davis

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 e.1904-1909 brick mild 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.1994, when the earliest of the extant buildings was constructed, until c.1938, when the last buildings related to the food manufacturing concern were exceted.

As indicated in the receiving consultation comments fitness metallic that the second content of the content

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 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, 2917, 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.

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

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 expeditely our review and response. Please feel free to contact Jennifer Leynes (669-94-6016; jennifer, keynes@dep.ja.gov) or Jesse West-Rosenthal (609-98-4-6019; jesse.west-rosenthal@dep.nj.gov) of my staff with any questions.

Katherine (marcyal

Katherine J. Marcopul

Deputy State Histori

800.4 Identification of Historic Properties

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 regatively 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 ndations to minimize adverse effects on EFH for winter flounder, summer flounder.

- 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
- 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 ecommendations. Included in such reasoning would be the scientific justification for any lisagreements 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(1) 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.

Louis A. Chiarella Assistant Regional Administrato

D. Marrone – PRD



APR 2 1 2017

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 is not likely to adversely affect insited species or critical natitat. 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

Reintiation 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

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

NMFS/PRD; Sherman NJDEP; Greene NMFS/HCE

LTC Michael Bliss, Philadelphia District USACE

COL Christopher Barron, New England District, USACE

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 Trene Chang-Cimino, Sandy Recovery Office, FEMA Therese Fretwell, Regions I and II, HUD COL David Caldwell, New York District, USACE

Re: Sandy Regional Infrastructure Resilience Coordination - Federal Review and

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 D
 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



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

We understand that this guidance applies to (but is not limited to) the following proposed

- Rehabilitation and repair of 1-4 unit homes, 5-9 unit buildings, and commercial properties, including appropriate elevations of properties within a floodplain.
 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 several species 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 pastal waters adjacent to where these land projects maybe based, these species are aquatic and mited 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 roposed Federal action may affect a listed species. Because no listed species under our trisdiction will be exposed to effects from proposed activities on land, no section 7 consultation

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 reso 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.nan.usace.army.mil/Portals/37/docs/regulatory/geninfo/natp/NWP_PN_30MAY12.pdf). Activities that do not meet these regional conditions will require additional EFH consultation with our office.

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.

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

We look forward to continuing to work with you on projects funded by the above-listed

July 20, 2015

National Marine Fisheries Service James J. Howard Marine Sciences Laboratory Highlands, NJ 07732

Attn: Karen Greene

Essential Fish Habitat & Marine Resources Determ Hoboken RBD (Rebuild by Design) Project

Dear Karen

Dewberry Engineering Inc. (Dewberry) is preparing a Feasibility Study and Environmental Impact Statement (EIS) for the Hoboken Rebuild by Design Feasibility Study. The project, also known as Resist, Delay, Store, Discharge, is a comprehensive urban water strategy conceived to protect the Hoboken Waterfront, as well as parts of Weehawken and Jersey City. The project involves these resilience measures:

- hard infrastructure and nature-based infrastructure for coastal defense (resist)
- · policy recommendations, guidelines, and urban infrastructure to slow rainwater runoff
- · a circuit of interconnected green infrastructure to store and direct excess rainwater (store) water pumps and alternative routes to support drainage (discharge)

The Feasibility Study and EIS process emerged from concepts developed during the U.S. Department of Housing and Urban Development's (HUD's) Rebuild by Design (RBD) Competition. HUD created RBD in the summer of 2013 to develop ideas capable of dramatically improving the physical, ecological, and economic resilience of coastal areas. Teams created coalitions with local and regional stakeholders to develop proposals to improve the resilience of waterfront communities. As one of the winning proposals, the Hoboken RBD Project received \$230 million in funding.

The Feasibility Study will investigate the constructability, viability, and environmental impacts of the improvements included in the RBD competition proposal. The project elements will complement and reinforce other resilience measures being undertaken by NJ TRANSIT on the Federal Transit Administration funded-Hoboken Long Slip project. Design factors such as utility impacts, subsurface soil conditions, right-of-way impacts, traffic/pedestrian flow, and construction costs will be evaluated for the concepts to narrow the focus on practical alternatives that can be discussed and evaluated in the context of an EIS.

