



FINAL ENVIRONMENTAL IMPACT STATEMENT AND FINAL SECTION 4(f) EVALUATION

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FINAL ENVIRONMENTAL IMPACT STATEMENT AND FINAL SECTION 4(f) EVALUATION

APPENDIX 9-1

Executed Programmatic Agreement

**PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL RAILROAD ADMINISTRATION,
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE FEDERAL TRANSIT ADMINISTRATION,
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND
THE NATIONAL RAILROAD PASSENGER CORPORATION**

**REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK**

WHEREAS, the proposed Hudson Tunnel Project (“Project”) is intended to preserve the current functionality of the Northeast Corridor’s (“NEC”) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC (**Exhibit A – Project Location** annexed hereto); and

WHEREAS, the Federal Railroad Administration (“FRA”) is administering Annual Grant funds to the National Railroad Passenger Corporation (“Amtrak”), to (1) conduct preliminary engineering (“PE”) and (2) contribute funds to the New Jersey Transit Corporation (“NJ TRANSIT”) to carry out environmental analyses in compliance with the National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (“NEPA”), for the Project; and

WHEREAS, FRA is preparing an Environmental Impact Statement (“EIS”) for the Project pursuant to NEPA and has coordinated the NEPA process with consultation pursuant to Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108) (“NHPA”), as amended, and its implementing regulations at 36 CFR Part 800 (hereinafter collectively referred to as “Section 106”); and

WHEREAS, although FRA is serving as the lead Federal agency for Section 106, FRA may not provide financial assistance for construction of the Project, and therefore this PA provides for the identification of a new lead Federal agency for the Project as it advances, if appropriate; and

WHEREAS, FRA, along with the New Jersey Historic Preservation Office (“NJHPO”) and the New York State Historic Preservation Office (“NYSHPO”), as the result of the Section 106 consultation process, has determined that it is appropriate to enter into this Programmatic Agreement (“PA”) pursuant to Section 800.6 and Section 800.14(b) of the Section 106 regulations; and

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WHEREAS, the Preferred Alternative for the Project evaluated in the EIS consists of the construction of a new rail tunnel under the Hudson River connecting to the existing tracks at Penn Station New York, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel (the North River Tunnel) beneath the Hudson River, and is the subject of this PA; and

WHEREAS, NJ TRANSIT is a joint lead agency for preparation of the EIS and has assisted FRA in completing the following steps in the Section 106 process: identifying and inviting Section 106 Consulting Parties, establishing and documenting the Area of Potential Effects (“APE”) for the Project, identifying historic properties in the APE, assessing potential effects to historic properties, and identifying treatment measures to resolve adverse effects; and

WHEREAS, as of June 29, 2018, the Port Authority of New York and New Jersey (“Port Authority”) identified itself as the “Project Sponsor” (as defined in Stipulation II.B) and will be responsible for committing to mitigation measures as set forth in this PA through construction and is a joint lead agency for preparation of the Final EIS (“FEIS”) as a local governmental entity pursuant to 23 U.S.C. § 771.109(c)(2); and

WHEREAS, Amtrak is the owner and operator of the NEC and the existing North River Tunnel and is responsible for carrying out PE for the Project; and

WHEREAS, NJ TRANSIT, Amtrak, and the Port Authority are working together to advance the Hudson Tunnel Project (collectively the “Project Partners”); and

WHEREAS, the Gateway Development Commission (GDC) is a public authority and government sponsored authority created when the States of New York and New Jersey enacted the Gateway Development Commission Act in each of the two states in July 2019, with the purpose to effectuate the Gateway Program. At the time of this PA’s execution, the GDC does not have a formal role in the Project. The Port Authority and GDC anticipate that the GDC will become Project Sponsor prior to the award of Federal financial assistance for the Project. Stipulation III.C. of this PA, which describes the process to identify a non-Signatory as Project Sponsor, will be followed at the time the GDC formally becomes the Project Sponsor; and

WHEREAS, if in the future, another entity serves as the Project Sponsor this entity may have different responsibilities to assist FRA or another lead Federal agency in complying with Section 106. As described in Stipulation III of this PA, this PA could be amended in the future and the amendment will specify the responsibilities of the entity serving as Project Sponsor; and

WHEREAS, the Project Sponsor is working with the other Project Partners to advance the Project, in part by pursuing Federal financial assistance to further design, construct, and/or otherwise implement the Project, from U.S. Department of Transportation (“USDOT”) sources, including but not limited to FRA and through the Capital Investment Grant Program administered by the Federal Transit Administration (“FTA”); and

WHEREAS, should any USDOT entity provide financial assistance for construction of the Project, the Project would be an undertaking pursuant to Section 106 and that USDOT entity would be responsible for compliance with Section 106; and

WHEREAS, FTA, in a letter dated December 20, 2016, designated FRA to serve as the lead Federal agency to fulfill FTA's and FRA's collective responsibilities under Section 106 pursuant to 36 CFR § 800.2(a)(2); and

WHEREAS, FRA in consultation with NJHPO and NYSHPO, defined the Project's APE, which are the areas where potential effects on historic properties caused by the Project may occur (**Exhibit B – Area of Potential Effects** annexed hereto). FRA submitted the proposed APE to NJHPO and NYSHPO on December 9, 2016, and NJHPO and NYSHPO agreed with the definition of the APE for the Project in correspondence dated December 19, 2016, and January 13, 2017, respectively; and

WHEREAS, FRA identified Federally recognized Indian tribes that could attach religious or cultural significance to historic properties within the APE and, in letters dated May 11 and 12, 2016, and August 5, 2016, invited the following tribes to participate in consultation: the Delaware Nation, the Delaware Tribe, the Delaware Tribe of Indians, the Shawnee Tribe of Oklahoma, the Shinnecock Indian Nation, the Stockbridge-Munsee Community of Mohican Indians, and the Eastern Shawnee Tribe of Oklahoma. In correspondence dated June 6, 2016, the Delaware Tribe indicated it wanted to consult regarding the Project and in a letter dated January 5, 2018 provided comments on the Draft PA. In correspondence dated June 7, 2016, the Stockbridge-Munsee Community of Mohican Indians requested information on Project ground disturbance and that cultural resource surveys be prepared, concurred on the proposed APE for the Project in correspondence dated December 19, 2016, indicated it had no significant cultural resources concerns regarding the Project in correspondence dated March 6, 2017, and indicated it had no further comments on this PA at the time but requested to be included in further Project correspondence on December 15, 2017. The Eastern Shawnee Tribe of Oklahoma concurred with the proposed APE in correspondence dated March 17, 2017 and provided comments on January 31, 2018, including that the Project will have No Effect on properties of sacred and/or cultural significance to the Tribe. The Delaware Nation provided comments on the Draft PA in correspondence dated April 12, 2017 and December 18, 2017; and

WHEREAS, the Delaware Nation, the Delaware Tribe, the Delaware Tribe of Indians, the Shawnee Tribe of Oklahoma, the Shinnecock Indian Nation, the Stockbridge-Munsee Community of Mohican Indians, and the Eastern Shawnee Tribe of Oklahoma are Consulting Parties for the Project (hereinafter "Consulting Tribes"); and

WHEREAS, FRA identified and invited certain entities and organizations to participate in Section 106 consultation for the Project in letters dated August 5, 2016 (**Exhibit C – Consulting Parties** annexed hereto); and

WHEREAS, FRA and NJ TRANSIT prepared the Historic Architectural Resources Background Study and Effects Assessments ("HARBS/EAs") dated January 24 and 26, 2017, and Phase 1A Archaeological Documentary Studies dated January 24 and January 26, 2017, for the portions of the APE in New Jersey and New York to identify historic properties in the APE, assess the Project's potential effects on those historic properties according to the Criteria of Adverse Effect (36 CFR § 800.5), and provide recommendations regarding measures to avoid, minimize, and mitigate adverse effects of the Project on historic properties; and

WHEREAS, as documented in the EIS and the HARBS/EAs, FRA and NJ TRANSIT, in consultation with NJHPO and NYSHPO, identified sixteen (16) historic architectural properties in the Project's APE that are eligible for listing in the National Register of Historic Places (NRHP). In New Jersey these are: the North River Tunnel, the Pennsylvania Railroad New York to Philadelphia Historic District, the New Jersey Midland Railway/New York Susquehanna and Western Railroad Historic District, the Erie Railroad Main Line Historic District, the Jersey City Waterworks Historic District, Substation No. 3 of the Pennsylvania Railroad, the Charles X. Harris House and Studio at 356 Mountain Road in Union City, and the Residence at 320-324 Mountain Road in Union City. In New York these are: the New York Improvements and Tunnel Extension of the Pennsylvania Railroad, the Hudson River Bulkhead, the High Line, the Master Printers Building at 406-416 Tenth Avenue, the Charles P. Rodgers & Co. Building at 517-523 West 29th Street, the former W & J Sloane Warehouse and Garage at 541-561 West 29th Street, the Starrett-Lehigh Building at 601-625 West 26th Street, and the West Chelsea Historic District. The locations of these historic architectural properties are shown in **Exhibit D - Historic Properties in the APE** annexed hereto; and

WHEREAS, FRA has determined that the Project will have an adverse effect on the following four (4) historic architectural properties: the North River Tunnel (the NEC's existing tunnel) beneath the Hudson River extending from the Bergen Portal in New Jersey to the Tenth Avenue Portal in New York; the Pennsylvania Railroad New York to Philadelphia Historic District; the New York Improvements and Tunnel Extension of the Pennsylvania Railroad; and the Hudson River Bulkhead in New York. NYSHPO concurred with this effect determination in correspondence dated February 17, 2017 for the properties in New York and NJHPO concurred with this effect determination for the properties in New Jersey in correspondence dated March 6, 2017; and

WHEREAS, the North River Tunnel, which is individually NRHP-eligible and is a key contributing element of the NRHP-eligible Pennsylvania Railroad New York to Philadelphia Historic District and a contributing element of the NRHP-eligible New York Improvements and Tunnel Extension of the Pennsylvania Railroad, will be rehabilitated, and this rehabilitation will include demolition and reconstruction of the bench walls and removal of the ballast track system which constitutes an adverse effect; and

WHEREAS, the new tunnel proposed to be constructed as part of the Project will pass directly through the substructure portion of Manhattan's Hudson River Bulkhead, an NRHP-eligible property, removing original components of the Hudson River Bulkhead which constitutes an adverse effect; and

WHEREAS, as documented in the EIS and Phase 1A studies, FRA in consultation with NJHPO and NYSHPO, identified areas with the potential to contain archaeological resources in the Project's APE ("archaeologically sensitive areas"); and

WHEREAS, Project design plans have not been sufficiently advanced to identify and fully determine effects to archaeological resources prior to execution of this PA; and

WHEREAS, the new surface tracks and access road along the NEC proposed as part of the Project will occur in a portion of the Hackensack Meadowlands in New Jersey that has been determined

to have a moderate sensitivity for deeply buried prehistoric archaeological resources. Proposed construction methods will not provide an opportunity for archaeological monitoring and there are no prudent or feasible ways to determine the presence or absence of prehistoric archaeological resources in advance of construction given the depth of the resources (if present) and the presence of shallow ground water. FRA has determined that, other than the provision on “Unanticipated Discoveries” in Stipulation VII, no testing in advance of construction or monitoring during construction will be implemented for this portion of the Project, and NJHPO has concurred with this approach in a letter dated March 6, 2017; and

WHEREAS, regarding the other archaeologically sensitive areas as depicted in **Exhibit E** annexed hereto, FRA has elected to complete the final identification, evaluation, and effects assessment in phases, pursuant to 36 CFR § 800.4(b)(2) and § 800.5(a)(3), and in accordance with the ongoing consultation process specified in this PA pursuant to 36 CFR § 800.14(b); and

WHEREAS, this PA sets forth a process for consultation in the event of any changes to the Project scope that are of a nature that could potentially affect historic properties; and

WHEREAS, FRA provided the public an opportunity to review and provide comments on the Draft PA during the NEPA process pursuant to 36 CFR § 800.2(d)(2). A copy of the Draft PA was included in the Draft EIS (“DEIS”) made available for public review between July 6 and August 21, 2017, and a copy of this final PA will be included in and distributed with the FEIS; and

WHEREAS, FRA provided the Draft PA to all Consulting Parties for review and comment concurrent with the public comment period on the DEIS in July 2017, and provided a preliminary draft of the Final PA, incorporating the input received on the Draft PA, to all Consulting Parties in November 2017; and

WHEREAS, FRA provided the Draft Final PA to Signatories, Invited Signatories, Federally-Recognized Tribes, and Consulting Parties that participated in the Section 106 process for the Project in April 2021 for their review and comment; and

WHEREAS, FRA notified the public and Consulting Parties of the intent to finalize the PA via the Federal Infrastructure Permitting Dashboard in April 2021; and

WHEREAS, FRA invited FTA to participate in this PA as an invited signatory and FTA accepted on May 15, 2017. FTA is a signatory given its technical expertise, current, and potential future role in supporting the advancement of this Project through NEPA, final design, and construction; and

WHEREAS, FRA invited the U.S. Army Corps of Engineers (“USACE”) to participate in this PA as an invited signatory and USACE declined on May 22, 2017, indicating that USACE will review any undertaking it may have related to the Project in accordance with Appendix C of 33 CFR Part 325; and

WHEREAS, FRA invited the Project Partners to participate in this PA as invited signatories because of their current and/or potential future roles in the advancement of the Project through further design and/or construction, and Amtrak and the Port Authority have accepted; and

WHEREAS, FRA invited all other Consulting Parties to be Concurring Parties to this PA; and

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WHEREAS, in accordance with 36 CFR § 800.6(a)(1), FRA notified the Advisory Council on Historic Preservation (“ACHP”) of its adverse effect determination and intention to enter into a PA via ACHP’s e106 notification system on March 29, 2017, and the ACHP, in a response letter dated April 4, 2017, elected to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii) and is a Signatory; and

NOW, THEREFORE, FRA, NJHPO, NYSHPO, ACHP, FTA, Amtrak, and the Port Authority (each a “Signatory” and together “Signatories”), agree that the Project will be implemented in accordance with the following stipulations in order to take into account the effects of the Project on historic properties.

STIPULATIONS

FRA, in coordination with the Project Sponsor, will ensure that the following measures are carried out:

I. APPLICABILITY

- A. This PA applies to a future FRA undertaking if FRA remains the lead Federal agency and only binds FRA if FRA provides financial assistance for activities necessary to advance the Project toward and/or through construction, including but not limited to further design, acquisition of property, demolition of acquired property, and construction.
- B. This PA applies to the Project Sponsor that receives financial assistance from FRA, or another Federal agency that has adopted this PA (see Stipulation I.E).
- C. Notwithstanding Stipulations I.A. and I.B., this PA applies to all of Amtrak's activities necessary to advance the Project toward and/or through construction, including, but not limited to, further design, acquisition of property for the Project, demolition of acquired properties, and construction that are funded with any amount of financial assistance from FRA or non-Federal funds.
- D. This PA does not apply to actions or activities that the Project Sponsor or other entities may carry out that have independent utility and are not part of the Project, including the normal maintenance, upkeep, and continued safe operation of the NEC.
- E. Coordination with Other Federal Agency Reviews. This PA could apply to a Federal agency that is not a Signatory to this PA on its effective date, should that Federal agency have an undertaking associated with the Project, if that Federal agency adopts this PA. In the event that another Federal agency is considering funding, permits, licenses, or other approvals or assistance for the Project not covered by this PA as originally executed, and the Project remains unchanged as set forth in this PA, that agency may fulfill its Section 106 responsibilities by stating in writing to the Signatories that it intends to do so and that it concurs with and will abide by the terms of this PA. Any required modifications to this PA will be considered in accordance with Stipulation XVI.

II. ROLES AND REPONSIBILITIES

- A. Lead Federal Agency: The lead Federal agency is responsible for carrying out the responsibilities of the Federal agencies under this PA with regard to the Project. The lead Federal agency as a Signatory has authority to execute, amend, and or terminate this PA in accordance with Stipulations XVI and XVII. The lead Federal agency will ensure that the identification, assessment, and adoption of treatment measures are carried out in accordance with the procedures established in Stipulations V, VI, VII, and VIII. The lead Federal agency is responsible for the

coordination of this PA (the “keeper” of the PA), including distribution of amendments and keeper of record of the Signatories. The lead Federal agency has sole authority to conduct government-to-government consultation with Consulting Tribes with respect to this PA. FRA is serving as the lead Federal agency for this PA.

- B. **Project Sponsor:** The entity that receives Federal financial assistance that will be responsible for advancing the Project through final design and construction and for meeting the commitments identified in this PA. The Port Authority is currently the Project Sponsor, and will be responsible for committing to mitigation measures through construction. The Port Authority will remain the Project Sponsor until such time as the GDC assumes the role of Project Sponsor. The Port Authority and GDC anticipate that change will occur prior to the award of Federal financial assistance for the Project. The Project Sponsor as an Invited Signatory will have the same rights with regard to seeking amendment and/or termination of this PA as other Signatories and will ensure that specified stipulations and procedures for which it has assumed responsibility are carried out in accordance with the terms prescribed in this PA. Any necessary amendments related to the Project Sponsor will be in accordance with Stipulation III.A. and III.C.
- C. **NYSHPO:** NYSHPO, as a Signatory with responsibility for regulatory review and compliance in the State of New York, has authority to execute, amend, and/or terminate this PA in accordance with Stipulations XVI and XVII and is also responsible for providing formal review and comment as specified in this PA.
- D. **NJHPO:** NJHPO, as a Signatory with responsibility for regulatory review and compliance in the State of New Jersey, has authority to execute, amend, and/or terminate this PA in accordance with Stipulations XVI and XVII and is also responsible for providing formal review and comment as specified in this PA.
- E. **Signatories:** Signatories of this PA consisting of entities other than the lead Federal agency, Project Sponsor, and NYSHPO and NJHPO have the same rights with regard to seeking amendment or termination of this PA as these other Signatories.
- F. **Concurring Parties:** Concurring Parties are Consulting Parties who have concurred in this PA in writing. Concurring Parties to this PA are able to review and comment on draft documentation as specified in certain stipulations of this PA.
- G. **Consulting Parties:** Consulting Parties include those certain additional individuals or organizations identified in **Exhibit C** that have a demonstrated interest in the Project who have already participated as consulting parties in the Section 106 process, along with individuals or organizations who may later join in as consulting parties in the Section 106 process due to the nature of their legal or economic relation to the Project or affected properties, or their concern with the Project’s effects on historic properties. Consulting Parties, who may also have signed this PA as a Concurring Party, retain their rights as Consulting Parties to participate in on-going consultation prescribed by this PA.

III. CHANGE OF PROJECT SPONSOR AND CHANGE OF LEAD FEDERAL AGENCY

- A. Designation of a new Project Sponsor that is an Invited Signatory to this PA will require that the entity assuming such role provide written notice to the Signatories and Concurring Parties and describe the extent of its responsibility with respect to the Project.
- B. If FRA does not provide the majority of federal funding for project implementation, FRA will consult with any other Federal agencies with undertakings associated with the Project to designate a new lead Federal agency. Designation of a new lead Federal agency will require that the entity assuming such role provide written notice to the Signatories and Concurring Parties and describe the extent of its responsibility with respect to the Project. If the Federal agency assuming the role of Lead Federal Agency is not a Signatory to this PA, this PA will be suitably amended in accordance with Stipulation XVI.
- C. In the event that the Project Sponsor identified as of the date of execution of this PA changes and an entity that is not a Signatory to this PA becomes a Project Sponsor, that Project Sponsor must assume the responsibility for carrying out stipulations of this PA by becoming a Signatory to this PA. A request to amend this PA to add the new Project Sponsor to this PA will be provided by the new Project Sponsor to the Signatories. The written request will include a statement that the new Project Sponsor agrees to the terms of this PA, specify the Stipulations for which it will assume specific responsibility, and include a draft amendment to this PA. This PA will be suitably amended in accordance with Stipulation XVI.

IV. PROFESSIONAL QUALIFICATION STANDARDS

All work carried out pursuant to this PA will be performed by or under the direct supervision of a qualified professional in the disciplines of Archeology, Architectural History, and/or Historic Architecture who meets the relevant Secretary of the Interior's Professional Standards (48 FR 44738-44739).

V. TREATMENT MEASURES FOR HISTORIC ARCHITECTURAL PROPERTIES

FRA and the Project Sponsor will ensure that the following measures are undertaken to avoid, minimize, and mitigate adverse effects to historic architectural properties:

A. Recordation

1. North River Tunnel

The Project Sponsor will prepare a Historic American Engineering Record (HAER)-Level II recordation for the affected portion of the North River Tunnel

between the New York (Penn Station New York) and New Jersey (North Bergen) portals.

- a) The Project Sponsor will include in this recordation the use of large format black and white photography, and a narrative that describes in detail the physical characteristics and full background history of the North River Tunnel.
- b) As part of the recordation, and in consultation with NJHPO and NYSHPO, the Project Sponsor will make an effort to actively obtain from other accessible archival sources, printed, graphic, and photographic information regarding the North River Tunnel. The Project Sponsor will evaluate the compiled information and (as deemed appropriate during consultation) duplicate as part of the recordation document.
- c) The Project Sponsor will provide the draft large format photographic recordation to FRA, NJHPO, and NYSHPO for concurrent review and comment at least 90 days prior to the initiation of any demolition or construction activity in the North River Tunnel. The reviewing agencies will provide comments in accordance with Stipulation X. The Project Sponsor will complete all other elements of the recordation within one (1) year of beginning demolition in the North River Tunnel.
- d) The Project Sponsor will provide archival copies of the final recordation document to FRA, NJHPO, NYSHPO, other Signatories upon request, and up to six (6) additional repositories to be identified in consultation with NJHPO and NYSHPO.

2. Hudson River Bulkhead

The Project Sponsor, in coordination with FRA, will compile the information gathered and drawings made in preparation for, and during the construction at, the Hudson River Bulkhead structure into a report documenting the construction characteristics of the affected Bulkhead location.

- a) This information will augment information about the Bulkhead as previously documented in the 1997 Building-Structure Inventory Form prepared by Michael S. Raber on file with NYSHPO.
- b) Within one (1) year of completing Project construction at the Hudson River Bulkhead, the Project Sponsor, in coordination with FRA, will provide NYSHPO a draft copy of the report for review and comment and a final copy of the recordation. NYSHPO will review and provide comments in accordance with Stipulation X. The Project Sponsor, in coordination with FRA, will also request that Hudson River Park Trust (“HRPT”), the New York State entity responsible for the Hudson River Park including the

Hudson River Bulkhead, review and provide comments in accordance with Stipulation X.