NFMS Hoboken RBD Project

its associated regulations. The NEPA EIS process requires a significant public outreach program, which will enable stakeholders to agree on a recommended alternative to advance into design and

The New Jersey Department of Environmental Protection (NJDEP) is charged with planning, designing, and constructing this project. We are partnering with the NJDEP to complete the Feasibility Study and EIS within HUD's requirements, including that the grant funding be

Please provide any guidance and/or information on Essential Fish Habitat (EFH) and species found in the project area that may be available. Please note that we will be conducting an EFH assessment using the NMFS on-line EFH Viewer and completing the EFH Worksheet. We appreciate your involvement with this project and if you should have any questions, please do not hesitate to contact me at (973) 576-9637.

Sincerely, Dewberry Engineers Inc.

Bring G. Sayo Brian A. Sayre, CFM

Natural Resource Services Department Manager

Enclosures: Project Location Map

Wednesday, December 21, 2016 at 1:51:42 PM Eastern Standard Time

Subject: Hoboken Rebuild by Design project, Information Request

Date: Tuesday, August 25, 2015 at 2:25:04 PM Eastern Daylight Time From: Melissa Alvarez - NOAA Federal

To: Sayre, Brian

Dear Mr. Savre.

We have reviewed the information provided to us regarding the above subject area. We offer the following comments pursuant to the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act.

Fish and Wildlife Coordination Act

A wide variety of resources of concern to NMFS occur in the Hudson River including but not A wide variety or resources or concern to NMPs occur in the Hudson River including but not ilmitted to winter flounder, windowpane, summer flounder, bluefish and Atlantic tomcod. Anadromous fish including striped bass, alewife, blueback herring and American shad may also be found in the project area. As part of the federal permit process, the applicant should demonstrate that the impacts to the aquatic environment have been avoided, minimized to the extent practical and unavoidable impacts mitigated. Should the filling of the canal be authorized, we would recommend that the canal be sealed off from the river before filling. Seasonal work restrictions may be needed to minimize impacts to EFH and other NOAA

Magnuson-Stevens Fishery Conservation and Management Act - Essential Fish Habitat

Essential Fish Habitat (EFH) has been designated in the project area. Further consultation by the federal action agency may be required as part of the federal permit process. Should project plans change that would alter the basis for determination, or if new species or EFH is designated, consultation should be reinitiated. For a listing of EFH and further information, please go to our website at: http://www.nero.noaa.gov/hcd. If you wish to discuss this further, please contact Melissa Alvarez at melissa.alvarez@noaa.gov.

Melissa D. Alvarez, PWS Marine Habitat Resource Specialist Habitat Conservation Division National Marine Fisheries Service James J. Howard Marine Sciences Laboratory 74 Magruder Rd. Highlands, NJ 07732 melissa.alvarez@noaa.gov http://www.greateratlantic.fisheries.noaa.gov/

Page 1 of 1

From: Karen Greene - NOAA Federal [mailto:karen.greenei@ngaa.gov] Sent: Thursday, April 09, 2015 10:14 AM

To: Clay Sherman Do: Melissa. Alvarez@noas.gov; Julie Crocker - NOAA Federal; Daniel Marrone - NOAA Federal; Jennifer Goebel Subject: Re: Hudson River RBD

The lead federal action agency, or its designee is responsible for completing consultations with NMI'S under the Endangered Species Act (ESA) and the Magnasson Steven Fisheries Management and Conservation Act (MSA). If the actions proposed will affect threatened or endangered species (ESA) or adversely affect essential fish habitat (MSA). I am assuming that HUD has designated the NDEP as the non-deeral lead. We will need for RILD to tell un that in writing.

in general, we would only be concerned with in water work - pile driving, , drodging, fill, sheet pile driving. If actions are proposed within the river, the effects on aquatic resources needs to be evaluated in the EIS. This includes he effects of noise and vibrationes, as well as increases in suspended secliments. Seasonal work restrictions can be used to minimize the effects on some of the effects of the effects of the suspended secliments. In order to evaluate the effects, you will need to know the activities proposed and the construction methods and equipment. For example, if pile driving is planned, how many piles, what kind, what size, how will they be installed and where. If the informations in not available, a worst case scenario should be used, but consultation cannot be competed fully until all the details are available. In general, we would only be concerned with in water work - pile driving, , dredging, fill, sheet pile

For essential flish habitat (EFH), we prefer the EFH assessment required to initiate the consultation to be including in the drival EIS, but it can be done separately. If it is in the EIS, it must be in a separate section and clearly liabeled Here is our website for more information on EFH and consultations.

In addition to federally managed species for which EFH has been designated, NMFS is also concerned about diadremous species using the river including American shad, allowife, blueback herring and striped bass. These species migrate past the area to spawn upstream. Noise and

vibrations may prevent the migration if the levels are sufficiently high. Striped bass overwinter in the area as well, so the effects section of the EIS should consider how in-water work will impact the area's use as overwintering habitat.

For ESA, the lead federal action agency or its designee must consider the project's effects on listed species and prepare a biological assessment to evaluate those effects. This can be done in the draft EIS or separately. It must also be clearly labeled in the EIS. Our Protected Resources staff can provide more information on the specifics and offer you technical assistance if you contact them. Here is their website: https://www.grasterulatinis.fisheries.neas.gov/protected/index.html.

Karen Greene Mid-Atlantic Field Offices Supervisor National Marine Fisheries Service Habitat Conservation Division ames J. Howard Marine Sciences Laboratory 74 Magroder Rd. Highlands, NJ 07732 732 872-3023 (office) 732 872-3077 (fax)

On Tue, Apr 7, 2015 at 12:17 PM, Clay Sherman < Clay Sherman@dep.nj.gov> wrote:

Thank you for taking the time to talk to me today about the Hudson River Rebuild By Design Thank you for taking the time to talk to me today about the Hudson River Rebuild By Design project. What I am looking for is some guidance on how to proceed in regards to the EIS that we will be preparing as part of this project. The two big issues, as I see it are the in water noise/vibrations and threatened and endangered habitat. If I am missing anything please let me know. The Department is in negotiations with a potential consultant to perform our Feasibility StudyrEIS and I will need any guidance you can provide to direct them as to what the Department will newties of them.

I have also attached a very basic map so you can kind of see what we are looking at for this project.

Clay Sherman, Environmental Specialist 3

Project Manager - Hudson River Rebuild By Design Office of Flood Hazard Risk Reduction Measures 501 East State Street, P.O. Box 420 Mail Code 501-01A (609) 984-7422

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Dewberry

<u>Doss. Gary</u> Re: 8-Step Review Agency Notice: RBD Hudson River Project: Resist, Delay, Store, Discharge Thursday, October 13, 2016 3:20:51 PM

This message originated from outside your organization

Can you please replace Jennifer Goebel's name with mine for the NMFS GARFO ESA section 7 contact for this project? Thanks.

We offer the the following comments for ESA-listed species under NMFS jurisdiction in the proposed project area.

Atlantic Sturgeon

Atlantic sturgeon are present in the waters of the Hudson River and its adjacent bays and Atlantic stargeon are present in waters of un fundom for an its adjaction loss and tributaries. The New York Bight, Chesapeake Bay, South Atlantic and Carolina DPS of Atlantic sturgeon are endangered; the Gulf of Maine DPS is threatened. Individuals originating from any of these DPS could occur in the proposed project area. As young remair in their natal river/estuary until approximately age 2, and early life stages are not tolerant of saline waters, no eggs, larvae, or juvenile Atlantic sturgeon will occur within the waters of the lower Hudson River and its adjacent bays and tributaries.

On June 3, 2016, we issued two proposed rules to designate critical habitat for the five listed distinct population segments of Atlantic sturgeon found in U.S. waters (81 FR 35701 and 81 FR 36078). The action you have proposed will occur in an area proposed to be designated as

Shortnose Stuggen are present in the waters of the Hudson River and could occur in their adjacent bays and tributaries. Shortnose sturgeon are listed as endangered throughout their range. As early life stages are not tolerant of saline waters, no eggs, larvae, or juvenile shortnose sturgeon will occur within the saline waters of the lower Hudson River and its adjacent bays and tributaries.