B. Educational and Interpretive Materials

1. The Project Sponsor, in coordination with FRA and in consultation with NJHPO, NYSHPO, Consulting Tribes, Signatories, Concurring Parties, and Consulting Parties, will prepare a plan for the development and preparation of educational and interpretive materials (the “Educational and Interpretive Materials Plan”). The Educational and Interpretive Materials Plan will describe the format, content, and implementation schedule of the educational and interpretive materials, with the goal of documenting the history and significance of the North River Tunnel and making the information available to the public. The educational and interpretive materials will consist of the following two (2) components:
 - a) A published history of the North River Tunnel documenting this first rail crossing between New York and New Jersey set in context with the history of Hudson River crossings between the two (2) states to supplement existing histories and/or to target a specific audience. The nature and content of the published history will be identified in the Educational and Interpretive Materials Plan.
 - b) Interpretive displays, which could focus on the technological innovations of the North River Tunnel such as the bench walls that made tunnels safer for rail travel, to be located at a station along the NEC in New Jersey and possibly at the new Moynihan Station in New York City. The nature and content of the interpretive displays will be identified in the Educational and Interpretive Materials Plan.
2. The Project Sponsor, in coordination with FRA, will submit a draft of the Educational and Interpretive Materials Plan to NJHPO, NYSHPO, Consulting Tribes, Signatories, Concurring Parties, and Consulting Parties for review and comment in accordance with Stipulation X. The Project Sponsor, in coordination with FRA, will finalize and implement the Educational and Interpretive Materials Plan once it has been approved by NJHPO and NYSHPO. The Project Sponsor will distribute electronic (PDF) and printed copies of the final educational and interpretive materials to FRA, NJHPO, NYSHPO, Consulting Tribes, and to other Signatories, Concurring Parties, and Consulting Parties upon request.
3. The Project Sponsor, in coordination with FRA, will provide for the interpretation of the Hudson River Bulkhead within Hudson River Park. The type, design, and location of the interpretation will be designed in consultation with NYSHPO and HRPT.

C. Construction Protection Plan and Monitoring

1. Project construction will occur in proximity to the following four (4) historic properties: Bergen Portal of the North River Tunnel and Substation No. 3 in New Jersey and the High Line and Master Printers Building in New York. To avoid Project-related construction damage to these four (4) properties, the Project Sponsor, in consultation with FRA and NJHPO and NYSHPO, will develop a Construction Protection Plan (CPP).
 - a) The CPP will be developed at least 120 days prior to any Project-related demolition, excavation, and/or construction activities.
 - b) The CPP will set forth the specific measures to be used, and specifications that will be applied, to protect the four (4) historic properties identified in Stipulation V.C.1 during the Project construction period.
 - c) The Project Sponsor, in coordination with FRA, will distribute the draft CPP to Signatories and Concurring Parties for review and comment and to FRA, NJHPO, and NYSHPO for review and approval in accordance with Stipulation X.
 - d) The Project Sponsor, in coordination with FRA, will ensure that the provisions of the final CPP approved by NJHPO and NYSHPO are implemented by the Project contractors.

2. To avoid damaging the structural integrity of the Hudson River Bulkhead structure during construction of the Hudson Tunnel tubes through the Bulkhead and ensure the Project does not negatively impact its long-term integrity, the following measures will be implemented.
 - a) Amtrak, in coordination with the Project Sponsor, will enter into an agreement with HRPT separate from this PA that (i) defines the geographic area within Hudson River Park above or adjacent to the Bulkhead that may be affected by the Project's impact on the Bulkhead (referred to in this PA as the "Hudson River Bulkhead Impact Area"); and (ii) sets forth measures to be implemented by Amtrak for the long-term maintenance of the Hudson River Bulkhead and the Hudson River Bulkhead Impact Area. This separate agreement will also identify (1) Amtrak's responsibilities for maintaining and repairing (if conditions require) the Bulkhead and the Hudson River Bulkhead Impact Area if any such areas are disturbed by Amtrak's or the Project Sponsor's activities; and (2) the period of time that Amtrak will assume these responsibilities. Amtrak will finalize the agreement with HRPT prior to any entity beginning Project-related demolition, excavation, and/or construction activities in the Hudson River Bulkhead Impact Area.
 - b) Amtrak, in coordination with the Project Sponsor and FRA, will provide a Design Technical Memorandum that describes the proposed Bulkhead construction techniques, and proposed measures to monitor and protect the Bulkhead (inclusive of information that will be incorporated into

construction contract bid documents), to HRPT for a 45-day review period no later than the date that Amtrak completes and FRA approves a 30% level of Project design.

- c) Amtrak, in coordination with the Project Sponsor and FRA, will develop a Bulkhead Protection Plan that will set forth the specific requirements to protect the Bulkhead and the Hudson River Bulkhead Impact Area during the Project construction period including (i) how the Project Sponsor will ensure that the Project contractor includes professionals that have experience with complex Bulkhead structures such as the Hudson River Bulkhead; (ii) information about a structural monitoring program to be implemented during Project-related demolition, excavation, and/or construction activities; the monitoring measures to be implemented; the thresholds at which specific actions will occur to protect the Bulkhead during construction; and the actions that will occur if thresholds are exceeded; (iii) information regarding the design documents that will be provided by the Project Sponsor to HRPT pertaining to the tunnel excavation through the Bulkhead and Bulkhead protection, including schedule for submission of such documents; (iv) definition of a post-construction period during which monitoring will continue, and which may be extended if an issue arises; and (v) details regarding when and how repairs will be made if damage occurs during the Project.
- d) The Project Sponsor, in coordination with Amtrak and FRA, will provide an initial draft of the Bulkhead Protection Plan to NYSHPO and HRPT for a 45-day review period. The Project Sponsor, in coordination with Amtrak and FRA, will consider written comments received within the 45-day review period when finalizing the Bulkhead Protection Plan. The Project Sponsor will submit the final Bulkhead Protection Plan to NYSHPO and HRPT for concurrence no later than 120 days prior to Project construction in the location of the Hudson River Bulkhead.
- e) The Project Sponsor, in coordination with FRA, will ensure that the provisions of the Bulkhead Protection Plan developed in consultation with and approved by NYSHPO and HRPT are implemented by the Project contractors.

VI. TREATMENT MEASURES FOR ARCHAEOLOGICAL RESOURCES

FRA, in consultation with NJHPO, determined that Project-related ground disturbance associated with construction of the tunnel in Weehawken, New Jersey may affect an archaeological resource (a historic Sea Wall) depending on the construction methods used. FRA, in consultation with NYSHPO, determined that archaeological resources in New York may be affected by ground disturbance in the vicinity of the Hudson River Bulkhead and Hudson River Park; construction of a new ventilation shaft and fan plant structure on Block 675 (bound by Twelfth Avenue, Eleventh Avenue, 30th Street, and 29th Street); use

of Block 675 as a construction staging area, dependent upon the depth of disturbance; and cut and cover excavation or utility relocation at 30th Street. NYSHPO, at its discretion, may consult with the New York City Landmarks Preservation Commission, representing the City of New York, regarding archaeological resources in New York City.

FRA and the Project Sponsor will ensure that the following measures are undertaken to determine the presence or absence of archaeological resources in the APE, to determine the NRHP eligibility of any such resources, and, if necessary, to avoid, minimize, and/or mitigate adverse effects of the Project to NRHP-eligible archaeological resources:

A. Archaeological Testing Plan/Archaeological Monitoring Plan

1. The Project Sponsor, in consultation with FRA, NJHPO, NYSHPO, Consulting Tribes, Signatories, and Concurring Parties, will develop an Archaeological Testing Plan and/or an Archaeological Monitoring Plan, as appropriate, in accordance with Stipulation X.
2. The Project Sponsor, in coordination with FRA, will develop an Archaeological Testing Plan for those areas of archaeological sensitivity that can be tested in advance of construction. The Project Sponsor, in coordination with FRA, will develop an Archaeological Monitoring Plan for those areas that will be archaeologically monitored during construction. The decision of whether to test in advance of construction or to monitor during construction will be made through consultation among FRA, NJHPO, NYSHPO, and the Project Sponsor and will be based on consideration of the relative costs and benefits of each approach; anticipated construction methods; logistical, site access, and scheduling factors; and in consideration of the views of Consulting Tribes.
3. Testing in advance of construction, where determined per Stipulation VI.A.2., will occur as soon as reasonably possible once permission to enter the area of archaeological sensitivity has been granted by the property owner or the property has been acquired by the Project Sponsor or other entity involved in the Project.
4. The Project Sponsor, in coordination with FRA, will develop the Archaeological Testing Plan and/or Archaeological Monitoring Plan prior to any Project excavation, construction, and/or demolition activities.
5. The Archaeological Testing Plan and/or Archaeological Monitoring Plan will set forth the research design and goals of the archaeological investigation, the specific field and analytical methods and protocols that will be followed, the chain of command and notifications that will be followed during implementation of the plan, stop-work and site protection requirements to be followed in the event of a discovery, and relevant health and safety measures. The Archaeological Testing Plan and/or Archaeological Monitoring Plan will also include a review of historic maps and utility plans to aid in the identification of applicable research questions and sampling strategies.

6. The Archaeological Testing Plan and/or Archaeological Monitoring Plan will include provisions for the evaluation of encountered archaeological resources per NRHP eligibility standards.

B. Identification and Evaluation of Archaeological Resources

1. The Project Sponsor, in consultation with FRA, NJHPO, and NYSHPO, will conduct testing in advance of construction and/or monitor during construction in accordance with the final Archaeological Testing Plan and/or Archaeological Monitoring Plan to determine the presence or absence of archaeological resources in the areas determined sensitive for the presence of such resources (as depicted in **Exhibit E** annexed hereto).
2. If archaeological resources are identified during testing and/or construction monitoring, the Project Sponsor will notify the appropriate parties, as will be identified in the final Archaeological Testing Plan and/or Archaeological Monitoring Plan, and will ensure the resources are evaluated by a qualified professional in accordance with Stipulation IV and in accordance with NRHP-eligibility criteria. Requirements and procedures for stopping work will be described in the final Archaeological Testing Plan and/or Archaeological Monitoring Plan. The evaluation of an archaeological resource may require additional testing or excavation to determine the horizontal and vertical extent of the resource within the APE, its temporal association, its integrity, and its historic significance.
3. If the field activities and analyses described in Stipulations VI.B.1 and VI.B.2 result in the discovery of archaeological resources, the Project Sponsor, in consultation with FRA, NJHPO, and NYSHPO, will prepare an interim report, including text and graphics sufficient to support an assessment of the NRHP-eligibility of the discovery. This report will be prepared as part of the consideration of avoidance or mitigation options.
4. If, based on the recommendations made in Stipulation VI.B.2 and in consultation among FRA, NJHPO, NYSHPO, and Consulting Tribes as appropriate, following the process set forth in Stipulation X, identified archaeological resources are determined to be NRHP-eligible, the Project Sponsor will complete additional fieldwork as necessary to mitigate the unavoidable adverse effects of the Project.

C. Mitigation/Data Recovery

1. If NRHP-eligible archaeological resources are identified in the APE, the Project Sponsor, in consultation with FRA, NJHPO, and NYSHPO, and Consulting Tribes as appropriate will identify methods to mitigate any adverse effects of the Project on such properties. If the agreed-upon mitigation will include completion of a Phase III Data Recovery, the Project Sponsor, in consultation with FRA, NJHPO, and NYSHPO, and Consulting Tribes as appropriate, will develop a Data Recovery Plan. The Project Sponsor will also provide the draft Data Recovery Plan to

Signatories and Concurring Parties for review and comment, in accordance with Stipulation X.

2. The Project Sponsor will develop the Data Recovery Plan prior to initiation of any Project excavation and construction activities that could affect NRHP-eligible archaeological resources.
3. The Data Recovery Plan will set forth the research design and goals of the archaeological effort, the specific field and analytical methods and protocols that will be followed, the chain of command and notifications that will be followed during implementation of the plan, relevant health and safety measures, and a schedule for the completion of all field and lab work, public outreach initiatives, and the submission of draft and final reports.
4. The Project Sponsor, in coordination with FRA, will ensure that the provisions of the final Data Recovery Plan approved by NJHPO and NYSHPO are implemented.

D. Curation and Reporting

1. The Project Sponsor will curate all records and artifacts resulting from the archeological investigations in accordance with 36 CFR Part 79. The New York Archaeological Council (NYAC) Standards for the Curation of Archaeological Collections (1994) will be followed for collections from archaeological sites in New York State. A good faith effort will be made to find a suitable repository(ies) that will accept collections from NRHP-eligible sites. The Project Sponsor, in coordination with FRA, will offer all New Jersey materials to the New Jersey State Museum's Department of Anthropology and Archeology for permanent donation. The Project Sponsor, in coordination with FRA, will offer all New York materials to the New York State Museum for permanent donation. If these state offices do not accept the materials, if feasible, the Project Sponsor, in consultation with NJHPO and NYSHPO, will identify a local repository for permanent storage of the materials, and will execute a long term loan agreement. If no NRHP-eligible archaeological resources are identified and/or no repository can be identified that is willing or capable of providing suitable long-term storage, the Project Sponsor, in consultation with FRA, NJHPO, and NYSHPO, will first offer the assemblage to Consulting Tribes prior to making a decision to discard the assemblage.
2. Upon the completion of field responsibilities and analyses, the Project Sponsor, in consultation with FRA, NJHPO, and NYSHPO, will prepare technical reports describing the methods and results of the performed field activities and analyses and recommendations for additional analyses, if warranted. The reports will include tables, photographs, and illustrations as necessary to support the conclusions and recommendations.
3. FRA through the Project Sponsor will ensure that all final archaeology reports are consistent with NJHPO's *Guidelines for Preparing Cultural Resources Management Archaeological Reports Submitted to the Historic Preservation*

Office, New York Archaeological Council's Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State, and the Department of the Interior's Standards for Archaeological Documentation. If feasible, the Project Sponsor will document all phases of investigations completed pursuant to this PA in a single report, and will provide that report to all Signatories and Concurring Parties in accordance with Stipulation X, and, upon request, to other Consulting Parties.

VII. UNANTICIPATED DISCOVERIES

The Project Sponsor, in coordination with FRA, will develop an Unanticipated Discoveries Plan ("UDP") to be included in construction and bidding documents for use by the Project contractor in the event of unanticipated discoveries or if known historic properties are affected in an unanticipated manner. The UDP will incorporate procedures for interacting with the media, a chain of contact, stop-work requirements, and other appropriate provisions. The Project Sponsor, in coordination with FRA, will submit the draft UDP to the Signatories and Concurring Parties and Consulting Tribes for review and comment in accordance with Stipulation X. The UDP will include the following components:

- A. In the event any previously unidentified historic architectural or archeological resource is discovered, the Project Sponsor will require the contractor to halt all work in and secure the area of the discovery. For any discovered archeological resources, the Project Sponsor will also halt work in surrounding areas where additional subsurface remains can reasonably be expected to be present. This includes establishing a perimeter with a radius of at least 50 feet around a discovery where there will be no excavation, operation of heavy machinery, or stockpiling. Work in all other Project areas may continue.
- B. The Project Sponsor, in coordination with FRA, will notify the Signatories and Concurring Parties and Consulting Tribes, as appropriate, within 24 hours of the discovery. As appropriate, FRA will also identify and invite other Consulting Parties to consult regarding unanticipated discoveries.
- C. The Project Sponsor, in consultation with FRA, Signatories, Concurring Parties, and other Consulting Parties if appropriate, will investigate the discovery site and evaluate the resource(s) according to the professional standards and guidelines contained in Stipulation IV. The Project Sponsor will prepare and submit a written document containing a proposed determination of NRHP eligibility of the resource, an assessment of Project effects on historic properties, if appropriate, and any recommended treatment measures to FRA for review and comment. Upon FRA's approval, the Project Sponsor will submit the determination of NRHP eligibility, effects assessment, and/or recommended treatment measures document, if appropriate, to NJHPO and/or NYSHPO, Signatories, and Concurring Parties, and Consulting Tribes, as appropriate, for review and comment. If the potential resource is associated with Native American prehistory or history, FRA will provide Consulting Tribes within five (5) working days for their review with a request for

comment. The Signatories, Concurring Parties, and other Consulting Parties if applicable, and Consulting Tribes, if participating, will respond with any comments within five (5) working days of receipt.

- D. In the event there is an unanticipated effect to a known historic architectural resource (as depicted in **Exhibit D** annexed hereto) or archaeologically sensitive area (as depicted in **Exhibit E** annexed hereto), the Project Sponsor will notify FRA, Signatories, Concurring Parties, and Consulting Tribes, as appropriate, within 48 hours of the event by providing written documentation describing the event and the potential effect to the historic property. The Project Sponsor will propose treatment measures to FRA for review. Upon FRA's approval, and in coordination with FRA, the Project Sponsor will submit the recommended treatment measures document to NJHPO and/or NYSHPO, Signatories, Concurring Parties, and other Consulting Parties if applicable, and Consulting Tribes, as appropriate, for review and comment. The NJHPO and/or NYSHPO, Signatories, Concurring Parties, and other Consulting Parties if applicable, and Consulting Tribes, if participating, will respond with any comments within five (5) working days of receipt.
- E. If it is necessary to develop treatment measures in accordance with Stipulation VII.C. and VII.D., above, the Project Sponsor, in coordination with FRA and NJHPO and NYSHPO will carry out the final approach and treatment measures after approval by FRA.
- F. The Project Sponsor will ensure ground disturbing activities within the affected area do not proceed until FRA, in consultation with the Signatories and Concurring Parties and Consulting Tribes, as appropriate, determines that either 1) the located resource is not NRHP-eligible or 2) the agreed upon treatment measures for historic properties have been implemented.

VIII. TREATMENT OF HUMAN REMAINS

- A. If human remains are encountered during archaeological investigations or construction, the Project Sponsor will require the contractor to immediately halt subsurface disturbance in that portion of the Project area and immediately secure and protect the human remains and any associated funerary objects in place in such a way that minimizes further exposure or damage to the remains from the elements, looting, and/or vandalism. A perimeter with a radius of at least 50 feet around human remains will also be established where there will be no excavation, operation of heavy machinery, or stockpiling.
- B. The Project Sponsor will immediately notify the local police department to determine if the discovery is subject to a criminal investigation by law enforcement, and notify the Signatories within twenty-four (24) hours of the initial discovery.
- C. If a criminal investigation is not appropriate, the Project Sponsor will apply and implement all relevant laws, procedures, policies, and guidelines concerning the treatment and repatriation of burial sites, human remains, and funerary objects.

- D. In the event the human remains encountered could be of Native American origin, whether prehistoric or historic, FRA will immediately notify the Signatories and Concurring Parties and Consulting Tribes to determine the treatment plan for the Native American human remains and any associated funerary objects. The Delaware Tribe's "Policy for Treatment and Disposition of Human Remains and Cultural Items That May be Discovered Inadvertently during Planned Activities" (**Exhibit F** annexed hereto) will be incorporated into the treatment plan for discoveries that are determined to be significant to the Delaware Tribe.
- E. If the remains are not of Native American origin, the Project Sponsor will, as appropriate, develop a research design/treatment plan for the appropriate treatment of the remains and any associated artifacts, consistent with procedures and guidelines contained in Stipulation VI and in accordance with Stipulation X.
- F. The Project Sponsor will ensure the Project contractor will not proceed with work in the affected area until FRA, in consultation with NJHPO and/or NYSHPO and Consulting Tribes, as appropriate, determines that the development and implementation of an appropriate research design/treatment plan or other recommended mitigation measures are completed. However, work in all other Project areas may continue.

IX. EMERGENCY SITUATIONS

- A. Should a natural disaster or an emergency situation occur that is an imminent threat to public health or safety, or creates a hazardous condition and has the potential to affect historic properties, the Project Sponsor will contact the appropriate local law enforcement, as needed, as soon as possible and notify FRA, Signatories and Concurring Parties and Consulting Tribes within twenty-four (24) hours of the condition that created the emergency, the immediate action taken in response to the emergency, the effects of the response to historic properties, and, where appropriate, further plans to address the emergency. This will include any further proposals to avoid, minimize, or mitigate potential adverse effects to historic properties. Procedures to follow in the event of a natural disaster or emergency situation will be in accordance with 36 CFR § 800.12(b).
- B. The Signatories and Concurring Parties and Consulting Tribes will have seven (7) days to review and comment on the plan(s) for further action. If FRA, NJHPO, NYSHPO, Consulting Tribes, Signatories and Concurring Parties do not object to the plan within the review period, the Project Sponsor will implement the proposed plan(s).
- C. Where possible, the Project Sponsor will ensure that emergency response activities allow for future preservation or restoration of historic properties, take into account the Secretary of the Interior's *Standards for the Treatment of Historic Properties*, and include on-site monitoring by the appropriate qualified professional as contained in Stipulation IV.

- D. Immediate rescue and salvage operations conducted to preserve life or property are exempt from these and all other provisions of this PA.

X. DOCUMENT REVIEW

- A. Unless otherwise stated elsewhere in this PA, Signatories, Concurring Parties, Consulting Tribes, and Consulting Parties where appropriate, will provide comments on the documents they review to the Project Sponsor or FRA, as appropriate, and as set forth in this stipulation.
- B. Signatories and Concurring Parties, Consulting Tribes, and Consulting Parties where appropriate, will have up to thirty (30) calendar days from the date of receipt to review and provide written comments to the Project Sponsor or FRA on documents provided for their review and comment as stipulated in this PA.
- C. The Project Sponsor and FRA will ensure any written comments received within the review timeframe per Stipulation X.B. are considered and incorporated, as appropriate, into the documentation.
- D. If the Signatories, Concurring Parties, Consulting Tribes, and Consulting Parties where appropriate, do not submit written comments to the Project Sponsor or FRA within thirty (30) calendar days of receipt of any document, it is understood the non-responding parties have no comments on the submittal.
- E. If the Signatories, Concurring Parties, Consulting Tribes, and Consulting Parties where appropriate, object to or recommend extensive revisions to submissions stipulated in this PA, the Project Sponsor and FRA will work expeditiously to respond to the recommendations and resolve disputes.
- F. If the Project Sponsor and FRA cannot resolve a dispute, and if further consultation is deemed unproductive by any party, the parties will adhere to the dispute resolution procedures detailed under Stipulation XIV below.

XI. DESIGN REVIEW

Amtrak, in coordination with the Project Sponsor and FRA, will provide NJHPO, NYSHPO, Signatories, Concurring Parties, and Consulting Tribes with preliminary and pre-final plans and specifications for the Project. Review and comment on submitted documents will occur in accordance with Stipulation X.

- A. Amtrak, in coordination with the Project Sponsor, will submit design plans and specifications (as appropriate) relevant to Project elements that could affect historic properties in the APE to NJHPO, NYSHPO, Signatories and Concurring Parties, and Consulting Tribes for review and comment. This will occur at the preliminary (30% level of Project design) and pre-final (before the engineering design is approved for construction) design phases. Documents relating to the design of Project building and tunnel interiors are expressly exempted from this provision.

- B. The Project Sponsor, or the tunnel owner if the tunnel owner is not the Project Sponsor, will have the explicit right to limit consultation only to the Signatories for design plan sheets that the Project Sponsor or tunnel owner deems sensitive for security reasons. With the exception of FRA, recipients will be required to sign Non-Disclosure Agreements certifying confidentiality of the information shared through the design review process or adhere to such security protocols that are necessary, and feasible, for recipients concerning security sensitive information.
- C. Amtrak, in coordination with the Project Sponsor, will consider design review comments provided by NJHPO, NYSHPO, Signatories and Concurring Parties, and Consulting Tribes but ultimately is responsible for ensuring that the structural and engineering design of the Project meets engineering and safety standards for passenger railroads.

XII. REPORTING AND OVERSIGHT

- A. Final Reports, Deliverables, and Documentation. The Project Sponsor and Amtrak will ensure that all final reports, deliverables, and documentation resulting from this PA are provided to NJHPO, NYSHPO, FRA, Signatories, Concurring Parties, and Consulting Tribes, as appropriate.
- B. Annual Report. Commencing one (1) year from the date this PA is executed and every year thereafter until the Project is completed or cancelled, the Project Sponsor, in cooperation and coordination with Amtrak, will prepare and submit an annual report to FRA, NJHPO, NYSHPO, Consulting Tribes, Signatories, Concurring Parties, and other Consulting Parties as appropriate providing information concerning the implementation of this PA and the effect of the Project on historic properties. The annual report will include any scheduling changes proposed, problems encountered, and disputes and their resolution in the Signatories' efforts to carry out the terms of this PA.