As project details develop, we recommend you consider the following effects of the project on

- As project details develop, we recommend you consider the following effects of the project on Atlantic and shortnose sturgeon:

 For activities that increase levels of suspended sediment, consider the use of silt management and/or soil erosion best practices (i.e., silt curtains and/or cofferdams).

 For any impacts to habitat or conditions that temporarily render affected water bodies unsuitable for the above-mentioned species, consider the use of timing restrictions for in-water
- · For pile driving or other activities that may affect underwater noise levels, consider the use of cushion blocks and other noise attenuating tools to avoid reaching noise levels that will cause injury or behavioral disturbance to sturgeon - see the table below for more information regarding noise criteria for injury/behavioral disturbance in sturgeon.

 Organism
 Injury
 Behavioral Modification

 Sturgeon
 206 dB re 1 μPaPeak and 187 dB cSEL
 150 dB re 1 μPaRMS

The lead federal action agency for this action will be responsible for determining whether the The lead federal action agency for this action will be responsible for determining whether the proposed action may affect listed species under the ESA and if a conference for Atlantic sturgeon critical habitat is required. If the agency determines that the proposed action may affect a listed species and/or a conference for Atlantic sturgeon critical habitat is required, they should submit their determination of effects, along with justification and a request for concurrence to the attention of the Section 7 Coordinator, NMFS, Greater Atlantic Regional Fisheries Office, Protected Resources Division, 55 Great Republic Drive, Gloucester, MA 01930 or nmfs.gar.esa.section?@noaa.gov.

Please be aware that we have recently provided on our website guidance and tools to assist action agencies with their description of the action and analysis of effects to support their determination. See - http://www.greateratlantic.fisheries.noaa.gov/section7. After receiving a complete, accurate comprehensive request for consultation, in accordance to the guidance and instructions on our website, we would then be able to conduct a consultation under section 7 of the ESA. Should project plans change or new information become available that changes the basis for this determination, further coordination should be pursued.

On Fri, Oct 7, 2016 at 12:14 PM, Mark Murray-Brown - NOAA Federal <mark.murray-

Dan - Are these coming to you or onto Edith? Can you let Jen know and ce me too

--- Forwarded message From: Jennifer Goebel - NOAA Federal < jennifer.goebel@noaa.gov> Subject: Fwd: 8-Step Review Agency Notice: RBD Hudson River Project: Resist, Delay,

Store, Discharge To: Mark MurrayBrown < mark.murray-brown@noaa.gov>

I think this is a carry-over from my \$7 days.

Thanks,

From: Doss, Gary gdoss@dewberry.com
Date: Wed, Oct 5, 2016 at 1:46 PM

Subject: 8-Step Review Agency Notice: RBD Hudson River Project: Resist, Delay, Store,

Musumeci Grace@epa.gov.> "Laren.greene@noaa.gov." (karen.greene@noaa.gov.>, "Megan.jadrosich@fema.dhs.gov." (Megan.jadrosich@fema.dhs.gov." (William.Mcdonnell@fema.dhs.gov.>, "William.Mcdonnell@fema.dhs.gov.>,

Kenneth" <kspahn@dewberry.com>, "Sherman, Clay" <Clay.Sherman@dep.nj.gov

All.

We are currently working on an Environmental Impact Statement (EIS) on behalf of the New Jersey Department of Environmental Protection (NJDEP) for the HUD-funded Rebuild by Design Hudson River Project: Resist, Delay, Store, Discharge. The proposed project consists of a four-part comprehensive strategy, including: 1) hard infrastructure and soft landscape for coastal defense (Resist); 2) policy recommendations, guidelines and urban infrastructure to slow storm water runoff (Delay); 3) green and grey infrastructure improvements to allow for greater storage of excess rainwater (Store); and 4) water pumps and alternative routes to support drainage (Discharge). The Proposed Project will occur throughout the City of Hoboken, and will extend into Wechawken and Jersey City. As part of the EIS, we are analyzing the impacts from three Build Alternatives, as well as a No