XIII. CHANGES IN PROJECT SCOPE

In the event of any changes to the Project scope that are of a nature that could potentially result in additional adverse effects to historic properties, the following measures will be followed:

- A. The Project Sponsor, in cooperation and coordination with Amtrak, will submit to FRA written documentation, including Project plan sheets or sketches, showing the Project changes and a brief explanation of why the change(s) is needed.
- B. FRA, in consultation with the Project Sponsor, NJHPO, NYSHPO, Consulting Tribes, Signatories, Concurring Parties, and Consulting Parties will revise the Project APE as needed.
- C. The Project Sponsor, on behalf of FRA, and in consultation with NYSHPO, NJHPO, Consulting Tribes, Signatories, Concurring Parties, and Consulting Parties

will carry out additional investigations to identify historic properties that may be affected by the Project and document the results of such investigations in supplemental HARBS/EAs and/or Archaeological Studies, as appropriate.

- D. The Project Sponsor, in cooperation and coordination with Amtrak, will prepare one (1) or more document(s) that make written recommendations to FRA regarding the Project's effects on any newly identified historic properties and measures to avoid, minimize, and/or mitigate effects on these properties.
- E. FRA will make a determination regarding the effects of Project changes on historic properties according to the criteria of adverse effects (36 CFR § 800.5), and will provide NJHPO, NYSHPO, Consulting Tribes, Signatories, Concurring Parties, and Consulting Parties with its determinations and provide an opportunity for review and comment in accordance with Stipulation X.
- F. If FRA, in consultation with the NJHPO, NYSHPO, Consulting Tribes, Signatories, Concurring Parties, and Consulting Parties, determines that a historic property will be adversely affected by the Project, then FRA, NJHPO, NYSHPO, Consulting Tribes, and Signatories, Concurring Parties, and Consulting Parties will consult on strategies to avoid, minimize, or mitigate the adverse effect.
- G. The Project Sponsor, in cooperation and coordination with Amtrak, will memorialize the approach and treatment measures to resolve adverse effects in one (1) or more document(s) submitted to FRA, NJHPO, NYSHPO, Consulting Tribes, Signatories, Concurring Parties, and Consulting Parties, as appropriate, for review and comment in accordance with Stipulation X.
- H. Upon FRA's approval of the approach and treatment measures, the Project Sponsor will ensure that the identified treatment measures are implemented.

XIV. DISPUTE RESOLUTION

- A. Objection by a Signatory, Concurring Party, or Project Consulting Tribe
 - 1. In the event a Signatory, Concurring Party, or Project Consulting Tribe objects in writing to any actions proposed or the manner in which the terms of this PA are implemented, FRA will first consult with the objecting party and other Signatories and Concurring Parties, as appropriate, within thirty (30) calendar days to resolve the objection. If FRA determines that such objection cannot be resolved, FRA will proceed as set forth below.
 - 2. FRA will forward all documentation relevant to the dispute, including FRA's proposed resolution, to the ACHP within fifteen (15) calendar days of the determination and request that the ACHP provide FRA with its advice on the resolution of the objection within thirty (30) calendar days of receiving the documentation. Concurrently, FRA will also provide the Signatories and

Concurring Parties with the same documentation for review and comment in accordance with Stipulation X.

3. After the thirty (30) calendar day time period, FRA may make a decision in a written response to the objection that takes into account any timely advice or comments regarding the dispute from the ACHP, Signatories, and/or Concurring Parties and provide the ACHP, Signatories and Concurring Parties with a copy of such written response. FRA will then proceed according to its decision.
4. Should disputes arise under exigent circumstances (e.g., concerns over construction suspensions or delays), all parties agree to expedite their respective document review and dispute resolution obligations within seven (7) calendar days.
5. The Signatories remain responsible for carrying out all other actions subject to the terms of this PA that are not the subject of the dispute.

B. Objection by a Consulting Party or Member of the Public

In the event any Consulting Party or member of the public raises a timely and substantive objection related to historic preservation and pertaining to the manner in which the terms of this PA are implemented, at any time during its implementation, FRA will take the objection into account by consulting with the objector to resolve the objection. When FRA responds to such an objection, it will notify the Signatories, Concurring Parties, Consulting Tribes, as appropriate, and Consulting Parties of the objection and the manner in which it was resolved. Depending on the subject of the objection, FRA may request the assistance of a Signatory, Concurring Party, Project Consulting Tribe and/or a Consulting Party to resolve the objection.

XV. ANTI-DEFICIENCY ACT

Any FRA obligations under this PA are subject to the availability of appropriated funds, and the stipulations of this PA are subject to the provisions of the Anti-Deficiency Act (31 U.S.C. § 1341). FRA will make reasonable and good faith efforts to secure the necessary funds to implement this PA in its entirety. If compliance with the Anti-Deficiency Act alters or impairs the ability of FRA to implement the stipulations of this PA, or if another Federal agency does not assume responsibility as lead Federal agency, the Signatories will consult in accordance with the amendment or termination procedures found in Stipulations XVI and XVII of this PA.

XVI. AMENDMENTS

Any Signatory to this PA may request that it be amended at any time. If a Signatory requests an amendment, or if an amendment is required in accordance with Stipulation III, the Signatories, and proposed additional Signatories, as appropriate, will consult in accordance with 36 CFR § 800.14(b) to consider such an amendment. The amendment will be effective on the date FRA files a copy signed by all of the Signatories with the ACHP.

XVII. TERMINATION

- A. If any Signatory to this PA determines that its terms will not or cannot be carried out or if circumstances change over time and warrant revision of the stipulations, that Signatory will immediately consult with the other Signatories to attempt to develop an amendment to this PA per Stipulation XVI. If within thirty calendar (30) days (or another time period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate this PA upon written notification to FRA and the other Signatories with the obligations accruing up to the date of termination remaining in full force and effect.
- B. If this PA is terminated, and prior to work continuing on the Project, FRA must either (1) execute a new Memorandum of Agreement or PA pursuant to 36 CFR § 800.6(c) or § 800.14(b), or (2) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. FRA will notify the Signatories and Concurring Parties as to the course of action it will pursue.

XVIII. EXECUTION AND EFFECTIVE DATE

This PA will go into effect on the date ACHP signs the document, which will be the final signature among all the Signatories. Execution of this PA by the Signatories and its subsequent filing with the ACHP by FRA demonstrates that FRA has taken into account the effect of the Project on historic properties and afforded the ACHP an opportunity to comment.

XIX. DURATION

This PA will expire when all its stipulations have been completed or in 15 years from the effective date, whichever comes first, unless the Signatories agree in writing to an extension in accordance with Stipulation XVI.

XX. CONTACT INFORMATION

For purposes of notices and consulting pursuant to this PA, contact information for each of the signatories is provided below. If necessary, contact information may be updated by written notice to the Signatories and does not require an amendment to this PA.

FRA

Marlys Osterhues
Chief, Environment and Project Engineering Division
Office of Infrastructure Investment
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
Tel: (202) 493-0413
Email: marlys.osterhues@dot.gov

NJHPO

Katherine J. Marcopul
Deputy State Historic Preservation Officer
Mail Code 501-04B
State of New Jersey Department of Environmental Protection
Historic Preservation Office
P.O. Box 420
Tel: (609) 984-0176
Email: Kate.Marcopul@dep.nj.gov

NYSHPO

R. Daniel Mackay
Deputy, State Historic Preservation Officer
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188
Tel: (518) 237-8643
Email: daniel.mackay@parks.ny.gov

ACHP

Reid Nelson
Acting Executive Director
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001
Tel: (202) 517-0200
Email: rnelson@achp.gov

FTA

Stephen Goodman, P.E.
Regional Administrator
Federal Transit Administration, Region II
One Bowling Green, Room 428
New York, NY 10004
Tel: (212) 668-2170
Email: stephen.goodman@dot.gov

AMTRAK

Dennis J. Newman
Executive Vice President, Strategy and Planning
Amtrak
1 Massachusetts Avenue, NW
Room 625
Washington, DC 20001
Tel: (202) 906 2589
Email: dennis.newman@amtrak.com

PORT AUTHORITY OF NEW YORK & NEW JERSEY

Richard Cotton
Executive Director
Port Authority of New York and New Jersey
4 World Trade Center
150 Greenwich Street, 23rd Floor
New York, NY 10007
Tel. (212) 435-7271
Email: rcotton@PANYNJ.GOV

APPROVAL AND SIGNATURE PAGE FOR
PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL RAILROAD ADMINISTRATION,
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE FEDERAL TRANSIT ADMINISTRATION,
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND
THE NATIONAL RAILROAD PASSENGER CORPORATION

REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

SIGNATORY

FEDERAL RAILROAD ADMINISTRATION

By: **MARLYS A
OSTERHUES** _____

Digitally signed by MARLYS A
OSTERHUES
Date: 2021.05.03 09:05:54 -04'00'

Date: _____

Marlys Osterhues
Chief, Environment and Project Engineering Division
Office of Infrastructure Investment

APPROVAL AND SIGNATURE PAGE FOR
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REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

SIGNATORY

NEW JERSEY STATE HISTORIC PRESERVATION OFFICER

By: Katherine J. Marcopul

Katherine J. Marcopul
Deputy State Historic Preservation Officer

Date: 5/3/2021

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REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

SIGNATORY

NEW YORK STATE HISTORIC PRESERVATION OFFICER

By: _____

R. Daniel Mackay
Deputy, State Historic Preservation Officer

Date: _____

4/25/2021

**APPROVAL AND SIGNATURE PAGE FOR
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AMONG
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THE NATIONAL RAILROAD PASSENGER CORPORATION**

**REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK**

SIGNATORY

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By:  _____

Reid Nelson
Executive Director, Acting

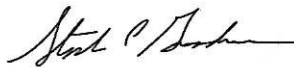
Date: May 10, 2021

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THE FEDERAL TRANSIT ADMINISTRATION,
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND
THE NATIONAL RAILROAD PASSENGER CORPORATION

REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

INVITED SIGNATORY

FEDERAL TRANSIT ADMINISTRATION



Digitally signed by
STEPHEN C GOODMAN
Date: 2021.05.03
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By: _____

Date: _____

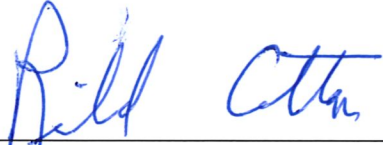
Stephen Goodman
Regional Administrator, Region II

APPROVAL AND SIGNATURE PAGE FOR
PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL RAILROAD ADMINISTRATION,
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE FEDERAL TRANSIT ADMINISTRATION,
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND
THE NATIONAL RAILROAD PASSENGER CORPORATION

REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

INVITED SIGNATORY

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

By: 

Richard Cotton
Executive Director

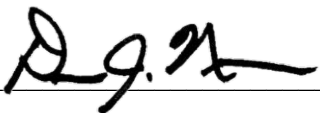
Date: 5/5/21

APPROVAL AND SIGNATURE PAGE FOR
PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL RAILROAD ADMINISTRATION,
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THE NATIONAL RAILROAD PASSENGER CORPORATION

REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

INVITED SIGNATORY

NATIONAL RAILROAD PASSENGER CORPORATION

By:  _____

Dennis Newman
Executive Vice President, Strategy and Planning

Date: May 4, 2021

APPROVAL AND SIGNATURE PAGE FOR
PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL RAILROAD ADMINISTRATION,
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
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THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND
THE NATIONAL RAILROAD PASSENGER CORPORATION

REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

CONCURRING PARTY

ORGANIZATION/AGENCY: Delaware Tribe of Indians

By: Brian Obermeyer
Name/Title: THPO

Date: May 10, 2021

or

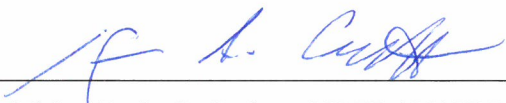
Elected not to sign _____ Date: _____

APPROVAL AND SIGNATURE PAGE FOR
PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL RAILROAD ADMINISTRATION,
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
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THE NATIONAL RAILROAD PASSENGER CORPORATION

REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

CONCURRING PARTY

ORGANIZATION/AGENCY: New Jersey Transit Corporation (NJ TRANSIT)

By: 
Name/Title: Kevin S. Corbett, NJ TRANSIT President & CEO

Date: May 13, 2021

or


Elected not to sign _____ Date: _____

APPROVAL AND SIGNATURE PAGE FOR
PROGRAMMATIC AGREEMENT
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THE FEDERAL RAILROAD ADMINISTRATION,
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
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THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND
THE NATIONAL RAILROAD PASSENGER CORPORATION

REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

CONCURRING PARTY

ORGANIZATION/AGENCY: Hudson River Park Trust

By: 
Name/Title: Acting President

Date: 5/13/21

or


Elected not to sign _____ Date: _____

APPROVAL AND SIGNATURE PAGE FOR
PROGRAMMATIC AGREEMENT
AMONG
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THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE FEDERAL TRANSIT ADMINISTRATION,
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND
THE NATIONAL RAILROAD PASSENGER CORPORATION

REGARDING THE
HUDSON TUNNEL PROJECT
IN HUDSON COUNTY, NEW JERSEY
AND
NEW YORK COUNTY, NEW YORK

CONCURRING PARTY

ORGANIZATION/AGENCY: Landmarks Preservation Commission

By: 

Date: 5/17/2021

Name/Title: Sarah Carroll, Chair

or

Elected not to sign _____ Date: _____

ATTACHMENTS

EXHIBIT A: PROJECT LOCATION

EXHIBIT B: AREA OF POTENTIAL EFFECT

Exhibit B-1: New Jersey: Area of Potential Effects

Exhibit B-2: New York: Area of Potential Effects

EXHIBIT C: CONSULTING PARTIES

EXHIBIT D: HISTORIC PROPERTIES IN THE APE

Exhibit D-1: Historic Properties in the APE: New Jersey

Exhibit D-2: Historic Properties in the APE: New York

EXHIBIT E: ARCHAEOLOGICALLY SENSITIVE AREAS

Exhibit E-1: Archaeologically Sensitive Areas: New Jersey

Exhibit E-2: Archaeologically Sensitive Areas: New York

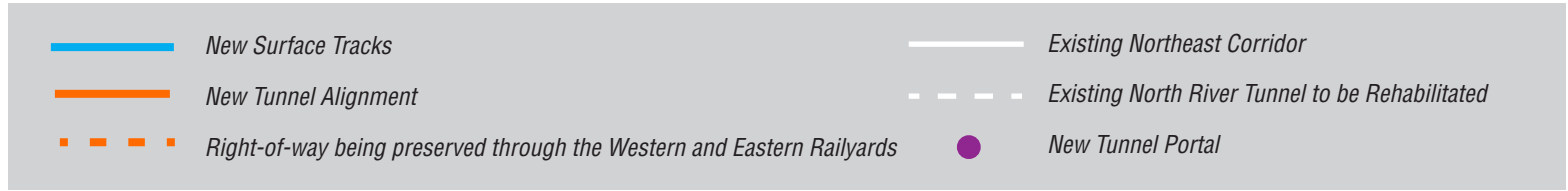
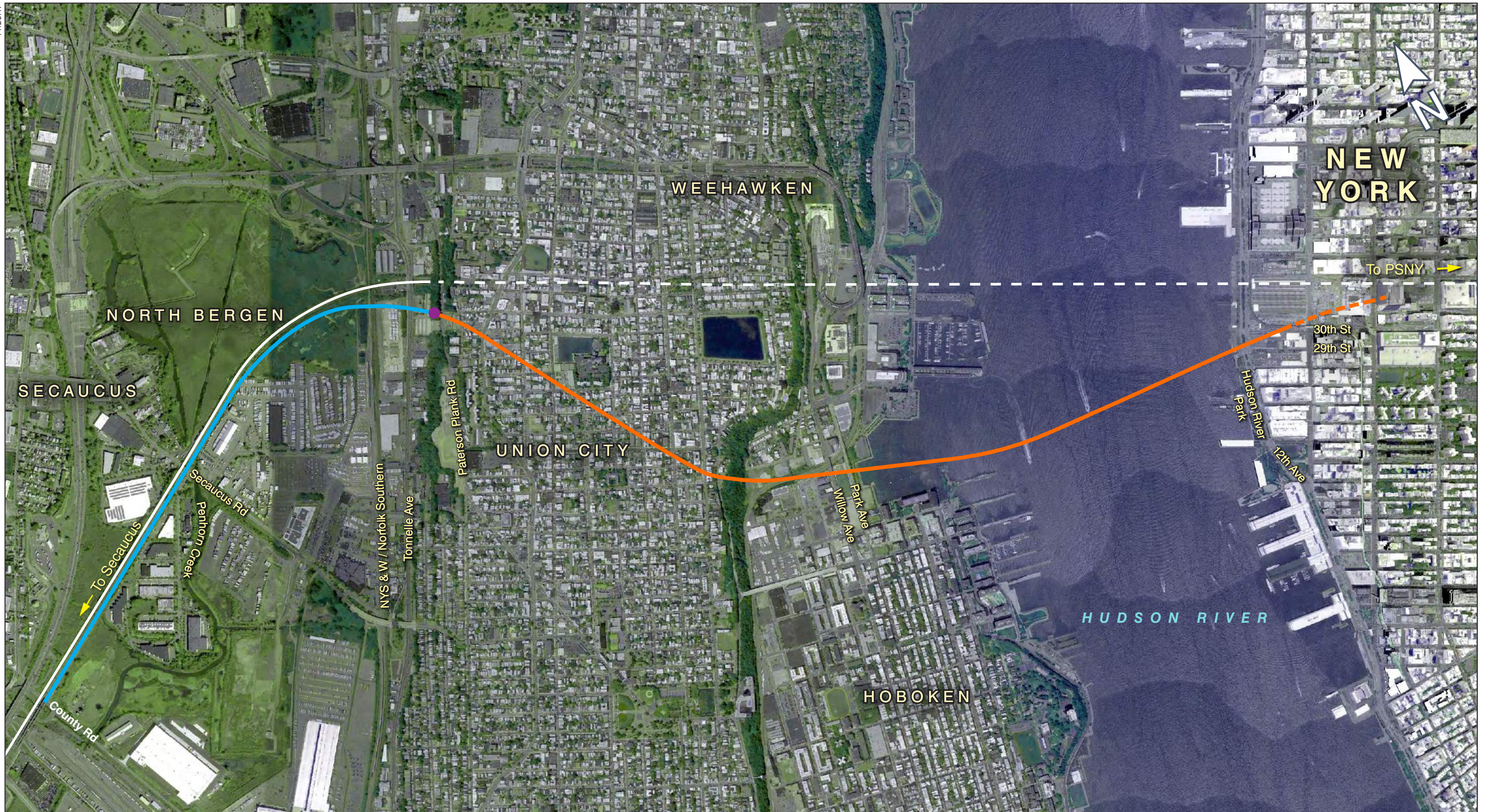
EXHIBIT F: DELAWARE TRIBE OF INDIANS:

“Policy for Treatment and Disposition of Human Remains and Cultural Items That May be Discovered Inadvertently during Planned Activities”

Hudson Tunnel Project – Programmatic Agreement

EXHIBIT A

PROJECT LOCATION MAP



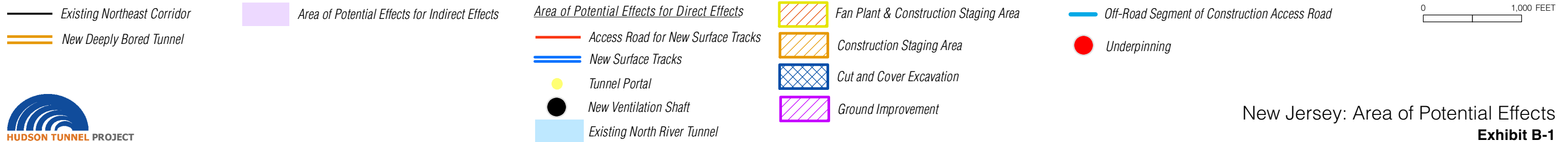
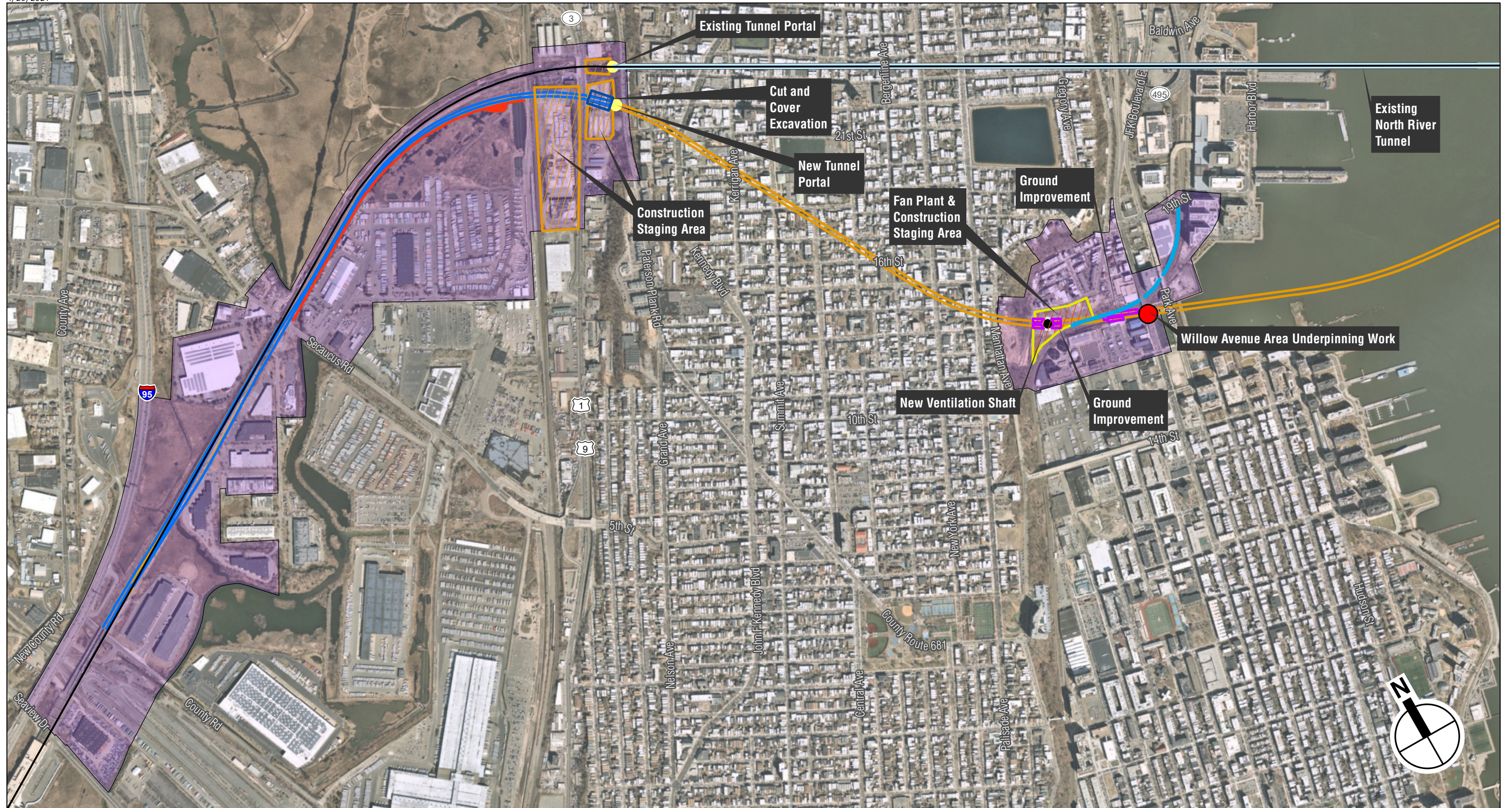
Hudson Tunnel Project – Programmatic Agreement

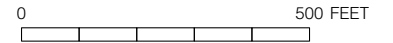
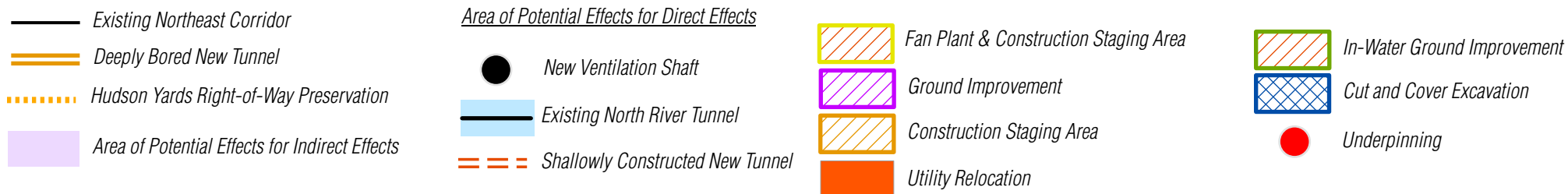
EXHIBIT B

AREA OF POTENTIAL EFFECTS MAPS

Exhibit B-1: New Jersey: Area of Potential Effects

Exhibit B-2: New York: Area of Potential Effects







Hudson Tunnel Project – Programmatic Agreement

EXHIBIT C
SECTION 106 CONSULTING PARTIES

Individual/Organization	Contact	Address
New Jersey Historic Preservation Office	Ms. Kate Marcopul, Deputy SHPO	New Jersey Historic Preservation Office New Jersey Department of Environmental Protection Mail Code 501-04B, P.O. Box 420 Trenton, NJ 08625-0420
New York State Historic Preservation Office	R. Daniel Mackay, Deputy, State Historic Preservation Officer	New York State Historic Preservation Office Peebles Island Resource Center P.O. Box 189, Waterford, NY 12188
NJ TRANSIT	Ms. Dara Callender, Manager, Environmental Compliance Environment, Energy and Sustainability Unit	One Penn Plaza East Newark, NJ 07105-2246
Amtrak	Ms. Johnette Davies, Manager Historic Preservation	30th Street Station 2955 Market Street, Mailbox 41 Philadelphia, PA 19104
Port Authority of New York and New Jersey	Mr. Benjamin S. Engle, Gateway Program	Four World Trade Center New York, NY 10007
Federal Transit Administration	Stephen Goodman, P.E. & Regional Administrator	One Bowling Green, Room 428 New York, NY 10004-1415
U.S. Army Corps of Engineers	James H. Cannon New York District, U.S. Army Corps of Engineers Regulatory Branch	26 Federal Plaza, 19th Floor New York, NY 10278
Advisory Council on Historic Preservation	Sarah Stokely Program Analyst	401 F Street NW, Suite 308 Washington, DC 20001
Delaware Nation	Deborah Dotson, President	31064 State Hwy 281, P.O. Box 825 Anadarko, OK 73005
	Erin Paden, Director, Cultural Resources/106, Archives, Library and Museum	31064 State Hwy 281, P.O. Box 825 Anadarko, OK 73005
Delaware Tribe	Blair Fink and Susan Bacher, Historic Preservation Representatives, Delaware Tribe Historic Preservation Office	P.O. Box 64 Pocono Lake, PA 18347

Hudson Tunnel Project – Programmatic Agreement
Section 106 Consulting Parties

Individual/Organization	Contact	Address
Delaware Tribe of Indians, Oklahoma	Chester Brooks, Chief	Delaware Tribal Headquarters 170 N.E. Barbara, Bartlesville, OK 74006
Eastern Shawnee Tribe of Oklahoma	Chief Glenna Wallace	P.O. Box 350, Seneca, MO 64865
Shawnee Tribe of Oklahoma	Chief Ben Barnes	P.O. Box 189, 29 South Highway 69A Miami, OK 74355
Stockbridge-Munsee Community of Mohican Indians of Wisconsin	Sherry White, Tribal Historic Preservation Officer	Stockbridge-Munsee Community of Mohican Indians of Wisconsin W13447 Camp 14 Road Bowler, WI 54416
	Bonney Hartley, Tribal Historic Preservation Officer – New York Office	Stockbridge-Munsee Community of Mohican Indians 65 1st Street, Troy, NY 12180
Shinnecock Indian Nation	Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II, Trustees,	Shinnecock Indian Nation Tribal Office P.O. Box 5006, Southampton, NY 11969-5006
Eastern Delaware Nation	Ms. Corrine Remington, Secretary	corrine.remington@yahoo.com
Eastern Lenape Nation of Pennsylvania	Ms. Doris Pieschel, Secretary. Note: This letter was returned to FRA as undelivered as Ms. Pieschel is deceased. Research could not find if this group still existed.	#37, 1523 E. Newport Road, Lititz, PA 17543
Nanticoke Lenape Indians of New Jersey	Mr. Mark Gould, Tribal Chairperson	P.O. Box 544, Bridgeton, NJ 08302
Unkechaug Nation	Chief Kenneth Virgil Harris	207 Poospansk Lane, Mastic, NY 11950
New York City Landmarks Preservation Commission	Ms. Gina Santucci	Municipal Building, 1 Centre Street, 9th Floor, North, New York, NY 10007
Mayor of Hoboken	The Honorable Ravi S. Bhalla	94 Washington Street, Hoboken, NJ 07030
Hoboken Historic Preservation Commission	Mr. Steve Zane, Chairperson	Hoboken City Hall, 94 Washington Street Hoboken, NJ 07030
Hudson County Executive	The Honorable Thomas A. DeGise	583 Newark Avenue, Jersey City, NJ 07306
Mayor of Jersey City	The Honorable Steven M. Fulop	280 Grove Street, Jersey City, NJ 07302
Jersey City Historic Preservation Commission	Mr. Daniel M. Wrieden, Historic Preservation Officer	Division of City Planning, 30 Montgomery Street, 14th Floor, Suite 1400 Jersey City, NJ 07302
Mayor of North Bergen	The Honorable Nicolas Sacco	4233 John F. Kennedy Blvd., Room 100 North Bergen, NJ 07047

Hudson Tunnel Project – Programmatic Agreement
Section 106 Consulting Parties

Individual/Organization	Contact	Address
Mayor of Secaucus	The Honorable Michael J. Gonnelli	Municipal Government Center 1203 Paterson Plank Rd., 2nd Floor Secaucus, NJ 07094
Mayor of Union City	The Honorable Brian Stack	3715 Palisade Avenue, 3rd Floor Union City, NJ 07087
Union City Landmarks Commission	c/o David Spatz, P.P., AICP	Community Housing & Planning Assoc. 60 Friend Terrace, Harrington Park, NJ 07640
Mayor of Weehawken	Mr. Jeff Welz & Mr. Giovanni D. Ahmad	400 Park Avenue, Weehawken, NJ 07087
Weehawken Historical Commission	Ms. Lauren Sherman, Chair	31 Fulton St, Weehawken, NJ 07086
Hudson River Park Trust	Ms. Noreen Doyle Executive Vice President	Pier 40, 2nd Floor, 353 West Street New York, NY 10014
Archaeological Society of New Jersey	President	c/o New Jersey State Museum Bureau of Archaeology & Ethnography 205 State Street, P.O. Box 530 Trenton, NJ 08625-0530
Society for Industrial Archeology	Mr. Jim Mackin	Roebing Chapter , 370 Riverside Drive, Apt. 2B, New York, NY 10025
Professional Archaeologists of New York City (PANYC)	Ms. Shelly Spritzer	P.O. Box 1503, Murray Hill Station New York, NY 10156-1503
Hoboken Historical Museum	Mr. Bob Foster, Director	1301 Hudson Street, Hoboken, NJ 07030
Hoboken Quality of Life Coalition, Inc.	Ms. Mary A, Kelly	P.O. Box 1195, Hoboken, NJ 07030
Jersey City Landmarks Conservancy	Mr. Sanjay Chauhan, President	P.O. Box 68, Jersey City, NJ 07303- 0068
New Jersey Historical Society	Mr. Steve Tettamanti, Executive Director	52 Park Place, Newark, NJ 07102
Weehawken Historical Society	Samuel Gato, President	sdgarchive@gmail.com
Riverkeeper, Inc.	Mr. Paul Gallay, President and Hudson Riverkeeper	20 Secor Road, Ossining, NY 10562
Anthracite Railroads Historical Society	Mr. Walter Hoffmann, President	P.O. Box 519, Lansdale, PA 19446
Erie Lackawanna Historical Society	Mr. Michael J. Connor, President c/o David Start, Membership Chairman	22 Ice Plant Road, Lafayette, NJ 07848-2403
National Railway Historical Society, Inc. North New Jersey Chapter	Mr. Bruce Russell	84 Arnold Terrace, South Orange, NJ 07079

Hudson Tunnel Project – Programmatic Agreement
Section 106 Consulting Parties

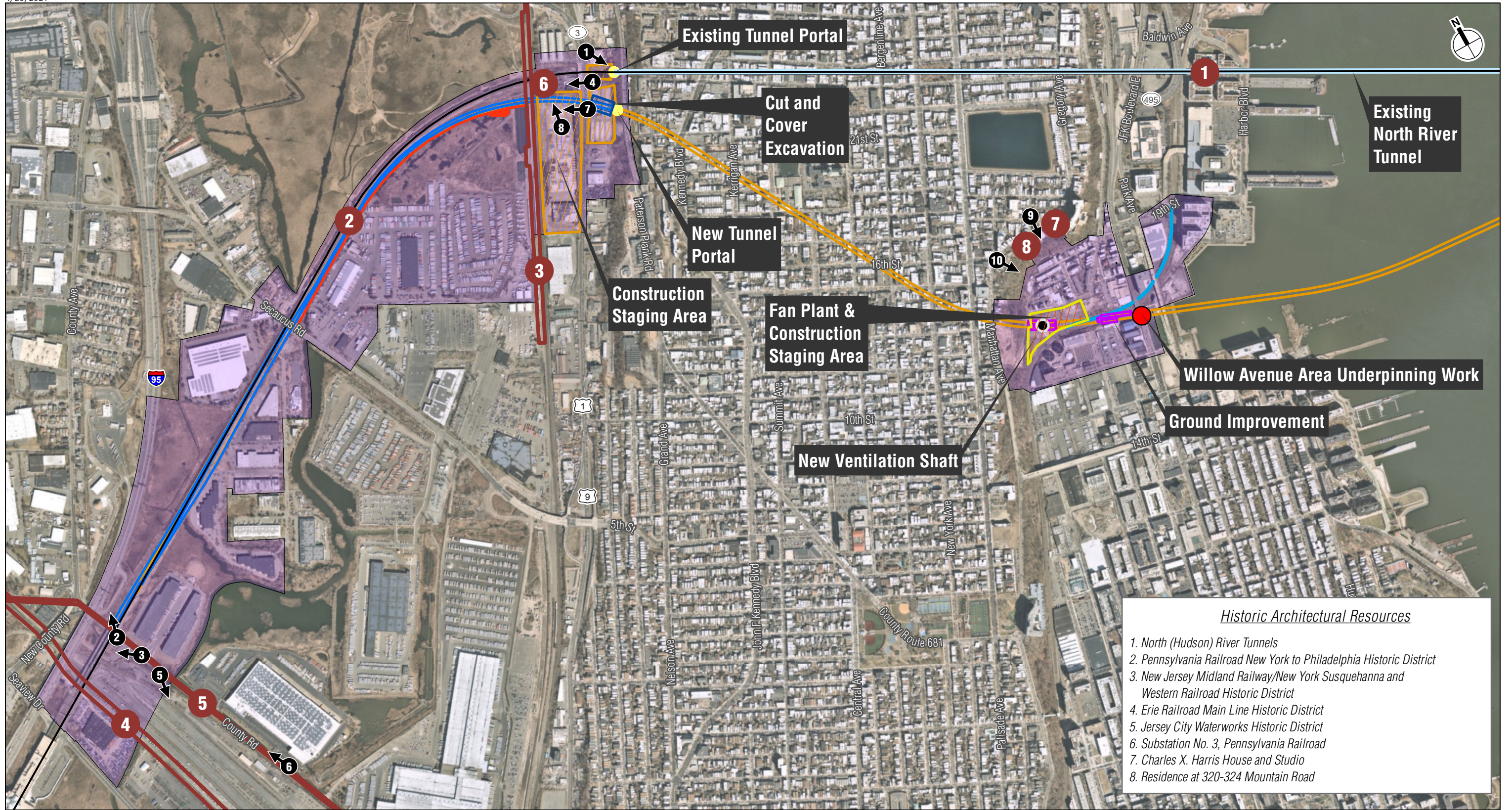
Individual/Organization	Contact	Address
National Railway Historical Society Jersey Central Chapter	Michael C. Sudol Jr., Secretary	PO Box 700, Clark, NJ 07066
Railway & Locomotive Historical Society, New York Chapter	Mr. Tommy Meehan, Chairman	42 Portland Pl, Fl. 2, Yonkers NY 10703-2206
Pennsylvania Railroad Technical & Historical Society Philadelphia Chapter	Mr. Steve Staffieri, President	2963 Columbia Drive Bensalem, PA 19020
Tri-State Railway Historical Society, Inc.	Mr. Michael Del Vecchio, President	P.O. Box 1217, Morristown, NJ 07962
United Railroad Historical Society of New Jersey	Mr. Larry Gross	104 Morris Ave, Boonton Township, NJ 07005

Hudson Tunnel Project – Programmatic Agreement

EXHIBIT D

Historic Properties in the APE

- Exhibit D-1: Historic Properties in the APE: New Jersey
- Exhibit D-2: Historic Properties in the APE: New York



- Historic Architectural Resources*
1. North (Hudson) River Tunnels
 2. Pennsylvania Railroad New York to Philadelphia Historic District
 3. New Jersey Midland Railway/New York Susquehanna and Western Railroad Historic District
 4. Erie Railroad Main Line Historic District
 5. Jersey City Waterworks Historic District
 6. Substation No. 3, Pennsylvania Railroad
 7. Charles X. Harris House and Studio
 8. Residence at 320-324 Mountain Road

<p>— Existing Northeast Corridor</p> <p>— New Deeply Bored Tunnel</p> <p>— Area of Potential Effects for Indirect Effects</p>	<p>① Historic Architectural Resource</p> <p>↑ Photo Reference No. and View Direction (see Figures 9-5 to 9-12)</p>	<p><i>Area of Potential Effects for Direct Effects</i></p> <p>— Access Road for New Surface Tracks</p> <p>— New Surface Tracks</p> <p>● Tunnel Portal</p> <p>● New Ventilation Shaft</p> <p>— Existing North River Tunnel</p>	<p>▨ Fan Plant & Construction Staging Area</p> <p>▨ Construction Staging Area</p> <p>▨ Cut and Cover Excavation</p> <p>▨ Ground Improvement</p>	<p>— Off-Road Segment of Construction Access Road</p> <p>● Underpinning</p>	<p>0 1,000 FEET</p>
-------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------	---------------------



Historic Architectural Resources

1. New York Improvements and Tunnel Extension of the Pennsylvania Railroad [North (Hudson) River Tunnel]
2. Hudson River Bulkhead
3. High Line
4. Master Printers Building
5. Charles P. Rodgers & Co. Building (Now Demolished)
6. W & J Sloane Warehouse and Garage
7. Starrett-Lehigh Building
8. West Chelsea Historic District



↑ Photo Reference No. and View Direction (see Figures 9-15 through 9-24 for photographs)
 1 Historic Architectural Resource

— Existing Northeast Corridor
 — Deeply Bored New Tunnel
 Hudson Yards Right-of-Way Preservation
 Area of Potential Effects for Indirect Effects

Area of Potential Effects for Direct Effects
 ● New Ventilation Shaft
 — Existing North River Tunnel
 = = = Shallowly Constructed New Tunnel

▨ Fan Plant & Construction Staging Area
 ▨ Ground Improvement
 ▨ Construction Staging Area
 ▨ Utility Relocation

▨ In-Water Ground Improvement
 ▨ Cut and Cover Excavation
 ● Underpinning

0 500 FEET

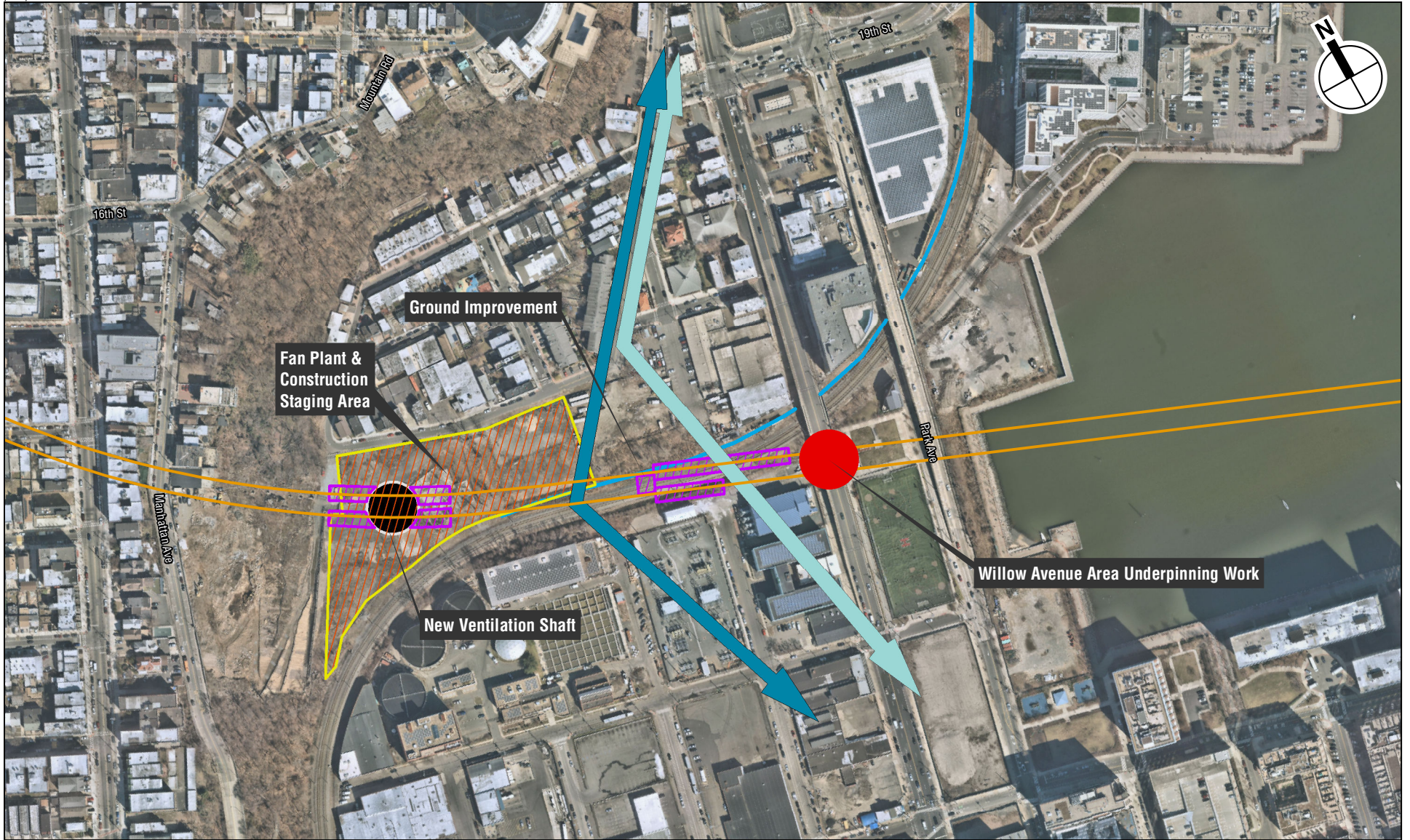
Hudson Tunnel Project – Programmatic Agreement

EXHIBIT E


Archaeologically Sensitive Areas

Exhibit E-1: Archaeologically Sensitive Areas: New Jersey

Exhibit E-2: Archaeologically Sensitive Areas: New York




 New Deeply Bored Tunnel

 Area of Archaeological (Moderate to High) Sensitivity

 Area of Potential Effects for Direct Effects

 Off-Road Segment of Construction Access Road

0 400 FEET

 Historic Hackensack Plank Road (located 14 to 17 feet below ground surface and below area of proposed project impacts)

 New Ventilation Shaft

 Underpinning

 Fan Plant & Construction Staging Area

 Ground Improvement

 Historic Sea Wall



Archaeologically Sensitive Areas: New Jersey
Exhibit E-1



— Existing Northeast Corridor

== Deeply Bored New Tunnel

..... Hudson Yards Right-of-Way Preservation

Area of Potential Effects for Direct Effects

● New Ventilation Shaft

— Existing North River Tunnel

== Shallowly Constructed New Tunnel

● Underpinning and New Fan Plant

▨ Fan Plant & Construction Staging Area

▨ In-Water Ground Improvement

▨ Cut and Cover Excavation

▨ Ground Improvement

□ Area of Archaeological Sensitivity

□ Utility Relocation

0 200 FEET



Archaeologically Sensitive Areas: New York
Exhibit E-2

Exhibit F

Delaware Tribe of Indians
Policy for
Treatment and Disposition of Human Remains and Cultural Items
That May be Discovered Inadvertently during Planned Activities

Purpose

The purpose of this policy is to describe the procedures that will be followed by all federal agencies, in the event there is an inadvertent discovery of human remains.

Treatment and Disposition of Human Remains and Cultural Items

1. The federal agency shall contact the Delaware Tribe of Indians' headquarters at 918-337-6590 or the Delaware Tribe Historic Preservation Representatives at 610-761-7452, as soon as possible, but no later than three (3) days, after the discovery.
2. Place tobacco with the remains and funeral objects.
3. Cover remains and funeral objects with a natural fiber cloth such as cotton or muslin when possible.
4. No photographs are to be taken.
5. The preferred treatment of inadvertently discovered human remains and cultural items is to leave human remains and cultural items in-situ and protect them from further disturbance.
6. No destructive "in-field" documentation of the remains and cultural items will be performed without consultation with the Tribe, who may stipulate the appropriateness of certain methods of documentation.
7. If the remains and cultural items are left in-situ, no disposition takes place and the requirements of 43 CFR 10 Section 10.4-10.6 will have been fulfilled.
8. The specific locations of discovery shall be withheld from disclosure (with exception of local law officials and tribal officials as described above) and protected to the fullest extent by federal law.
9. If remains and funeral objects are to be removed from the site consultation will begin between the Delaware Tribe of Indians and the federal agency.