Due to the potential for floodplain and wetland impacts, we are currently conducting an 8-Step Floodplain/Wetland review pursuant to HUD regulations to satisfy Executive Orders 11988 (Floodplain Management) and 11990 (Protection of Wetlands), and are notifying the public and agencies to satisfy Step 2 of the process (24 CFR 55.20). The attached public profite and agencies to statisty seep. 20 the process (24 CFR 22). The datastice further notice was published in local English and Spanish newspapers on September 30, 2016 to solicit early public comment on the 8-Step process. If you could let me know whether you have any early comments on the project by October 21, 2016, it would be appreciated. The Draft EIS will also be made available for review prior to its publication at the end of the year, and you can provide comment at that time as well.

Additional information on the project can be found on the project website www.rhd-hudsonriver.nj.gov. If there's anything else you need, please do not hesitate to contact

Thank you

Dewberry

600 Parsippany Rd., Suite 301

Parsippany, NJ 07054-3715

973,576,9661

973.428.8509 fax

Visit Dewberry's website at www.dewberry.com

If you've received this email even though it's intended for someone else, then please delete the email, don't share its contents with others, and don't read its attachments. Thank you

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Public Affairs Officer office: 978-281-9175/cell 978-290-0203 Greater Atlantic Regional Fisheries Office NOAA Fisheries Service 55 Great Republic Drive

Mark Murray-Brown Section 7 Coordinator Protected Resources Division

Greater Atlantic Regional Fisheries Office 55 Great Republic Drive Gloucester MA 01930

(978) 281-9306



State of New Jersey DEBARTMENT OF ENVIRONMENTAL PROJ

November 30, 2016

Gary Doss Dewberry 600 Parsippany Road Suite 301 Parsippany, NJ 07054-3715

JURISDICTIONAL DETERMINATION - REVISION Environmental Review - EDA and DCA/NEP Progra DLUR File Number: 0900-16-0001.1 DLUR Activity Number: CDT16000 Grant Application ID Number: B-13-DS-34-000 Applicant: NJDEP - COASTAL ENGINEERING Rebuild by Design Hudson River Project City of Jersey City, City of Hoboken, Township of Wechawken

The Division issued a Jurisdictional Determination for this project on November 2, 2016. This letter is being provided to revise the original Jurisdictional Determination to further clarify activities within the flood hazard area. This letter shall supersede the November 2, 2016 letter.

This letter is in response to an application submitted by the above referenced applicant for funding under the Economic Development Authority's Neighborhood & Community Revitalization (NCR), Small Business Loans (SBL) Programs, the Department of Community Affair's Neighborhood Enhancement Program (NEP), Flood Hazard Risk Reduction and Resiliency Grant Program (FHRR), and/or the Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) Program. This jurisdictional determination is for the proposed Rebuild by Design Hudson River Project Resist, Delay, Store, Dischage. The proposed project consists of a four-part comprehensive strategy, including: 1) hard infrastructure such as bulkheads, floodwalls and seawalls, and soft landscape such as berms and/or levees for coastal defense (Resist); 2) policy recommendations, guidelines and urban infrastructure to slow storm water runoff (Delay); 3) green and grey infrastructure improvements such as bioretention basins, swales and green roofs to allow for greater storage of excess rainwater (Store); and 4) water pumps and alternative routes to support drainage (Discharge).

The proposed project will occur throughout the Waterfront Development jurisdictional area of the City of Hoboken, the Township of Weehawken and the City of Jersey City; all of which are qualifying municipalities. Potentially applicable statutes include Waterfront Development Act (N.J.S.A. 12:53 et seq.), Flood Hazard Area Control Act (N.J.S.A. 58:16A et seq.) and the Preshwater Wetlands Protection Act (N.J.S.A. 13:98 et seq.).

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NOTICE OF INTENT



Total Recordkeeping Burden: \$0. Total Burden Cost (operating/ maintaining): \$16,006.

Federal Register/Vol. 80, No. 172/Friday, September 4, 2015/Notices

SUBMANY: Ins. Notice identities.