FINAL ENVIRONMENTAL IMPACT STATEMENT AND FINAL SECTION 4(f) EVALUATION

APPENDIX 9-2

Historic and Archaeological Resources: Agency Correspondence

Summary of Section 106
Consulting Parties and Correspondence



Hudson Tunnel Project
Section 106 Consulting Parties and Correspondence
As of May 21, 2021

Consulting Party/Contact Information	Outgoing	Incoming/Response
Ms. Kate Marcopul Deputy State Historic Preservation Officer New Jersey Historic Preservation Office New Jersey Department of Environmental Protection Mail Code 501-04B P.O. Box 420 Trenton, NJ 08625-0420	5/12/2016: Laura Shick, FRA to Kate Marcopul – Section 106 Initiation Letter with draft Consulting Parties list	7/6/2016: Kate Marcopul to Laura Shick, FRA - Concurrence with and addition to list of Consulting Parties
	12/9/16: Laura Shick, FRA to Kate Marcopul – Submission of Proposed Area of Potential Effects Memorandum	1/13/2017: Kate Marcopul - Concurrence with the proposed Area of Potential Effects
	1/27/2017: Laura Shick, FRA to Kate Marcopul - Submission of New Jersey HARBS/EA and Phase 1A reports	3/6/2017: Kate Marcopul to Laura Shick, FRA - Concurrence with previously identified historic architectural resources, comments on Recommended-NRHP eligible properties, concurrence with Effects as stated in New Jersey HARBS/EA report. Comments and revisions with respect to areas identified as archaeologically sensitive and where testing/monitoring should be implemented as identified in the New Jersey Phase 1A report.
	4/7/2017: Laura Shick, FRA to Kate Marcopul – Submission of draft Programmatic Agreement	4/18/2017: Kate Marcopul to Laura Shick, FRA – Minor comments on the draft Programmatic Agreement
	5/18/2017: A. Michael Pappalardo, AKRF to Vincent Maresca, NJHPO – Request regarding how to treat potential Penn Station remains in the Hackensack Meadowlands	5/23/2017: Vincent Maresca, NJHPO to A. Michael Pappalardo, AKRF – discussion of whether Penn Station remains could meet National Register criteria and if they are not a historic property, they do not need to be considered under Section 106 and in the Programmatic Agreement, and recommendation that the remains not be included in the Programmatic Agreement

Consulting Party/Contact Information	Outgoing	Incoming/Response
	7/6/2017: Amishi Castelli, FRA to Kate Marcopul – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	8/14/2017: Kate Marcopul to Amishi Castelli, FRA – provision of comments on the Draft PA regarding NJHPO review of rehabilitation of the North River Tunnel & minor comments on the Draft Environmental Impact Statement
	10/11/2017: Amishi Castelli, FRA to Kate Marcopul – provision of information regarding rehabilitation of North River Tunnel & information on how comments on the Draft Environmental Impact Statement will be addressed	11/14/2017: Kate Marcopul to Amishi Castelli, FRA – concurrence that final design work for interior of the North River Tunnel can be exempt from Design Process review in Programmatic Agreement
	11/29/2017: Amishi Castelli, FRA to Kate Marcopul – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	1/2/2018: Kate Marcopul to Amishi Castelli, FRA – NJHPO has reviewed the preliminary draft of the Final Programmatic Agreement and has no additional comments to add at this time.
	4/5/2021: Amishi Castelli, FRA to Kate Marcopul – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	4/19/2021: Kate Marcopul to Amishi Castelli, FRA – minor revisions to Stipulation VI.D.1
	4/28/2021: Amishi Castelli, FRA to Kate Marcopul – Submission of Final Programmatic Agreement for signature and summary of comments received and revisions made	5/3/2021: Programmatic Agreement returned to FRA signed by Kate Marcopul
	<p>Mr. Michael Lynch Deputy, State Historic Preservation Officer</p> <p>Mr. Daniel Mackay Deputy, State Historic Preservation Officer</p> <p>New York State Historic Preservation Office Peebles Island Resource Center P.O. Box 189 Waterford, NY 12188</p>	5/12/2016: Laura Shick, FRA to Ruth Pierpont, NYSHPO – Section 106 Initiation Letter with draft Consulting Parties list
12/9/2016: Laura Shick, FRA to Ruth Pierpont, NYSHPO – Submission of Proposed Area of Potential Effects Memorandum		12/19/2016: Olivia Brazee, NYSHPO to Amishi Castelli, FRA – Concurrence with the proposed Area of Potential Effects
1/26/2017: Laura Shick, FRA to Michael Lynch – Submission of New York HARBS/EA and Phase 1A reports		2/17/2017: Olivia Brazee, NYSHPO to Amishi Castelli, FRA – Concurrence with findings and recommendations of the New York HARBS/EA report.
		2/24/2017: Philip Perazio, NYSHPO to Amishi Castelli, FRA - Concurrence with the findings and recommendations of the New

Consulting Party/Contact Information	Outgoing	Incoming/Response
		York Phase 1A report and with emphasis added that testing in advance of construction as opposed to monitoring during construction is preferred whenever feasible.
	3/24/2017: Mohammed Nasim, Amtrak to Michael Lynch – Request of concurrence for geotechnical boring within Hudson River Bulkhead for preliminary engineering	3/28/2017: Philp Perazio, NYSHPO via NYSHPO CRIS – no objection to boring
	4/7/2017: Laura Shick, FRA to Michael Lynch – Submission of draft Programmatic Agreement	5/2/2017: Olivia Brazee, NYSHPO to Amishi Castelli, FRA – minor comments on the draft Programmatic Agreement
	7/6/2017: Amishi Castelli, FRA to Michael Lynch – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	7/27/17: Olivia Brazee, NYSHPO to Amishi Castelli, FRA – Draft Programmatic Agreement and Draft Environmental Impact Statement text is acceptable, concur with the recommendations & request of change in signatory to R. Daniel Mackay
	11/14/2017: Amishi Castelli, FRA to Olivia Brazee, NYSHPO – request for concurrence regarding process of consulting with NYC Landmarks Preservation Commission in the Programmatic Agreement	11/17/2017: Philip Perazio, NYSHPO to Amishi Castelli, FRA – concurrence with process
	11/29/2017: Amishi Castelli, FRA to Michael Lynch – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	12/21/2017: Olivia Brazee, NYSHPO to Amishi Castelli, FRA – NYSHPO has reviewed the preliminary draft of the Final Programmatic Agreement and has no further comments on the document at this time.
		1/10/2018: Olivia Brazee, NYSHPO to Amishi Castelli, FRA – NYSHPO is in receipt of the Hudson River Park Trust (HRPT)'s January 3, 2018 letter in response to the preliminary draft of the final Programmatic Agreement. Based on NYSHPO's review, NYSHPO finds that HRPT has prior experience with working with the historic bulkhead and given their experience NYSHPO would like to see HRPT's requested changes included in the Programmatic Agreement

Consulting Party/Contact Information	Outgoing	Incoming/Response
		1/11/2018: Olivia Brazee, NYSHPO to Katherine Pijanowski, USACE – NYSHPO has reviewed USACE’s December 12, 2017 letter and thanks USACE for notifying NYSHPO of their concurrence with FRA’s Adverse Effect finding and for their comments on the draft Programmatic Agreement
	4/5/2021: Amishi Castelli, FRA to Daniel Mackay – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	4/19/2021: Olivia Brazee, NYSHPO to Amishi Castelli, FRA – Request for additional language in Stipulation XI regarding the signing of Non-Disclosure Agreements for security reasons
	4/28/2021: Amishi Castelli, FRA to Daniel Mackay – Submission of Final Programmatic Agreement for signature and summary of comments received and revisions made	4/29/2021: Programmatic Agreement returned to FRA signed by Daniel Mackay
<p>Ms. Johnette Davies Manager Historic Preservation Amtrak 30th Street Station 2955 Market Street, Mailbox 41 Philadelphia, PA 19104</p>	8/5/2016: Laura Shick, FRA to Johnette Davies - Section 106 Consulting Party Invitation letter	8/16/2016: Accepts Consulting Party status, contact: Johnette Davies
	3/17/2017: Laura Shick, FRA to Johnette Davies – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	4/7/2017: Laura Shick, FRA to Johnette Davies – Invite Amtrak to be an invited signatory to the Programmatic Agreement and submission of draft Programmatic Agreement	5/9/2017: Johnette Davies to Laura Shick, FRA – Accepts FRA’s invitation to become a signatory to the Programmatic Agreement and provision of comments on the draft Programmatic Agreement
	7/6/2017: Amishi Castelli, FRA to Johnette Davies – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	8/8/2017: Johnette Davies to Amishi Castelli, FRA – provision of comments on the Draft Programmatic Agreement
	11/29/2017: Amishi Castelli, FRA to Johnette Davies – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	11/29/2017: Johnette Davies to Amishi Castelli, FRA – please change signatory to Richard H. Anderson, President and Co-Chief Executive Officer

Consulting Party/Contact Information	Outgoing	Incoming/Response
		2/9/2018: Petra Messick to Amishi Castelli, FRA – comments on measures to protect Hudson River Bulkhead
	4/5/2021: Amishi Castelli, FRA to Johnette Davies & Marie Corrado – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	4/19/201: Marie Corrado, Amtrak to Amishi Castelli, FRA – minor revisions to the Programmatic Agreement and provision of updated signatory information
	4/28/2021: Amishi Castelli, FRA to Johnette Davies & Marie Corrado – Submission of Final Programmatic Agreement for signature and summary of comments received and revisions made	5/4/2021: Programmatic Agreement returned to FRA signed by Dennis Newman
<p>Mr. Steven Plate Chief of Major Capital Projects Port Authority of New York and New Jersey 80 Pine Street, 7th Floor New York, NY 10005</p> <p>Benjamin S. Engle Gateway Program Port Authority of New York and New Jersey Four World Trade Center New York, NY 10007</p>	8/5/2016: Laura Shick, FRA to Steven Plate- Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Steven Plate – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	4/7/2017: Laura Shick, FRA to Steven Plate – Invite PANYNJ to be an invited signatory to the Programmatic Agreement and submission of draft Programmatic Agreement	5/11/2017: Michael Petralia, PANYNJ to Amishi Castelli, FRA – PANYNJ declines invitation to be a signatory to the Programmatic Agreement
	7/6/2017: Amishi Castelli, FRA to Steven Plate – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	7/18/2017: William Laventhal, PANYNJ to R J Palladino, NJ TRANSIT – requested revisions to Draft PA in the Preamble
	11/29/2017: Amishi Castelli, FRA to Steven Plate – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	10/10/2018: Amishi Castelli, FRA to William Laventhal & Elizabeth Rogak, PANNYNJ – Follow up on invitation for PANYNJ to be signatory to the Programmatic Agreement	10/18/2018: William Laventhal, PANYNJ to Amishi Castelli, FRA – PANYNJ accepts FRA’s invitation to be a signatory to the Programmatic Agreement and will continue to review the Programmatic Agreement
		1/30/2019: William Laventhal, PANYNJ to Amishi Castelli, FRA – Revisions to

Consulting Party/Contact Information	Outgoing	Incoming/Response
		<p>Programmatic Agreement, including roles and responsibilities Whereas clauses in the Preamble</p> <p>4/5/2021: Amishi Castelli, FRA to Benjamin Engle – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made</p> <p>4/19/2021: Benjamin Engle, PANYNJ to Amishi Castelli, FRA – comments and minor requested revisions to the Draft Final Programmatic Agreement</p> <p>4/28/2021: Amishi Castelli, FRA to Benjamin Engle – Submission of Final Programmatic Agreement for signature and summary of comments received and revisions made</p> <p>5/5/2021: Programmatic Agreement returned to FRA signed by Richard Cotton</p>
<p>Mr. Stephen Goodman, P.E. & Regional Administrator Federal Transit Administration One Bowling Green, Room 428 New York, NY 10004-1415</p>	<p>3/17/2017: Laura Shick, FRA to Stephen Goodman, P.E. with cc to Donald Burns, FTA – Submission of New Jersey & New York HARBS/EA and Phase 1A reports</p> <p>4/7/2017: Laura Shick, FRA to Stephen Goodman, P.E. with cc to Donald Burns, FTA – Invite FTA to be an invited signatory to the Programmatic Agreement and submission of draft Programmatic Agreement</p> <p>7/6/2017: Amishi Castelli, FRA to Stephen Goodman, P.E. with cc to Donald Burns, FTA – Submission of Draft Programmatic Agreement & invitation for July 25, 2017 Programmatic Agreement review webinar</p> <p>11/29/2017: Amishi Castelli, FRA to Stephen Goodman, P.E. with cc to Donald Burns – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made</p>	<p>12/20/2016: Stephen Goodman, FTA to Kate Marcopul, NJHPO – FTA designating FRA as lead federal agency for Section 106</p> <p>12/20/2016: Stephen Goodman, FTA to Ruth Pierpont, NYSHPO – FTA designating FRA as lead federal agency for Section 106</p> <p>5/15/2017: Donald Burns, FTA to Amishi Castelli, FRA – comments on the draft Programmatic Agreement and provision of FTA signatory information</p> <p>1/9/2018: Donald Burns, FTA to Amishi Castelli, FRA – provision of additional comments on the draft Programmatic Agreement</p>

Consulting Party/Contact Information	Outgoing	Incoming/Response
	4/5/2021: Amishi Castelli, FRA to Stephen Goodman & Donald Burns – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	4/16/2021: Jennifer Terry, FTA to Amishi Castelli, FRA – provision of additional comments on Draft Final Programmatic Agreement including requesting adding context be added regarding FTA's involvement in the Programmatic Agreement as a signatory
	4/28/2021: Amishi Castelli, FRA to Stephen Goodman & Donald Burns – Submission of Final Programmatic Agreement for signature and summary of comments received and revisions made	5/3/2021: Programmatic Agreement returned to FRA signed by Stephen Goodman
<p>Mr. James H. Cannon New York District, U.S. Army Corps of Engineers Regulatory Branch</p> <p>Ms. Danielle Courtois Senior Regulatory Project Manager New York District, Western Section, Regulatory Branch</p> <p>U.S. Army Corps of Engineers 26 Federal Plaza, 19th Floor New York, NY 10278</p>	4/7/2017: Laura Shick, FRA to James H. Cannon – Invite USACE to be an invited signatory to the Programmatic Agreement and submission of draft Programmatic Agreement	4/13/2017: James H. Cannon, USACE to Amishi Castelli, FRA – USACE requests to be a signatory to the Programmatic Agreement
		5/15/2017: James H. Cannon, USACE to Amishi Castelli, FRA – Based upon further review of the draft Programmatic Agreement, USACE will review the Hudson Tunnel Project in accordance with Appendix C of Title 33 of the Code of Federal Regulations, Part 325, and will not be a signatory to the Agreement
	5/15/2017: Amishi Castelli, FRA to James H. Cannon – Requests if USACE is designating Section 106 responsibilities to FRA, confirmation that USACE will not be a signatory to the Programmatic Agreement, and whether USACE will have any further comments on the Programmatic Agreement	5/22/2017: James H. Cannon, USACE to Amishi Castelli, FRA – USACE is not designating Section 106 responsibilities to FRA, confirms USACE will not be a signatory on the Programmatic Agreement, and will not be providing additional comments on the draft Programmatic Agreement
	7/6/2017: Amishi Castelli, FRA to James H. Cannon – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to James H. Cannon – Submission of preliminary	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
		12/12/2017: Stephen A. Ryba, USACE to Oliva Brazee, SHPO – USACE concurs with the Federal lead agency’s determination of Adverse Effect and agrees that the Programmatic Agreement appropriately addresses these effects. This determination fulfills USACE’s requirements set forth in Section 106 of the NHPA.
	4/6/2021: Amishi Castelli, FRA to Danielle Courtois – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Danielle Courtois – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Mr. RJ Palladino, AICP/PP Senior Program Manager NJ TRANSIT Capital Planning One Penn Plaza East - 8th Floor Newark, NJ 07105-2246</p> <p>Ms. Dara Callender, Manager, Environmental Compliance Environment, Energy and Sustainability Unit NJ TRANSIT One Penn Plaza East Newark, NJ 07105-2246</p>	4/7/2017: Laura Shick, FRA to RJ Palladino – Invite NJ TRANSIT to be an invited signatory to the Programmatic Agreement and submission of draft Programmatic Agreement	5/15/2017: RJ Palladino, NJ TRANSIT to Amishi Castelli, FRA – NJ TRANSIT has not removed itself as a potential signatory at this time, and provision of comments on the draft Programmatic Agreement
	7/6/2017: Amishi Castelli, FRA to RJ Palladino – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	8/17/2017: RJ Palladino to FRA consultant (AKRF) – NJ TRANSIT will not be a signatory to the Programmatic Agreement at this time and will remain a Consulting Party
	11/29/2017: Amishi Castelli, FRA to RJ Palladino – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	1/10/2018: RJ Palladino to Amishi Castelli, FRA – NJ TRANSIT has no further comments on the Programmatic Agreement and would like to remain a designated consulting party to the Programmatic Agreement. As the Hudson Tunnel Project advances beyond the EIS/ROD, NJ TRANSIT’s role in project development

Consulting Party/Contact Information	Outgoing	Incoming/Response
		may change and this issue can only be dealt with when more information is available.
	4/5/2021: Amishi Castelli, FRA to RJ Palladino and Dara Callender – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	4/19/2021: RJ Palladino to Amishi Castelli, FRA - no further comments on the Programmatic Agreement and NJ TRANSIT will continue as a consulting party and plans to sign concurrence with the Programmatic Agreement
	5/10/2021: Amishi Castelli, FRA to RJ Palladino and Dara Callender – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	5/13/2021: Kevin S. Corbett, President & CEO of NJ TRANSIT signs concurrence
<p>Ms. Sarah Stokely Program Analyst Advisory Council on Historic Preservation 401 F Street NW, Suite 308 Washington, DC 20001</p>	3/29/2017: Laura Shick, FRA submission of e-form to Advisory Council advising of Adverse Effect and FRA intent to enter into a Programmatic Agreement	4/4/2017: John M. Fowler, ACHP to Patrick T. Warren, FRA – notification that ACHP will participate in Section 106 consultation. Contact: Sarah Stokely
	5/9/2017: Laura Shick, FRA to Sarah Stokely – Submission of draft Programmatic Agreement	5/31/2017: Charlene Dwin Vaughn, ACHP to Laura Shick, FRA – comments on the draft Programmatic Agreement
	7/6/2017: Amishi Castelli, FRA to Sarah Stokely, cc: Charlene Dwin Vaughn– Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	9/5/2017: Charlene Dwin Vaughn, ACHP to Amishi Castelli, FRA – minor comments on the Draft Programmatic Agreement & Draft Environmental Impact Statement
	11/29/2017: Amishi Castelli, FRA to Sarah Stokely, cc: Charlene Dwin Vaughn – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	12/26/2017: Chris Wilson for Charlene Dwin Vaughn, ACHP to Laura Shick, FRA – The ACHP has reviewed the latest draft Programmatic Agreement and agree with all the revisions made in response to the consulting parties’ comments. Therefore ACHP has no additional comments on the Programmatic Agreement
	4/5/2021: Amishi Castelli, FRA to Sarah Stokely & Jaime Loichinger – Submission of Draft Final Programmatic Agreement	4/19/2021: Jaime Loichinger, ACHP to Amishi Castelli, FRA – comments on the Draft Final Programmatic Agreement

Consulting Party/Contact Information	Outgoing	Incoming/Response
	with summary of comments received and revisions made	including addition of language in Preamble documenting consultation since the last time the Programmatic Agreement was reviewed by Consulting Parties and addition of potential role of the Gateway Development Commission
	5/5/2021: Amishi Castelli, FRA to Sarah Stokely & Jaime Loichinger - Submission of Final Programmatic Agreement signed by FRA, NJHPO, NYSHPO and invited signatories for ACHP signature and summary of comments received and revisions made to the PA	5/10/2021: Jaime Loichinger, ACHP to Amishi Castelli, FRA - Programmatic Agreement returned to FRA signed by Reid Nelson
<p>Ms. Nekole Alligood, Tribal Historic Preservation Officer, ATTN: Cultural Preservation Department Ms. Kim Penrod, Director, Cultural Resources/106, Archives, Library and Museum Ms. Deborah Dotson, President Ms. Erin Paden, Director, Cultural Resources/106, Archives, Library and Museum</p> <p>Delaware Nation 31064 State Highway 281 P.O. Box 825 Anadarko, OK 73005</p>	5/11/2016: Laura Shick, FRA to Nekole Alligood – Section 106 invitation letter for government to government consultation	
	12/9/2016: Laura Shick, FRA to Nekole Alligood – Submission of Proposed Area of Potential Effects Memorandum	
	1/31/2017: Laura Shick, FRA to Nekole Alligood – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	4/7/2017: Laura Shick, FRA to Nekole Alligood – Submission of draft Programmatic Agreement	4/12/2017: Kimberly Penrod to Amishi Castelli, FRA – comments on the draft Programmatic Agreement including requesting involvement with, and receipt of, interpretive materials produced and recommendation that a buffer area be delineated in case of an unanticipated discovery, and provision of contact information
	7/6/2017: Amishi Castelli, FRA to Nekole Alligood & Kim Penrod – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Nekole Alligood & Kim Penrod – Submission of preliminary draft of the Final	12/18/2017: Kimberly Penrod to Amishi Castelli, FRA – With the information submitted, the Delaware Nation can concur

Consulting Party/Contact Information	Outgoing	Incoming/Response
	Programmatic Agreement and a summary of comments received and revisions made	at present with the Programmatic Agreement, and reiterates main concerns are keeping a buffer area and being notified within 24 hours of a discovery. In addition, The Delaware Nation requests that Nekole Alligood be removed as contact and replaced with Deborah Dotson, President
	4/6/2021: Amishi Castelli, FRA to Deborah Dotson and Erin Paden – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Deborah Dotson and Erin Paden – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Ms. Blair Fink and Ms. Susan Bachor, Historic Preservation Representatives Delaware Tribe Historic Preservation Office Delaware Tribe P.O. Box 64 Pocono Lake, PA 18347</p>	5/12/2016: Laura Shick, FRA to Blair Fink and Susan Bachor– Section 106 invitation letter for government to government consultation	6/6/2016: Susan Bachor, Delaware Tribe Historic Preservation Representative to Amishi Castelli, FRA – Delaware Tribe to enter into consultation for the Project
	12/9/2016: Laura Shick, FRA to Blair Fink and Susan Bachor – Submission of Proposed Area of Potential Effects Memorandum	
	1/31/2017: Laura Shick, FRA to Blair Fink and Susan Bachor – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	4/7/2017: Laura Shick, FRA to Blair Fink and Susan Bachor – Submission of draft Programmatic Agreement	
	7/6/2017: Amishi Castelli, FRA to Blair Fink and Susan Bachor – Submission of Draft Programmatic Agreement	
	11/29/2017: Amishi Castelli, FRA to Blair Fink and Susan Bachor – Submission of	1/5/2018: Susan Bachor, Delaware Tribe Historic Preservation Representative to

Consulting Party/Contact Information	Outgoing	Incoming/Response
	<p>preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made</p>	<p>Amishi Castelli, FRA – the Delaware Tribe has reviewed the revised draft Programmatic Agreement and would like to have their Inadvertent Discovery Plan included in the Programmatic Agreement. The Inadvertent Discovery Plan was included as an attachment to the letter.</p>
	<p>4/6/2021: Amishi Castelli, FRA to Blair Fink and Susan Bachor – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made</p>	<p>4/19/2021: Susan Bachor, Delaware Tribe Historic Preservation Representative to Amanda Murphy, FRA – provision of updated Inadvertent Discovery Policy for Appendix f of the Programmatic Agreement</p>
	<p>5/10/2021: Amishi Castelli, FRA to Blair Fink and Susan Bachor – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	<p>5/10/2021: Brice Obermeyer, THPO of Delaware Tribe signs concurrence</p>
<p>Chester Brooks, Chief Delaware Tribe of Indians, Oklahoma Delaware Tribal Headquarters 170 N.E. Barbara Bartlesville, OK 74006</p>	<p>5/11/2016: Laura Shick, FRA to Chester Brooks – Section 106 invitation letter for government to government consultation</p>	
	<p>12/9/16: Laura Shick, FRA to Chester Brooks – Submission of Proposed Area of Potential Effects Memorandum</p>	
	<p>1/31/2017: Laura Shick, FRA to Chester Brooks– Submission of New Jersey & New York HARBS/EA and Phase 1A reports</p>	
	<p>4/7/2017: Laura Shick, FRA to Chester Brooks – Submission of draft Programmatic Agreement</p>	
	<p>7/6/2017: Amishi Castelli, FRA to Chester Brooks – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar</p>	
	<p>11/29/2017: Amishi Castelli, FRA to Chester Brooks – Submission of preliminary draft of the Final Programmatic</p>	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	Agreement and a summary of comments received and revisions made	
	4/6/2021: Amishi Castelli, FRA to Chester Brooks – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Chester Brooks – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
Chief Glenna Wallace Eastern Shawnee Tribe of Oklahoma P.O. Box 350 Seneca, MO 64865	8/5/2016: Laura Shick, FRA to Glenna Wallace – Section 106 invitation letter for government to government consultation	
	12/9/2016: Laura Schick, FRA to Glenna Wallace – Submission of Proposed Area of Potential Effects Memorandum	3/17/2017: Robin Dushane, THPO to Amishi Castelli, FRA - Concurrence with the proposed Area of Potential Effects
	1/31/2017: Laura Shick, FRA to Glenna Wallace – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	4/7/2017: Laura Shick, FRA to Glenna Wallace – Submission of draft Programmatic Agreement	
	7/6/2017: Amishi Castelli, FRA to Glenna Wallace – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Glenna Wallace – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	1/31/2018: Brett Barnes, THPO to Amishi Castelli, FRA – Based on information provided and review of records, the project will have No Effect on properties of sacred and/or cultural significance to the Tribe
	4/6/2021: Amishi Castelli, FRA to Glenna Wallace – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	5/10/2021: Amishi Castelli, FRA to Glenna Wallace – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
Chief Ron Sparkman Chief Ben Barnes Shawnee Tribe of Oklahoma P.O. Box 189 29 South Highway 69A Miami, OK 74355	8/5/2016: Laura Shick, FRA to Ron Sparkman – Section 106 invitation letter for government to government consultation	
	12/9/2016: Laura Shick, FRA to Ron Sparkman – Submission of Proposed Area of Potential Effects Memorandum	
	1/31/2017: Laura Schick, FRA to Ron Sparkman– Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	4/7/2017: Laura Shick, FRA to Ron Sparkman – Submission of draft Programmatic Agreement	
	7/6/2017: Amishi Castelli, FRA to Ron Sparkman – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Ron Sparkman – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	4/6/2021: Amishi Castelli, FRA to Ben Barnes – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Ben Barnes – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	Programmatic Agreement as a Concurring Party	
<p>Stockbridge-Munsee Community of Mohican Indians of Wisconsin Ms. Sherry White, Tribal Historic Preservation Officer Stockbridge-Munsee Community of Mohican Indians of Wisconsin W13447 Camp 14 Road Bowler, WI 54416</p> <p>Ms. Bonney Hartley, Tribal Historic Preservation Officer – New York Office Stockbridge-Munsee Community of Mohican Indians 65 1st Street Troy, NY 12180</p>	5/12/2016: Laura Shick, FRA to Sherry White & Bonney Hartley - Section 106 invitation letter for government to government consultation	6/7/2016: Bonney Hartley to Amishi Castelli, FRA - Request information on extent of new ground disturbance and that cultural resources studies be prepared
	12/9/2016: Laura Shick, FRA to Sherry White & Bonney Hartley – Submission of Proposed Area of Potential Effects Memorandum	12/19/2016: Bonney Hartley to Laura Shick & Amishi Castelli, FRA - Concurrence with the proposed Area of Potential Effects
	1/31/2017: Laura Shick, FRA to Sherry White & Bonney Hartley – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	3/6/2017: Bonney Hartley to Laura Shick – No significant cultural resources concerns based on review of the New Jersey and New York Phase 1A reports. Requests continued consultation should the project design change, or in the event of inadvertent discoveries.
	4/7/2017: Laura Shick, FRA to Sherry White & Bonney Hartley – Submission of draft Programmatic Agreement	
	7/6/2017: Amishi Castelli, FRA to Sherry White & Bonney Hartley – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Sherry White & Bonney Hartley – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	12/15/2017: Bonney Hartley to Amishi Castelli, FRA – No further comments on the Programmatic Agreement, may consider signing as a concurring party. Request to be included in further correspondence on the matter
	4/6/2021: Amishi Castelli, FRA to Sherry White & Bonney Hartley – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	5/10/2021: Amishi Castelli, FRA to Sherry White & Bonney Hartley – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	5/18/2021: Meadhbh Ginnane, THPO Office to Amishi Castelli, FRA – Respectfully declines option to sign Programmatic Agreement as Concurring Party
Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II, Trustees Shinnecock Indian Nation Tribal Office Shinnecock Indian Nation P.O. Box 5006 Southampton, NY 11969-5006	5/11/2016: Laura Shick, FRA to Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II – Section 106 invitation letter for government to government consultation	
	12/9/2016: Laura Shick, FRA to Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II– Submission of Proposed Area of Potential Effects Memorandum	
	1/31/2017: Laura Shick, FRA to Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	4/7/2017: Laura Shick, FRA to Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II – Submission of draft Programmatic Agreement	
	7/6/2017: Amishi Castelli, FRA to Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	4/6/2021: Amishi Castelli, FRA to Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II – Submission of Draft Final	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	<p>Programmatic Agreement with summary of comments received and revisions made</p> <p>5/10/2021: Amishi Castelli, FRA to Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	
<p>Ms. Corrine Remington, Secretary Eastern Delaware Nation corrine.remington@yahoo.com</p>	<p>8/5/2016: Laura Shick, FRA to Corrine Remington - Section 106 Consulting Party Invitation letter</p> <p>3/17/2017: Laura Shick, FRA to Corrine Remington – Submission of New Jersey & New York HARBS/EA and Phase 1A reports</p> <p>7/6/2017: Amishi Castelli, FRA to Corrine Remington – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar</p> <p>11/29/2017: Amishi Castelli, FRA to Corrine Remington – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made</p> <p>5/10/2021: Amishi Castelli, FRA to Corrine Remington – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	
<p>Ms. Doris Pieschel, Secretary Eastern Lenape Nation of Pennsylvania #37, 1523 E. Newport Road Lititz, PA 17543</p>	<p>8/5/2016: Laura Shick, FRA to Doris Pieschel - Section 106 Consulting Party Invitation letter. Note: This letter was returned to FRA as undelivered as Ms. Pieschel is deceased (per 2016-9-27 FRA</p>	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	email). Research could not find if this group still existed.	
Mr. Mark Gould, Tribal Chairperson Nanticoke Leni-Lenape Indians of New Jersey P.O. Box 544 Bridgeton, NJ 08302	8/5/2016: Laura Shick, FRA to Mark Gould - Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Mark Gould – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Mark Gould – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Mark Gould – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Mark Gould – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	

Consulting Party/Contact Information	Outgoing	Incoming/Response
Chief Harry Wallace Chief Kenneth Virgil Harris Unkechaug Nation 207 Poospansk Lane Mastic, NY 11950	8/5/2016: Laura Shick, FRA to Harry Wallace - Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Harry Wallace – Submission of New York HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Harry Wallace – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Harry Wallace – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Kenneth Virgil Harris – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
Ms. Gina Santucci New York City Landmarks Preservation Commission Municipal Building 1 Centre Street, 9th Floor, North New York, NY 10007	8/5/2016: Laura Shick, FRA to Meenakshi Srinivasan, Chair – Section 106 Consulting Party Invitation letter	8/12/2016: Accepts Consulting Party status, contact: Gina Santucci
	3/15/2017: Laura Shick, FRA to Gina Santucci – Submission of New York HARBS/EA and Phase 1A reports	3/24/2017: Acceptance of the New York HARBS/EA report, concurrence with findings of the New York Phase 1A report, and concurrence with NYSHPO February 24, 2017 comments that archaeological testing should occur before construction if at all possible. Comments signed by Gina Santucci
	7/6/2017: Amishi Castelli, FRA to Gina Santucci – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	8/30/2017: concurs with text pertaining to historic and archaeological resources in New York City and requests consultation for archaeology and archaeological mitigation in New York City. Comments signed by Gina Santucci

Consulting Party/Contact Information	Outgoing	Incoming/Response
	11/29/2017: Amishi Castelli, FRA to Gina Santucci – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	1/12/2018: LPC is in receipt of the revised draft Programmatic Agreement of 11/29/17. The text is acceptable for historic and cultural resources. Comments signed by Gina Santucci.
	4/6/2021: Amishi Castelli, FRA to Gina Santucci – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Gina Santucci – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	5/17/2021: Sarah Carroll, Chair, signs concurrence
<p>The Honorable Dawn Zimmer The Honorable Ravi S. Bhalla</p> <p>Mayor of Hoboken 94 Washington Street Hoboken, NJ 07030</p>	8/5/2016: Laura Shick, FRA to Dawn Zimmer – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Dawn Zimmer – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Dawn Zimmer – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Dawn Zimmer – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Ravi S. Bhalla – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	

Consulting Party/Contact Information	Outgoing	Incoming/Response
<p>Mr. Dennis English, Chairperson Mr. Steve Zane, Chairperson</p> <p>Hoboken Historic Preservation Commission Hoboken City Hall 94 Washington Street Hoboken, NJ 07030</p>	8/5/2016: Laura Shick, FRA to Dennis English – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Dennis English – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Dennis English – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Dennis English – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Steve Zane – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>The Honorable Thomas A. DeGise Hudson County Executive 583 Newark Avenue Jersey City, NJ 07306</p>	8/5/2016: Laura Shick, FRA to Thomas A. DeGise – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Thomas A. DeGise – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Thomas A. DeGise – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Thomas A. DeGise – Submission of preliminary draft of the Final Programmatic	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	<p>Agreement and a summary of comments received and revisions made</p> <p>5/10/2021: Amishi Castelli, FRA to Vicky Parks, Hudson County Executive's assistant for Thomas A. DeGise – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	
<p>The Honorable Steven M. Fulop Mayor of Jersey City 280 Grove Street Jersey City, NJ 07302</p>	<p>8/5/2016: Laura Shick, FRA to Steven M. Fulop – Section 106 Consulting Party Invitation letter</p> <p>3/17/2017: Laura Shick, FRA to Steven M. Fulop – Submission of New Jersey HARBS/EA and Phase 1A reports</p> <p>7/6/2017: Amishi Castelli, FRA to Steven M. Fulop – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar</p> <p>11/29/2017: Amishi Castelli, FRA to Steven M. Fulop – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made</p> <p>5/10/2021: Amishi Castelli, FRA to Steven M. Fulop – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	
<p>Mr. Daniel M. Wrieden, Historic Preservation Officer, Division of City Planning Jersey City Historic Preservation Commission 30 Montgomery Street</p>	<p>8/5/2016: Laura Shick, FRA to Daniel M. Wrieden – Section 106 Consulting Party Invitation letter</p>	

Consulting Party/Contact Information	Outgoing	Incoming/Response
14th Floor, Suite 1400 Jersey City, NJ 07302	3/17/2017: Laura Shick, FRA Daniel M. Wrieden – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Daniel M. Wrieden – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Daniel M. Wrieden – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Daniel M. Wrieden – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
The Honorable Nicolas Sacco Mayor of North Bergen 4233 John F. Kennedy Blvd., Room 100 North Bergen, NJ 07047	8/5/2016: Laura Shick, FRA to Nicolas Sacco – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA Nicolas Sacco – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Nicolas Sacco – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Nicolas Sacco – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Nicolas Sacco – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
The Honorable Michael J. Gonnelli Mayor of Secaucus Municipal Government Center 1203 Paterson Plank Rd., 2nd Floor Secaucus, NJ 07094	8/5/2016: Laura Shick, FRA to Michael J. Gonnelli – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA Michael J. Gonnelli – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Michael J. Gonnelli – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Michael J. Gonnelli – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Michael J. Gonnelli – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
The Honorable Brian Stack Mayor of Union City 3715 Palisade Avenue, 3rd Floor Union City, NJ 07087	8/5/2016: Laura Shick, FRA to Brian Stack – Section 106 Consulting Party Invitation letter	8/15/2016: Accepts Consulting Party status, contact: Brian Stack
	3/17/2017: Laura Shick, FRA to Brian Stack – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Brian Stack – Submission of Draft Programmatic Agreement	
	11/29/2017: Amishi Castelli, FRA to Brian Stack – Submission of preliminary draft of the Final Programmatic Agreement and a	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	summary of comments received and revisions made	
	4/6/2021: Amishi Castelli, FRA to Brian Stack – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Brian Stack – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Union City Landmarks Commission c/o David Spatz, P.P., AICP Community Housing & Planning Assoc. 60 Friend Terrace Harrington Park, NJ 07640</p>	8/5/2016: Laura Shick, FRA to David Spatz – Section 106 Consulting Party Invitation letter	9/21/16: Accepts Consulting Party status, contact: David Spatz, planning consultant for the City of Union City & will be representing the City for Section 106.
	3/17/2017: Laura Shick, FRA to David Spatz – Submission of New Jersey HARBS/EA and Phase 1A reports	3/20/2017: David Spatz to Amishi Castelli, FRA: Accepts conclusions of New Jersey HARBS/EA report.
	7/6/2017: Amishi Castelli, FRA to David Spatz – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to David Spatz – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	4/6/2021: Amishi Castelli, FRA to David Spatz – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to David Spatz – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the	

Consulting Party/Contact Information	Outgoing	Incoming/Response
<p>Mr. Jeff Welz & Mr. Giovanni D. Ahmad Mayor of Weehawken 400 Park Avenue Weehawken, NJ 07087</p>	<p>Programmatic Agreement as a Concurring Party</p>	
	<p>8/5/2016: Laura Shick, FRA to Richard F. Turner – Section 106 Consulting Party Invitation letter</p>	<p>8/22/2016: Accepts Consulting Party status, contact: Jeff Welz & Giovanni D. Ahmad</p>
	<p>3/17/2017: Laura Shick, FRA to Jeff Welz & Giovanni D. Ahmad – Submission of New Jersey HARBS/EA and Phase 1A reports</p>	
	<p>7/6/2017: Amishi Castelli, FRA to Jeff Welz & Giovanni D. Ahmad – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar</p>	
	<p>11/29/2017: Amishi Castelli, FRA to Jeff Welz & Giovanni D. Ahmad – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made</p>	
	<p>4/6/2021: Amishi Castelli, FRA to Jeff Welz & Giovanni D. Ahmad – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made</p>	
	<p>5/10/2021: Amishi Castelli, FRA to Jeff Welz & Giovanni D. Ahmad – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	
<p>Ms. Lauren Sherman, Chair Weehawken Historical Commission 31 Fulton St Weehawken, NJ 07086</p>	<p>8/5/2016: Laura Shick, FRA to Lauren Sherman – Section 106 Consulting Party Invitation letter</p>	<p>8/27/2016: Accepts Consulting Party status, contact: Lauren Sherman, Chair</p>
	<p>3/17/2017: Laura Shick, FRA to Lauren Sherman – Submission of New Jersey HARBS/EA and Phase 1A reports</p>	
	<p>7/6/2017: Amishi Castelli, FRA to Lauren Sherman – Submission of Draft</p>	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Lauren Sherman – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	4/6/2021: Amishi Castelli, FRA to Lauren Sherman – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Lauren Sherman – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Ms. Noreen Doyle Executive Vice President Hudson River Park Trust Pier 40, 2nd Floor 353 West Street New York, NY 10014</p>	8/5/2016: Laura Shick, FRA to Noreen Doyle – Section 106 Consulting Party Invitation letter	8/23/2016: Accepts Consulting Party status and indicates particular interest in historic float bridge at Pier 66a, historic vessels there, and historic bulkhead. Contact: Noreen Doyle
	3/17/2017: Laura Shick, FRA to Noreen Doyle – Submission of New York HARBS/EA and Phase 1A reports	
	3/24/2017: Mohammed Nasim, Amtrak to Noreen Doyle – Request of concurrence for geotechnical boring within Hudson River Bulkhead for preliminary engineering	
	7/6/2017: Amishi Castelli, FRA to Noreen Doyle – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	8/23/2017: Noreen Doyle to Amishi Castelli, FRA – provision of comments on Draft PA regarding mitigation measures for the Hudson River bulkhead
	11/29/2017: Amishi Castelli, FRA to Noreen Doyle – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	1/3/2018: Noreen Doyle to Amishi Castelli, FRA – HRPT reviewed the preliminary draft of the Final Programmatic Agreement and provided a number of comments regarding their concerns for the protection and long

Consulting Party/Contact Information	Outgoing	Incoming/Response
		term maintenance of the Hudson River bulkhead and schedule for reviewing materials provided to them.
	4/5/2021: Amishi Castelli, FRA to Noreen Doyle – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	4/19/2021: Noreen Doyle to Amishi Castelli, FRA -- no additional comments on the Draft Final Programmatic Agreement
	5/10/2021: Amishi Castelli, FRA to Noreen Doyle – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	5/13/2021: Noreen Doyle, Acting President, signs concurrence
President Archaeological Society of New Jersey c/o New Jersey State Museum Bureau of Archaeology & Ethnography 205 State Street, P.O. Box 530 Trenton, NJ 08625-0530	8/5/2016: Laura Shick, FRA to President – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to President – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to President – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to President – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to President – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	

Consulting Party/Contact Information	Outgoing	Incoming/Response
Mr. Jim Mackin, President Roebling Chapter Society for Industrial Archeology 370 Riverside Drive, Apt. 2B New York, NY 10025	8/5/2016: Laura Shick, FRA to Jim Mackin – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Jim Mackin– Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Jim Mackin – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Jim Mackin – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Jim Mackin – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
Ms. Shelly Spritzer Professional Archaeologists of New York City (PANYC) P.O. Box 1503 Murray Hill Station New York, NY 10156-1503	8/5/2016: Laura Shick, FRA to Shelly Spritzer – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Shelly Spritzer– Submission of New York HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Shelly Spritzer – Submission of Draft Programmatic Agreement	
	11/29/2017: Amishi Castelli, FRA to Shelly Spritzer – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to PANYC – Submission of executed Programmatic Agreement for opportunity to indicate	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Mr. Bob Foster, Director Hoboken Historical Museum 1301 Hudson Street Hoboken, NJ 07030</p>	8/5/2016: Laura Shick, FRA to Bob Foster – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Bob Foster – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Bob Foster – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Bob Foster – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Bob Foster – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Ms. Mary A, Kelly Hoboken Quality of Life Coalition, Inc. P.O. Box 1195 Hoboken, NJ 07030</p>	8/5/2016: Laura Shick, FRA to whom it may concern – Section 106 Consulting Party Invitation letter	9/13/2016: Accepts Consulting Party status, contact: Mary A. Kelly
	3/17/2017: Laura Shick, FRA to Mary A, Kelly – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Mary A. Kelly – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Mary A. Kelly – Submission of preliminary draft of the Final Programmatic Agreement and	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	a summary of comments received and revisions made	
	4/6/2021: Amishi Castelli, FRA to Mary A. Kelly – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Mary A. Kelly – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Mr. Justin Frohwirth, President Sanjay Chauhan, President</p> <p>Jersey City Landmarks Conservancy P.O. Box 68 Jersey City, NJ 07303-0068</p>	8/5/2016: Laura Shick, FRA to Justin Frohwirth – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA Justin Frohwirth – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Justin Frohwirth – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Justin Frohwirth – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Sanjay Chauhan – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Mr. Steve Tettamanti, Executive Director New Jersey Historical Society 52 Park Place</p>	8/5/2016: Laura Shick, FRA to Steve Tettamanti – Section 106 Consulting Party Invitation letter	

Consulting Party/Contact Information	Outgoing	Incoming/Response
Newark, NJ 07102	3/17/2017: Laura Shick, FRA to Steve Tettamanti – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Steve Tettamanti – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Steve Tettamanti– Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Steve Tettamanti – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
Samuel Gato, President Weehawken Historical Society sdgarchive@gmail.com	8/5/2016: Laura Shick, FRA to whom it may concern – Section 106 Consulting Party Invitation letter	3/25/2017: Request to be kept informed and offer to provide information. Contact: Samuel Gato, President
	3/28/2017: Laura Shick, FRA to Samuel Gato – Submission of New Jersey HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Samuel Gato – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Samuel Gato – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Samuel Gato – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the	

Consulting Party/Contact Information	Outgoing	Incoming/Response
<p>Mr. Paul Gallay, President and Hudson Riverkeeper Riverkeeper, Inc. 20 Secor Road Ossining, NY 10562</p>	<p>Programmatic Agreement as a Concurring Party</p>	
	<p>8/5/2016: Laura Shick, FRA to Paul Gallay – Section 106 Consulting Party Invitation letter</p>	
	<p>3/17/2017: Laura Shick, FRA to Paul Gallay – Submission of New Jersey & New York HARBS/EA and Phase 1A reports</p>	
	<p>7/6/2017: Amishi Castelli, FRA to Paul Gallay – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar</p>	
	<p>11/29/2017: Amishi Castelli, FRA to Paul Gallay– Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made</p>	
<p>Mr. Walter Hoffmann, President Anthracite Railroads Historical Society P.O. Box 519 Lansdale, PA 19446</p>	<p>5/10/2021: Amishi Castelli, FRA to Paul Gallay – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	
	<p>8/5/2016: Laura Shick, FRA to Walter Hoffmann – Section 106 Consulting Party Invitation letter</p>	
	<p>3/17/2017: Laura Shick, FRA to Walter Hoffmann – Submission of New Jersey & New York HARBS/EA and Phase 1A reports</p>	
	<p>7/6/2017: Amishi Castelli, FRA to Walter Hoffmann – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar</p>	
<p>11/29/2017: Amishi Castelli, FRA to Walter Hoffmann – Submission of preliminary draft of the Final Programmatic Agreement</p>		