The information collected during the TRIPwire user registration process is reviewed descronically by the project learn to vet the users "need to know," which determines their eligibility for and access to TRIPwire. Memberships are re-verified annually based on the registration or communication with the TRIPwire help dack analysts. The information collected is for internal TRIPwire and OBP use only.

Analysis

Analysis

Apency: Department of Homeland Security, National Protection and Programs Direction and Programs Direction, Office of Infrastructure Protection, Protective Security Coordination Division, Office for Bombing Prevention.

TRIP-wire help and the Community of the Com

Respondents (estimate),

Estimated Time per Respondent: 10

Bilan P. Fitzmaurica,

Director, Division of Community Assistance

Office of Special Needs Assistance Programs.

Fitz Doc. 2015–21837 Filed 9-3-13: 844 am)

herefore, suer information is needed to weekly eligibility and access to import the internation is needed to seekly eligibility and access to import and internation and access and the same and access and access the same and access and access the same and access to strike with the same and access to strike and access the same and access to strike with a same and access the same are registration strike and access to strike with a same and access to strike

funds have been allocated to it. CDBG-DR funding requires compliance with a comparation of the comparation of the (NEPA) as stated in HUD's regulations as outlined in 24 CFR part 58. The Project is also subject to the Council of Environmental Quality (CEQ) PAPEA regulations at 40 CFR part 5506–5508. The comparation of the Comparation of the Council of environmental review requirements in a Federal Register notice published on October 19, 2014 (79 FR 6212). The State of New Jersey, acting through the New Jersey Department of

53556 Federal Register/Vol. 80, No. 172/Friday, September 4, 2015/Notices

Signor of the studied in the Draft Start from the studies in the summer of 2018 to studies in the summer of Start from the studies in the summer of Start from the studies in the summer of the studies in the Draft Start from the studies in the summer of the studies in the Draft Start from the studies in the summer of the studies in the Draft Start from the summer of 2018 (superstorm Sandy, The competition and proposal Project as seven in the studies of the Draft Start from the Start from the St

exposed the valencabilities within the project area by flooding, over two thirds of the Gity of Hoboken's low-lying areas. The project area is a less susceptible to though a property of the project area and happens more frequently than coastal atorm surge flooding. However, the effects of rainful flooding to property damages are considerably less than from coastal storm surge flooding. However, the effects of rainful flooding to property damages are considerably less than from coastal storm surge flooding. The entire project the storm surge flooding the entire project the storm surge flooding. The entire project the storm surge flooding the entire project the storm surge flooding. The entire project the storm surge flooding the entire project

D. Scoping
A public EIS Scoping meeting will be held on September 24, 2015 f Notices

and the EIS. Questions may be directed to held on September 24, 2015, from 7-00 until 8-00 p.m. at the Hoboken Multi-Service Genter, located at 126 Card and Street, Hoboken, NJ 07030. The public and the Hoboken Multi-Service Genter, located at 126 Card and Street, Hoboken, NJ 07030. The public accessible to No. 2 annual public and the Service Control of the Service Contr

of the EIS. Questions may be directed to held on Septembor 24, 2015, from 7-00 until 2:00 p.m. at the Hoboken Multi-Service Center, located at 124 Grand Street, Hoboken, NJ (0703). The public meeting to be another than the proposed fire of the public for review. It is provided an opportunity for the public for more as a provided in the provided and protection and the public for more and an overview of the Project will be made available for provided and sevel as details in the early concept development. The public formed an overview of the Project will be provided as well as details in the early concept development. The public meeting will also provide an opportunity for the public for provide only on the Project will be provided an opportunity for the public for provided as well as details in the early concept development. The public meeting will be wellable to review and comment at the scoping meeting. An oloctronic version of the Dreft Stope of Work document will be made available to the south of the Dreft Stope of Work will be wellable for review.

E. Probable Environmental Effects
The following areas have been identified for discussion in the Elist Application for review.

E. Probable Environmental Effects
The following areas have been identified for discussion in the Elist Application for review.

E. Probable Environmental Effects
The following areas have been identified for discussion in the Elist Application for the provision of the provision

NOTICE OF AVAILABILITY





REBUILD BY DESIGN HUDSON RIVER

REBUILD BY DESIGN HUDSON RIVER

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

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