Consulting Party/Contact Information	Outgoing	Incoming/Response
	<p>and a summary of comments received and revisions made</p> <p>5/10/2021: Amishi Castelli, FRA to Walter Hoffmann – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	
<p>Mr. Michael J. Connor, President c/o David Start, Membership Chairman Erie Lackawanna Historical Society 22 Ice Plant Road Lafayette, NJ 07848-2403</p>	<p>8/5/2016: Laura Shick, FRA to Michael J. Connor c/o David Start – Section 106 Consulting Party Invitation letter</p> <p>3/17/2017: Laura Shick, FRA to Michael J. Connor c/o David Start – Submission of New Jersey & New York HARBS/EA and Phase 1A reports</p> <p>7/6/2017: Amishi Castelli, FRA to Michael J. Connor c/o David Start– Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar</p> <p>11/29/2017: Amishi Castelli, FRA to Michael J. Connor c/o David Start – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made</p> <p>5/10/2021: Amishi Castelli, FRA to Michael J. Connor c/o David Start – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party</p>	
<p>Mr. Bruce Russell National Railway Historical Society, Inc. North New Jersey Chapter 84 Arnold Terrace South Orange, NJ 07079</p>	<p>9/30/2016: Laura Shick, FRA to Bruce Russell – Section 106 Consulting Party Invitation letter</p> <p>3/17/2017: Laura Shick, FRA to Bruce Russell – Submission of New Jersey & New York HARBS/EA and Phase 1A reports</p>	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	7/6/2017: Amishi Castelli, FRA to Bruce Russell – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Bruce Russell – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Bruce Russell – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Michael C. Sudol Jr., Secretary National Railway Historical Society Jersey Central Chapter PO Box 700 Clark, NJ 07066</p>	8/5/2016: Laura Shick, FRA to Michael C. Sudol Jr. – Section 106 Consulting Party Invitation letter	8/9/2016: Michael C. Sudol to Katherine Marcopul, NJHPO. Accepts Consulting Party status and is wholly in favor in building an additional railroad tunnel from NJ to Penn Station in NYC. The construction of such a tunnel would allow for more NJ TRANSIT and Amtrak trains to NYC and return
	3/17/2017: Laura Shick, FRA to Michael C. Sudol Jr. – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Michael C. Sudol Jr. – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Michael C. Sudol Jr. – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	4/6/2021: Amishi Castelli, FRA to Michael C. Sudol, Jr. – Submission of Draft Final Programmatic Agreement with summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Michael C. Sudol Jr. – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Mr. Tommy Meehan, Chairman New York Chapter Railway & Locomotive Historical Society 42 Portland Pl, Fl. 2 Yonkers NY 10703-2206</p>	8/5/2016: Laura Shick, FRA to Tommy Meehan – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Tommy Meehan – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Tommy Meehan – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Tommy Meehan – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Tommy Meehan – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
<p>Mr. Steve Staffieri, President Pennsylvania Railroad Technical & Historical Society Philadelphia Chapter P.O. Box 356 Merion Station, PA 19066-9998</p>	8/5/2016: Laura Shick, FRA to Steve Staffieri – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Steve Staffieri – Submission of New Jersey &	

Consulting Party/Contact Information	Outgoing	Incoming/Response
2963 Columbia Drive Bensalem PA 19020	New York HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Steve Staffieri – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Steve Staffieri – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Steve Staffieri – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
Mr. Michael Del Vecchio, President Tri-State Railway Historical Society, Inc. P.O. Box 1217 Morristown, NJ 07962	8/5/2016: Laura Shick, FRA to Michael Del Vecchio – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Michael Del Vecchio – Submission of New Jersey & New York HARBS/EA and Phase 1A reports	
	7/6/2017: Amishi Castelli, FRA to Michael Del Vecchio – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Michael Del Vecchio – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Michael Del Vecchio – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome	

Consulting Party/Contact Information	Outgoing	Incoming/Response
	of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	
Mr. Larry Gross, President United Railroad Historical Society of New Jersey 104 Morris Ave Boonton Township, NJ 07005	8/5/2016: Laura Shick, FRA to Larry Gross – Section 106 Consulting Party Invitation letter	
	3/17/2017: Laura Shick, FRA to Larry Gross – Submission of New Jersey & New York HARBS/EA and Phase 1A reports – resent via email 3/29/2017 as delivery was not received	
	7/6/2017: Amishi Castelli, FRA to Larry Gross – Submission of Draft Programmatic Agreement & invitation to July 25, 2017 Programmatic Agreement review webinar	
	11/29/2017: Amishi Castelli, FRA to Larry Gross – Submission of preliminary draft of the Final Programmatic Agreement and a summary of comments received and revisions made	
	5/10/2021: Amishi Castelli, FRA to Larry Gross – Submission of executed Programmatic Agreement for opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Programmatic Agreement as a Concurring Party	

Selected Historic Resources Correspondence

From: thpo <thpo@mohican-nsn.gov>
Sent: Tuesday, May 18, 2021 1:44 PM
To: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Subject: RE: FINAL FOR CONCURRENCE: Hudson Tunnel Project 106 Programmatic Agreement

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Thank you for forwarding the Programmatic Agreement to the Stockbridge-Munsee Community Tribal Historic Preservation Office. We would like to respectfully decline the option to sign as a Concurring Party.

Best,

Meadhbh Ginnane

Stockbridge-Munsee Mohican Tribal Historic Preservation
Extension Office
86 Spring Street
Williamstown, MA 01267
(413) 884-6029
thpo@mohican-nsn.gov
www.mohican-nsn.gov



May 10, 2021

Ms. Amishi Castelli, Ph.D.
FRA Hudson Tunnel Project Environmental Lead
U.S Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
One Bowling Green, Suite 429
New York, NY 10004-1415

Ref: *Hudson Tunnel Rail Project*
Hudson County, New Jersey, and New York County, New York
ACHP Project Number: 010433

Dear Dr. Castelli:

Enclosed is the Federal Railroad Administration's (FRA) copy of the fully executed Programmatic Agreement for the referenced project. By carrying out the terms of the Agreement, FRA will fulfill its responsibilities under Section 106 of the National Historic Preservation Act (NHPA) and the regulations of the Advisory Council on Historic Preservation, "Protection of Historic Properties" (36 CFR Part 800). Please ensure that all consulting parties are provided a copy of the executed Agreement in accordance with 36 CFR 800.6(c)(9). The original Agreement will remain on file at our office.

We commend FRA for working closely with the New Jersey and New York State Historic Preservation Officers in developing this Programmatic Agreement. If we may be of further assistance as the Agreement is implemented, please contact Ms. Sarah Stokely at (202) 517-0224, or via e-mail at sstokely@achp.gov.

Sincerely,

Jaime Loichinger
Assistant Director
Office of Federal Agency Programs
Federal Permitting, Licensing, and Assistance Section

Enclosure

From: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Sent: Monday, May 10, 2021 4:31 PM
To: Danielle.R.Courtois@usace.army.mil; ddotson@delawarenation-nsn.gov; epaden@delawarenation-nsn.gov; temple@delawaretribe.org; cbrooks@delawaretribe.org; chief@estoo.net; pbarton@estoo.net; chief@shawnee-tribe.com; Sherry.white@mohican-nsn.gov; Bonney.hartley@mohican-nsn.gov; sination@optonline.net; msmasesq@gmail.com; corrine.remington@yahoo.com; TribalCouncil@NLLTribe.com; unkechaugnationtc@gmail.com; gsantucci@lpc.nyc.gov; rbhalla@hobokennj.gov; hpc@hobokennj.gov; vparks@hcnj.us; fulops@jcnj.org; danw@jcnj.org; mayorsoffice@northbergen.org; Mayor@Secaucus.net; mayorstack@ucnj.com; davidspatz@optimum.net; JWelz@tow-nj.net; GAhmad@tow-nj.net; LaurenLSherman@aol.com; ndoyle@hrpt.ny.gov; asofnj@gmail.com; sia@siahq.org; info@panycarchaeology.org; rfoster@hobokenmuseum.org; makelly925@gmail.com; info@jclandmarks.org; stettamanti@jerseyhistory.org; info@riverkeeper.org; sdgarchive@gmail.com; arhs@anthraciterailroads.org; dstart.elhs@gmail.com; info@nrhs.com; mcsudol@aol.com; tmeehan0421@gmail.com; interceptor92@comcast.net; mike@tristaterrail.org; Larry1090@gmail.com
Cc: Osterhues, Marlys (FRA); Murphy, Amanda (FRA); Johnson, Kathryn (FRA); Claudia Cooney; Julia P. Cowing; 'RPalladino@njtransit.com'; Engle, Benjamin
Subject: FINAL FOR CONCURRENCE: Hudson Tunnel Project 106 Programmatic Agreement
Attachments: Concurring Party signature page.pdf; Programmatic Agreement-2021-0510-FINAL EXECUTED.pdf

Good afternoon—

The Federal Railroad Administration (FRA) is pleased to provide the Final Executed Programmatic Agreement (PA) for mitigating adverse effects to historic properties that would result from the Hudson Tunnel Project (the proposed project).

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR part 800), FRA afforded your organization or Tribe opportunities to comment on this PA as a consulting party. FRA took consulting party comments into consideration when developing and finalizing the PA. **In accordance with 36 CFR Part 800, Consulting parties have the opportunity to indicate concurrence with the outcome of Section 106 consultation by signing this PA as a Concurring Party.** As set forth in Stipulation II.F. of the PA, Concurring Parties to the PA can review and comment on draft documentation as specified in certain stipulations of the PA. **You may also elect not to sign as a Concurring Party, and the PA will remain fully executed.**

If your organization or Tribe elects to sign this PA as a Concurring Party, please sign and return the attached Concurring Party signature page. A digital signature can substitute for a handwritten signature. For your convenience, we pulled out the Concurring Party signature sheet as a separate attachment for you to complete. **If you would like your organization or Tribe's concurrence with the PA documented in the Final Environmental Impact Statement and Record of Decision for the Hudson Tunnel Project, please return the signature page no later than May 21, 2021.**

Please direct all questions or comments to me, Amanda Murphy (FRA) at Amanda.murphy2@dot.gov and/or Claudia Cooney ccooney@akrf.com. If you elect to sign the PA, please return your scanned or electronic signature on the single PDF sheet directly to Ms. Murphy, Ms. Cooney, and myself.

As we reach this important milestone, we want to thank you for your attention to this project over the years.

All the best,
Amishi

Amishi Castelli, Ph.D.
U.S. Department of Transportation, Federal Railroad Administration
Office of Railroad Policy and Development
One Bowling Green, Suite 429
New York, NY 10004-1415
617-431-0416

From: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Sent: Wednesday, May 5, 2021 2:03 PM
To: sstokely@achp.gov; jloichinger@achp.gov
Cc: Murphy, Amanda (FRA); Claudia Cooney; Julia P. Cowing; 'RPalladino@njtransit.com'; Engle, Benjamin; Osterhues, Marlys (FRA)
Subject: FW: FOR SIGNATURE: Hudson Tunnel Project 106 Programmatic Agreement
Attachments: Programmatic Agreement-2021-0428-comparison to 040521 version.pdf; Programmatic Agreement-2021-0405-DRAFT FINAL for Signatory and HRPT review-ALL COMMENTS AND RESPONSES.pdf; ACHP signature page.pdf; Programmatic Agreement-2021-0428-FINAL for ACHP signature.pdf

Dear Sarah and Jaime,

The Federal Railroad Administration (FRA) is pleased to provide you with the Final Programmatic Agreement (PA) for mitigating adverse effects to historic properties that would result from the Hudson Tunnel Project. This Final PA has been signed by FRA and the other Signatories and Invited Signatories.

To maintain project schedule, FRA requests ACHP's signature no later than Wednesday, May 12, 2021. A "wet" signature is not required – as noted below, for your convenience, we've pulled out the signature sheet for ACHP, and you may return your scanned or electronic signature on the single PDF sheet directly to me via email.

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulation (36 CFR 800), FRA afforded ACHP a number of opportunities to comment on the development of the PA. Most recently, FRA provided the Draft Final PA for your review and comment on April 5, 2021, and also cc'd ACHP on FRA's submission of the Final Programmatic Agreement to the Signatories and Invited Signatories for signature on April 28th. We want to thank you for your participation in this project and assistance to FRA in the development of this Agreement.

Attached you will find:

- Comment matrix that shows FRA's response to comments received by Signatories, Invited Signatories, and Consulting Parties on the draft Final PA (dated 04/05/2021);
- Tracked changes copy of the Final PA that shows the changes FRA made based on comments to the draft Final PA (dated 04/05/2021);
- Final PA with appendix (Exhibits A-F) (dated 04/28/2021);
- Individual signature page for your agency's signature.

The attached information – the comment matrix, tracked changes copy of the Final PA that shows changes FRA made based on comments on the Draft Final PA, and the Final PA with appendix – was provided to Signatories and Invited Signatories when the Final PA was provided to them for signature on April 28th (ACHP was copied on that transmittal). Upon receipt of ACHP's signature, the PA will be considered Executed, and all consulting parties will be provided an opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Final PA as a Concurring Party. A copy of the executed Final PA will be available to the public in the Final EIS and ROD for the Hudson Tunnel Project, which FRA intends to publish this month.

Please direct all correspondence to me and Amanda Murphy (FRA) at Amanda.murphy2@dot.gov; you may also cc Claudia Cooney ccooney@akrf.com.

Thank you again for your cooperation and support on this important project, and your quick attention to this task!

Best, Amishi

Amishi Castelli, Ph.D.

*U.S Department of Transportation, Federal Railroad Administration
Office of Railroad Policy and Development*

One Bowling Green, Suite 429
New York, NY 10004-1415
617-431-0416

From: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Sent: Wednesday, April 28, 2021 1:38 PM
To: Kate.Marcopul@dep.nj.gov; Vincent.Maresca@dep.nj.gov; Jennifer.Alvarez@dep.nj.gov; megan.brunatti@dep.nj.gov; christopher.jones@dep.nj.gov; Daniel.Mackay@parks.ny.gov; Olivia.Brazee@parks.ny.gov; Beth.Cumming@parks.ny.gov; Goodman, Stephen (FTA); Burns, Donald (FTA); bengle@panynj.gov; erogak@panynj.gov; Johnette.davies@amtrak.com; marie.corrado@amtrak.com; dcallender@njtransit.com; jcolangelo-bryan@njtransit.com
Cc: Murphy, Amanda (FRA); Osterhues, Marlys (FRA); Julia P. Cowing; Claudia Cooney; 'RPalladino@njtransit.com'; sstokely@achp.gov; jloichinger@achp.gov; Culotta, Michael (FTA)
Subject: FOR SIGNATURE: Hudson Tunnel Project 106 Programmatic Agreement
Attachments: Programmatic Agreement-2021-0428-comparison to 040521 version.pdf; Programmatic Agreement-2021-0428-FINAL for signature.pdf; Programmatic Agreement-2021-0405-DRAFT FINAL for Signatory and HRPT review-ALL COMMENTS AND RESPONSES.pdf; NJHPO signature page.pdf; NYSHPO signature page.pdf; PANYNJ signature page.pdf; Amtrak signature page.pdf; FTA signature page.pdf

Dear Signatories and Invited Signatories to the Hudson Tunnel Project Section 106 Programmatic Agreement: I hope everyone is having a good week. The Federal Railroad Administration (FRA) is happy to provide Signatories the Final Programmatic Agreement (PA) for mitigating adverse effects to historic properties that would result from the Hudson Tunnel Project (the proposed project).

To maintain project schedule, FRA requests your agency or organization's signature no later than Wednesday, May 5, 2021. A "wet" signature is not required – as noted below, for your convenience, we've pulled out the signature sheets for each signatory, and you may return your scanned or electronic signature on the single PDF sheet directly to me via email.

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulation (36 CFR 800), FRA afforded your agency several opportunities to comment on the development of the PA. Most recently, FRA provided the Draft Final PA for your review and comment on April 5, 2021. We sincerely appreciate the attention you and your offices gave to FRA in the development of this Agreement.

Attached you will find:

- Comment matrix that shows FRA's response to comments received by April 19th on the draft Final PA;
- Tracked changes copy of the Final PA that shows the changes FRA made based on comments to the draft Final PA;
- Final PA with appendix;
- Individual signature page for your agency.

Upon receipt of all signature pages and no later than May 7th FRA plans to provide the signed Final PA to the Advisory Council on Historic Preservation (ACHP) for their signature. The PA will be executed upon ACHP signature (planned for no later than May 14th). Following execution of the PA, all consulting parties will be provided an opportunity to indicate concurrence with the outcome of Section 106 consultation by signing the Final PA as a Concurring Party. A copy of the executed Final PA will be available to the public in the Final EIS and ROD for the Hudson Tunnel Project, which FRA intends to publish in May 2021.

Please direct all questions or comments to me and Amanda Murphy (FRA) at Amanda.murphy2@dot.gov; you may also Cc Claudia Cooney ccooney@akrf.com.

Thank you for your cooperation on this important project, and we very much thank you all for your expedited review of the PA to allow us to meet the Project deadline.

All the best,
Amishi

Amishi Castelli, Ph.D.

*U.S Department of Transportation, Federal Railroad Administration
Office of Railroad Policy and Development*

One Bowling Green, Suite 429
New York, NY 10004-1415
617-431-0416



**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

April 19, 2021

Ms. Amishi Castelli
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project.

We have reviewed the Draft Final Programmatic Agreement that was provided to our office on March 20th, 2021. Based upon our review, we offer the following comments:

1. On page 20 of the PA, under **Stipulation XI. Design Review**, at the end of section B, we request the addition of the following language: "In lieu of signing a Non-Disclosure Agreement and taking receipt of documents deemed sensitive for security reasons, NYSHPO may elect to review design plan sheets in person."

If you have any questions, I am best reached by e-mail.

Sincerely,

Olivia Brazee
Historic Site Restoration Coordinator
olivia.brazee@parks.ny.gov

via e-mail only

**FW: #16-1650-31 & 32, HPO-D2021-095, HPO review April 5, 2021 DRAFT
Programmatic Agreement for the Hudson Tunnel Project**

1 message

From: Marcopul, Kate (DEP) <Kate.Marcopul@dep.nj.gov>
Sent: Monday, April 19, 2021 4:23 PM
To: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Cc: Baratta, Meghan (DEP) <Meghan.Baratta@dep.nj.gov>; Alvarez, Jennifer (DEP) <Jennifer.Alvarez@dep.nj.gov>;
Maresca, Vincent (DEP) <Vincent.Maresca@dep.nj.gov>
Subject: #16-1650-31 & 32, HPO-D2021-095, HPO review April 5, 2021 DRAFT Programmatic Agreement for the Hudson Tunnel Project

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HPO Project #16-1650-31 & -32

HPO-D2021-095

Dear Amishi,

The New Jersey State Historic Preservation Office has reviewed the April 5th, 2021 Draft Programmatic Agreement for the Hudson Tunnel Project. Attached please find the Word and PDF versions of the New Jersey Historic Preservation Office proposed edits.

Thank you for this opportunity to review and comment.

Sincerely,

Katherine J. Marcopul, Ph.D., CPM
Administrator and
Deputy State Historic Preservation Officer
Historic Preservation Office
NJ Department of Environmental Protection
501 East State Street, Trenton, NJ 08625
kate.marcopul@dep.nj.gov
T (609) 984-0176 | F (609) 984-0578




NEW JERSEY
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION



2 attachments

 **Hudson Tunnel Draft Final PA 04052021.NJHPO.docx**
104K

 **Hudson Tunnel Draft Final PA 04052021.NJHPO.pdf**
432K

RE: FOR REVIEW: Hudson Tunnel Project 106 Programmatic Agreement

1 message

Palladino, Robert J. (CCAPRJP) <RPalladino@njtransit.com>

Mon, Apr 19, 2021 at 10:24 PM

To: "Castelli, Amishi (FRA)" <Amishi.Castelli@dot.gov>

Cc: "Murphy, Amanda (FRA)" <amanda.murphy2@dot.gov>, "Osterhues, Marlys (FRA)" <Marlys.Osterhues@dot.gov>, "jcowing@akrf.com" <jcowing@akrf.com>, "Claudia Cooney (ccooney@akrf.com)" <ccooney@akrf.com>, "bengle@panynj.gov" <bengle@panynj.gov>, "erogak@panynj.gov" <erogak@panynj.gov>, "Johnette.davies@amtrak.com" <Johnette.davies@amtrak.com>, "Corrado, Marie" <Marie.Corrado@amtrak.com>, "ndoyle@hrpt.ny.gov" <ndoyle@hrpt.ny.gov>, "Callender, Dara (CEDCDXC)" <DCallender@njtransit.com>, "Colangelo-Bryan, Jeremy C. (CPLNJCB)" <JColangelo-bryan@njtransit.com>

Hi Amishi,

For the record, NJ TRANSIT has no further comments on the Hudson Tunnel Project 106 Programmatic Agreement. NJ TRANSIT will continue as a consulting party and plans to sign concurrence with Programmatic Agreement. Please let me know if you need anything further.

Regards,

RJ Palladino, AICP/PP

Senior Program Manager

NJ TRANSIT Planning

One Penn Plaza East - 8th Floor

Newark, NJ 07105-2246

O. (973) 491-7791

C. (973) 766-6244

RE: FOR REVIEW: Hudson Tunnel Project 106 Programmatic Agreement

1 message

Doyle, Noreen <ndoyle@hrpt.ny.gov>

Mon, Apr 19, 2021 at 4:47 PM

To: "Castelli, Amishi (FRA)" <Amishi.Castelli@dot.gov>, "Murphy, Amanda (FRA) (amanda.murphy2@dot.gov)" <amanda.murphy2@dot.gov>

Cc: Claudia Cooney <ccooney@akrf.com>, "Fazio, Christine" <cfazio@hrpt.ny.gov>

Good afternoon,

On behalf of the Hudson River Park Trust, I am confirming that we do not have any additional comments on the Draft Final Programmatic Agreement that was provided for our review on April 5, 2021.

Best,

Noreen Doyle

Re: Question: Hudson Tunnel Draft Final PA

1 message

Eastern Historic Preservation <temple@delawaretribe.org>
To: "Murphy, Amanda (FRA)" <amanda.murphy2@dot.gov>
Cc: Claudia Cooney <ccooney@akrf.com>

Mon, Apr 19, 2021 at 9:15 AM

Good morning,
Looks like there are a few issues with that sentence. Hopefully this corrects the issue.

Best,

Susan Bachor, M.A.

Archaeologist

Delaware Tribe Historic Preservation

Please call for appointment.

126 University Circle

Stroud Hall, Rm. 437

East Stroudsburg PA 18301

office - 1.570.422.2023

sbachor@delawaretribe.org

cell-1.610.761.7452 - preferred

This electronic message contains information from the Delaware Tribe of Indians that may be confidential, privileged or proprietary in nature. The information is intended solely for the specific use of the individual or entity to which this is addressed. If you are not the intended recipient of this message, you are notified that any use, distribution, copying, or disclosure of this communication is strictly prohibited. If you received this message in error, please notify the sender then delete this message.

From: "Murphy, Amanda (FRA)" <amanda.murphy2@dot.gov>
To: "temple@delawaretribe.org" <temple@delawaretribe.org>
Cc: Claudia Cooney <ccooney@akrf.com>
Sent: 4/19/2021 7:48 AM
Subject: Question: Hudson Tunnel Draft Final PA

Hello Susan,

FTA (a Signatory to the Hudson Tunnel PA) made a comment on the Inadvertent Discovery Policy you provided in 2018, and FRA included in the Draft Final PA. Please see the attached document. Should the word "with" be changed to "without"? If you could please let me know as soon as possible, as we prepare to finalize the PA for signature, I would greatly appreciate it.

Thank you,

Amanda Murphy, MAHP

Environmental Protection Specialist

Federal Railroad Administration

202-339-7231 (cell)

Amanda.murphy2@dot.gov

 **Delaware Inadvertent Discovery (4).pdf**
49K

Treatment and Disposition of Human Remains and Cultural Items That May be Discovered Inadvertently during Planned Activities

followed by all federal agencies, in the event there is an inadvertent discovery of human remains.

Treatment and Disposition of Human Remains and Cultural Items

1. The federal agency shall contact the Delaware Tribe of Indians' headquarters at 918-337-6590 or the Delaware Tribe Historic Preservation Representatives at 610-761-7452, as soon as possible, but no later than three (3) days, after the discovery.
2. Place tobacco with the remains and funeral objects.
3. Cover remains and funeral objects with a natural fiber cloth such as cotton or muslin when possible.
4. No photographs are to be taken.
5. The preferred treatment of inadvertently discovered human remains and cultural items is to leave human remains and cultural items in-situ and protect them from further disturbance.
6. No destructive "in-field" documentation of the remains and cultural items will be performed without consultation with the Tribe, who may stipulate the appropriateness of certain methods of documentation.
7. If the remains and cultural items are left in-situ, no disposition takes place and the requirements of 43 CFR 10 Section 10.4-10.6 will have been fulfilled.
8. The specific locations of discovery shall be withheld from disclosure (with exception of local law officials and tribal officials as described above) and protected to the fullest extent by federal law.
9. If remains and funeral objects are to be removed from the site consultation will begin between the Delaware Tribe of Indians and

the federal agency.

From: Brett Barnes [mailto:BBarnes@estoo.net]
Sent: Wednesday, January 31, 2018 11:12 AM
To: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Subject: RE: FOR REVIEW: Hudson Tunnel Project: draft Final Section 106 Programmatic Agreement

Hello Amishi,

Based on the information provided and a review of our records, we find that this project will have **No Effect** on properties of sacred and/or cultural significance to the Tribe. The project site is within the known regional area of the Shawnee prehistorically and historically, be aware of inadvertent discoveries. However, ESTO has no objection to the project proceeding as described. Please note that any future changes to this project will require additional consultation. Thank you for the opportunity to comment.

Brett Barnes
Tribal Historic Preservation Officer
Cultural Preservation Director

70500 E 128 Rd
Wyandotte, OK 74370

Phone: (918) 666-5151 ext. 1845
Email: bbarnes@estoo.net

ENVIRONMENTAL REVIEW

Project number: FEDERAL RAILWAY ADMINISTRATION / 16FRA001M
Project: HUDSON TUNNEL PROJECT (HARBS)
Address: 4 PENN PLAZA, **BBL:** 1007810001
Date Received: 1/12/2018

The LPC is in receipt of the Revised Draft Programmatic Agreement of 11/29/17.
The text appears acceptable for historic and cultural resources.

Cc: SHPO



1/12/2018

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 31462_FSO_GS_01122018.doc



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

January 11, 2018

Ms. Katherine Pijanowski
Project Manager
US Army Corps of Engineers - NY District
New York, NY

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Pijanowski:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

We have reviewed your letter dated December 12th, 2017. We understand that the USACE is a permitting agency for this project and also has a role as a cooperating agency under the National Environmental Protection Act (NEPA).

Thank you for notifying us of your office's concurrence with the lead federal agency's (FRA) Section 106 finding of Adverse Effect for this undertaking and for your comments on the draft Programmatic Agreement.

If I can be of any further assistance, I can be reached at (518) 268-2182.

Sincerely,

Olivia Brazee
Historic Site Restoration Coordinator
olivia.brazee@parks.ny.gov

via e-mail only

cc: Amishi Castelli, FRA

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

January 10, 2018

Ms. Amishi Castelli
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project.

We are in receipt of the Hudson River Park Trust's (HRPT) letter dated January 3rd, 2018 in response to the preliminary draft of the final Programmatic Agreement (PA). Based upon our review, we find that HRPT has prior experience working with the historic bulkhead and given their experience we would like to see HRPT's requested changes included in the PA.

If you have any questions, I can be reached at (518) 268-2182.

Sincerely,

Olivia Brazee
Historic Site Restoration Coordinator
olivia.brazee@parks.ny.gov

via e-mail only

RE: FOR REVIEW: Hudson Tunnel Project: draft Final Section 106 Programmatic Agreement

1 message

RPalladino@njtransit.com <RPalladino@njtransit.com>
To: Amishi.Castelli@dot.gov, JColangelo-bryan@njtransit.com
Cc: DCallender@njtransit.com, jcowing@akrf.com, ccooney@akrf.com

Wed, Jan 10, 2018 at 9:30 AM

Hi Amishi,

Thank you for the opportunity to review the Hudson Tunnel Project: draft Final Section 106 Programmatic Agreement (PA). NJ TRANSIT has no further comments on the PA. NJ TRANSIT would like to remain a designated Consulting Party to the PA.

Please note that as the Hudson Tunnel Project advances beyond the EIS/ROD, NJ TRANSIT's role in project development may change. In that event, it may be necessary to revisit the PA with FRA and/or the identified lead Federal Agency for the project. This issue can only be dealt with when more information is available.

Thank you.

Sincerely,

RJ Palladino, AICP/PP
Senior Program Manager
NJ TRANSIT Capital Planning
One Penn Plaza East - 8th Floor
Newark, NJ 07105-2246
O. (973) 491-7791
C. (973) 766-6244

From: Castelli, Amishi (FRA) [mailto:Amishi.Castelli@dot.gov]
Sent: Wednesday, November 29, 2017 2:15 PM
To: nalligood@delawarenation.com; Kimberly Penrod (kpenrod@delawarenation.com); Bonney Hartley (Bonney.Hartley@mohican-nsn.gov); sherry.white@mohican-nsn.gov; sination@optonline.net; msmasesq@gmail.com; temple@delawaretribe.org; rdushane@estoo.net; splate@panynj.gov; James.H.Cannon@usace.army.mil; Palladino, Robert J. (CCAPRJP); 'ndoyle@hrpt.ny.gov'; 'Gsantucci@lpc.nyc.gov'
Cc: Shick, Laura (FRA); Johnson, Kathryn (FRA); Claudia Cooney (ccooney@akrf.com); jcowing@akrf.com; Callender, Dara (CEDCDXC)
Subject: FOR REVIEW: Hudson Tunnel Project: draft Final Section 106 Programmatic Agreement

Good afternoon- Attached, please find a transmission letter that explains that FRA is providing a preliminary draft of the Final Programmatic Agreement (Section 106) for the Hudson Tunnel Project for consulting party review. We are requesting comments by submitted by January 2, 2018.

A hard copy of this information will follow.

Thank you, and I hope everyone is doing well during this busy season!

Best,
Amishi

Amishi Castelli, Ph.D.

Environmental Protection Specialist

U.S Department of Transportation, Federal Railroad Administration

Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)

One Bowling Green, Suite 429

New York, NY 10004-1415

617-431-0416

From: Burns, Donald (FTA)
Sent: Tuesday, January 09, 2018 3:36 PM
To: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Cc: Shick, Laura (FRA) <Laura.Shick@dot.gov>; 'RPalladino@njtransit.com' <RPalladino@njtransit.com>; Culotta, Michael (FTA) <Michael.Culotta@dot.gov>; Serassio, Helen (FTA) <Helen.Serassio@dot.gov>; Crocker, John (FTA) <john.crocker@dot.gov>
Subject: RE: FOR REVIEW: Hudson Tunnel Project: draft Final Section 106 Programmatic Agreement

Hi Amishi,

FTA has following comments on the draft Programmatic Agreement for the Gateway Program's Hudson Tunnel Project.

1. There is no project sponsor for this project. On page 2, lines 53-55, the PA states: "[T]he Project Sponsor is not known at the time of the execution of this PA." The lack of a project sponsor is problematic because we do not have a signatory committing to the PA's mitigation and historic preservation stipulations throughout the design, engineering, and construction of the project.
2. The PA indicates that FRA may not remain the lead Federal agency for the project (see page 6, lines 183-187; pages 7-8, lines 246-266). Without a lead Federal agency identified throughout the design, engineering, and construction of the project, there is uncertainty regarding which Federal agency will have responsibility for ensuring Section 106 compliance consistent with 36 C.F.R. § 800.2(a).
3. The PA states that signatories that are not the lead Federal agency, project sponsor, or SHPO have the authority to amend/terminate the PA (see page 7, lines 230-232). Some of the signatories to this PA are project partners that may not be the sponsor. I would have concerns about authorizing a project partner that is not the sponsor to amend/terminate the agreement.
4. The PA states that it will expire when its stipulations have been completed or in 15 years from the effective date, whichever comes first (see page 21, lines 784-786). Given some of our recent experiences in the New York City region, a tunneling project of this magnitude may take more than 15 years to complete. Perhaps consider striking the language referencing 15 years from the PA's effective date, or perhaps consider changing the language to state whichever date comes "later."

Please contact me if you have any questions.

Donald-

Donald Burns, AICP

Director of Planning and Program Development

USDOT FTA Region 2

One Bowling Green, Room 428 | New York, NY 10004

Ph: 212-668-2203 | Cell: 202-868-0262

Email: Donald.Burns@dot.gov

<https://www.transit.dot.gov/>



Delaware Tribe Historic Preservation Representatives
P.O. Box 64
Pocono Lake, PA 18347
temple@delawaretribe.org

January 5, 2018

U.S DOT
Federal Railroad Administration
1200 New Jersey Ave., SE
Washington, DC 20590

Re: Section 106 Consultation for Hudson Tunnel Project Draft PA Comments

Ms. Castelli:

Thank you for continuing to inform the Delaware Tribe of the above referenced project. The Delaware Tribe is committed to protecting historic sites important to our tribal heritage, culture, and religion. We have reviewed the Revised Draft Programmatic Agreement. We would like to have our Inadvertent Discovery Plan included in the PA. Please see below

We appreciate your cooperation and look forward to working together on our shared interests in preserving Delaware cultural heritage. If you have any questions, feel free to contact this office by phone at (610) 761-7452 or by e-mail at temple@delawaretribe.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Bachor", is written over a light-colored rectangular background.

Susan Bachor
Delaware Tribe Historic Preservation Representative

Delaware Tribe of Indians
Policy for
Treatment and Disposition of Human Remains and Cultural Items
That May be Discovered Inadvertently during Planned Activities

Purpose

The purpose of this policy is to describe the procedures that will be followed by all federal agencies, in the event there is an inadvertent discovery of human remains.

Treatment and Disposition of Human Remains and Cultural Items

1. The federal agency shall contact the Delaware Tribe of Indians' headquarters at 918-337-6590 or the Delaware Tribe Historic Preservation Representatives at 610-761-7452, as soon as possible, but no later than three (3) days, after the discovery.
2. Place tobacco with the remains and funeral objects.
3. Cover remains and funeral objects with a natural fiber cloth such as cotton or muslin when possible.
4. No photographs are to be taken.
5. The preferred treatment of inadvertently discovered human remains and cultural items is to leave human remains and cultural items in-situ and protect them from further disturbance.
6. No destructive "in-field" documentation of the remains and cultural items will be carried out in consultation with the Tribe, who may stipulate the appropriateness of certain methods of documentation.
7. If the remains and cultural items are left in-situ, no disposition takes place and the requirements of 43 CFR 10 Section 10.4-10.6 will have been fulfilled.
8. The specific locations of discovery shall be withheld from disclosure (with exception of local law officials and tribal officials as described above) and protected to the fullest extent by federal law.
9. If remains and funeral objects are to be removed from the site consultation will begin between the Delaware Tribe of Indians and the federal agency.



Hudson River Park Trust

January 3, 2018

Amishi Castelli, Ph.D.
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: Comments from the Hudson River Park Trust on the Preliminary Draft of the Final Programmatic Agreement for the Hudson Tunnel Project

Dear Ms. Castelli:

The Hudson River Park Trust (the "Trust") has reviewed the Preliminary Draft of the Final Programmatic Agreement for the Hudson Tunnel Project (the "Tunnel"). We appreciate the effort that the Hudson Tunnel Project team has made to address our previous comments regarding the Hudson River Bulkhead ("Bulkhead") and North Tunnel.

Our overarching comment is one that you have previously heard at meetings with you, members of the engineering team and Amtrak: the Trust has concerns about long-term maintenance of the Bulkhead and adjacent areas of park infrastructure once the Tunnel is constructed. While the measures in the draft Final Programmatic Agreement partially address this concern, we have suggested that it may be best for Amtrak (or the eventual Project Sponsor, if it is a party other than Amtrak) to have long-term responsibility for a specifically designated section of the Bulkhead and adjacent park infrastructure during both construction and eventual operations. Such responsibility would be defined through a separate agreement with the Trust. Alternatively, the Programmatic Agreement could require Amtrak to be responsible for monitoring and making repairs to any portions of the Bulkhead and adjacent park infrastructure affected by the "construction or operation" of the Tunnel. The extent of the area that should be covered by such agreement should be mutually agreed upon by the Amtrak and/or the Tunnel Sponsor and the Trust, but would certainly encompass both the area directly affected by the Tunnel's construction and operation as well as the zone where future construction will be permanently constricted to ensure the integrity of the Tunnel. We look forward to continued discussions with the Project Team regarding how best to accomplish these objectives.

More specific comments on the "Construction Protection Plan and Monitoring" section commencing on page 10 are as follows:

1. We agree with the language you have included on C.2.a, but would like to include a deadline for developing the "mutually agreeable review plan and schedule." We are open to your team's recommendations about milestones, but suggest that the 30% engineering phase may make sense since this is when you propose to submit initial design plans to concurring parties and SHPO. We would be willing to consider alternative proposals that allow for adequate review time in advance of construction.
2. On C.2.b, we similarly request a "no later than" date for receiving the technical memorandum planned to describe the bulkhead construction techniques and how the bulkhead will be protected. We also request additional language in this section that acknowledges the need for mutual agreement between Amtrak and/or the Project Sponsor, FRA and the Trust on the specific expanse of the Bulkhead that will be subject to monitoring and protection beyond the boundaries of the actual construction zone.
3. For C.2.c, the Trust requests that we be allowed to concur, in writing, on the Final Monitoring Plan, which should include specificity with respect to the expanse of the area governed by the Plan in addition to the other scope elements you have already identified in the Preliminary Draft Programmatic Agreement.
4. For C.2.d, we agree that the 120 day deadline is appropriate provided our request in C.2.c is granted.
5. During meetings with you and the Tunnel's engineering team, we discussed the idea that the Project Contractor team would include a firm that can demonstrate its experience with complex bulkhead structures such as the Hudson River Bulkhead. We request that language to this effect be added either in C.2.e or as a separate provision of the Programmatic Agreement.

Aside from these comments, we would like to confirm our understanding that the Trust will be a signator to the final Programmatic Agreement as a Concurring Party, with the opportunity to review plans for the portion of the Tunnel within Hudson River Park at the 30%, 60%, 90% and final design stages. However, we request that the Trust be provided with 45 days rather than 30 days to review and provide any comments on such plans.

Thank you for taking our comments into consideration, and please feel free to contact me if you need further information. My number is 212-627-2020.

Sincerely,



Noreen Doyle

Executive Vice President

cc: RJ Palladino, NJ Transit
Michael Lynch, NYS SHPO
Beth Cumming, NYS SHPO
Madelyn Wils, HRPT
Petra Maxwell, HRPT
Nicole Cuttino, HRPT
Chris Rizzo, Carter Ledyard

From: Marcopul, Kate [mailto:Kate.Marcopul@dep.nj.gov]
Sent: Tuesday, January 02, 2018 3:27 PM
To: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Cc: Maresca, Vincent <Vincent.Maresca@dep.nj.gov>; Zerbe, Nancy <Nancy.Zerbe@dep.nj.gov>; Baratta, Meghan <Meghan.Baratta@dep.nj.gov>; Armstrong, Atalaya <Atalaya.Armstrong@dep.nj.gov>
Subject: Hudson Tunnel Project: draft Final Section 106 Programmatic Agreement

HPO Project No. 16-1650-30

HPO-A2018-033

Dear Dr. Castelli,

The New Jersey Historic Preservation Office has reviewed the preliminary draft of the Final Programmatic Agreement (attached) and have no additional comments to add at this time.

Thank you for your consideration in this matter. We look forward to the final Programmatic Agreement for signature and continued Section 106 consultation for this project.

Sincerely,

Katherine J. Marcopul
Administrator and
Deputy State Historic Preservation Officer

Mail Code 501-04B
NJ Historic Preservation Office
Department of Environmental Protection
P.O. Box 420



Preserving America's Heritage

December 26, 2017

Ms. Laura Shick
Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington D.C. 20590

Ref: *Advisory Council on Historic Preservation's Comments on the Preliminary Draft of the Final Programmatic Agreement for the Proposed Hudson Tunnel Project Hudson County, New Jersey and New York County, New York*

Dear Ms. Shick:

The Advisory Council on Historic Preservation (ACHP) has completed its review of the draft Final *Programmatic Agreement (PA) among the Federal Railroad Administration (FRA), the New Jersey Historic Preservation Officer, the New York Historic Preservation Officer, the Advisory Council on Historic Preservation, the Federal Transit Administration, the U.S. Army Corps of Engineers, the New Jersey Transit Corporation, the National Railroad Passenger Corporation (Amtrak), and the Port Authority of New York & New Jersey Regarding the Hudson Tunnel Project in Hudson County, New Jersey and New York County, New York* submitted to ACHP via email on November 29, 2017. The Federal Railroad Administration (FRA) revised the PA to address the comments submitted by the consulting parties after reviewing the Second Draft PA. The ACHP has reviewed this latest draft PA and agree with all the revisions made in response to the consulting parties' comments. Therefore, we have no additional comments on this PA.

We commend FRA for working closely with the New Jersey and New York State Historic Preservation Officers and other consulting parties in negotiating this PA. The ACHP looks forward to receiving the Final PA from FRA once it has been signed by the other signatories. If we may be of further assistance as the PA is implemented, please contact Ms. Sarah Stokely at (202) 517-0224, or via e-mail at sstokely@achp.gov.

Sincerely,

For
Charlene Dwin Vaughn, AICP
Assistant Director
Office of Federal Agency Programs
Federal Permitting, Licensing and Assistance Section



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

December 21, 2017

Ms. Amishi Castelli
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project.

We have reviewed the preliminary draft of the Final Programmatic Agreement that was provided to our office on November 29th, 2017. We have no comments on the document at this time.

If additional information correspondence is required regarding this project it should be provided via our Cultural Resource Information System (CRIS) at www.nysparks.com/shpo/online-tools/. Once on the CRIS site, you can log in as a guest and choose "submit" at the very top menu. Next choose "submit new information for an existing project". You will need this project number and your e-mail address. If you have any questions, I can be reached at (518) 268-2182.

Sincerely,

Olivia Brazee
Historic Site Restoration Coordinator
olivia.brazee@parks.ny.gov

via e-mail only

From: Kimberly Penrod [mailto:kpenrod@delawarenation.com]
Sent: Monday, December 18, 2017 12:18 PM
To: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Cc: Kimberly Penrod <kpenrod@delawarenation.com>
Subject: RE: FOR REVIEW: Hudson Tunnel Project: draft Final Section 106 Programmatic Agreement

Amishi,

The protection of our tribal cultural resources and tribal trust resources will take all of us working together.

We look forward to working with you and your agency.

With the information you have submitted we can concur at present with this proposed Programmatic Agreement.

Our main concerns at the Delaware Nation on these projects are as follows:

1. Keeping a 50-100 ft (at least) area of protection around known sites.
2. Maintaining the buffer area and not allowing heavy equipment to impact these areas. Compression is an issue of concern for us.
3. And if something is found, halting all work, contacting us within 24 hours and when work resumes discussion of a monitor if needed.

As with any new project, we never know what may come to light until work begins.

The Delaware Nation asks that you keep us up to date on the progress of this project and if any discoveries arise please contact us immediately.

Our department is trying to go as paper free as possible. If it is at all feasible for your office to send email correspondence we would greatly appreciate.

Please update your files to reflect my contact information below.

Please take Nekole Alligood off and add our new President, she will be the signatory on the PA.

Deborah Dotson, President

Delaware Nation
31064 State Highway 281
P.O.Box 825
Anadarko, OK 73005
405-247-2448
ddotson@delawarenation.com

If you need anything additional from me please do not hesitate to contact me.

Respectfully,

Kim Penrod
Delaware Nation
Director, Cultural Resources/106
Archives, Library and Museum
31064 State Highway 281
PO Box 825
Anadarko, OK 73005
(405)-247-2448 Ext. 1403 Office
(405)-924-9485 Cell
kpenrod@delawarenation.com



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

DEC 12 2017

Regulatory Branch

SUBJECT: Permit Application Number NAN-2016-01166-WCA for the Amtrak and New Jersey Transit Corps. Hudson Tunnel Project, Town of Secaucus, Township of North Bergen and Township of Weehawken, Hudson County, New Jersey, and City of New York, Kings County, New York

Peebles Island Resource Center
c/o Olivia Brazee
P.O. Box 189
Waterford, NY 12188-0189

Dear Ms. Brazee:

The New York District of the U.S. Army Corps of Engineers (Corps) is currently in the process of reviewing a permit application (No. NAN-2016-01166-WCA) (File No. 16PR03710) from Amtrak and the New Jersey Transit Corp. In this permit application, the applicant has requested authorization to perform work regulated by the Corps within waters of the United States to facilitate the construction and installation of the federally funded proposed project known as the "Hudson Tunnel Project". The proposed Hudson Tunnel Project would include the construction and installation of a new railroad tunnel with two new single track railroad tubes and associated railroad infrastructure connecting the new railroad tunnel with the existing Northeast Corridor. The project site is located within the Hackensack River and Hudson River watersheds, in the Town of Secaucus, Township of North Bergen, City of Union City, and City of Hoboken, Hudson County, New Jersey and Manhattan, New York County, New York.

The Federal Railroad Administration (FRA) and the New Jersey Transit Corporation (NJT) are in the process of preparing an Final Environmental Impact Statement (FEIS) to evaluate the proposed subject project, pursuant to the National Environmental policy Act of 1969 (NEPA). The New York District of the U.S. Army Corps of Engineers is a cooperating agency for the review of the FEIS. The FRA is the lead federal agency for purposes of compliance with Section 106 of the National Historic Preservation Act for the project.

As identified in the attached FRA's Section 106 draft programmatic agreement for the subject project, and entitled "Draft Programmatic Agreement Among the Federal Railroad Administration, the New Jersey Historic Preservation Officer, the New York Historic Preservation Officer, the Advisory Council on Historic Preservation, the Federal Transit Administration, the New Jersey Transit Corporation, and the National Railroad Passenger Corporation, Regarding the Hudson Tunnel Project In Hudson County, New Jersey and New York County, New York", the FRA identified seven (7) historic architectural properties in the project's "Area of Potential Effect" (APE) that are eligible for listing in the National Register of Historic Places (NRHP). In New York these

DEC 12 2017

Regulatory Branch

SUBJECT: Permit Application Number NAN-2016-01166-WCA for the Amtrak and New Jersey Transit Corps. Hudson Tunnel Project, Town of Secaucus, Township of North Bergen and Township of Weehawken, Hudson County, New Jersey, and City of New York, Kings County, New York

properties include the New York Improvements and Tunnel Extension of the Pennsylvania Railroad; the Hudson River Bulkhead; the High Line; the Masters Printers Building as 406-625 West 26th Street; and the West Chelsea Historic District.

This office has reviewed the correspondence in regards to file number 16PR03710 and has determined that the Corps concurs with the Federal lead agency's determination of Adverse Effect and agrees that the Programmatic Agreement appropriately addresses these effects. As per Title 33, Part 325 Appendix C, Paragraph 2(c), this office "...will generally accept...for Federally assisted projects...the Federal lead agency's (FRA) compliance with the requirements of the National Historic Preservation Act" (NHPA). Therefore, this determination fulfills the Corps' requirements set forth in Section 106 of NHPA.

You may contact James Cannon, of my staff, at (917) 790-8412 if you have any questions.

Sincerely,

for: [Handwritten Signature]
Stephan A. Ryba
Chief, Regulatory Branch

From: Bonney Hartley [mailto:Bonney.Hartley@mohican-nsn.gov]
Sent: Friday, December 15, 2017 10:58 AM
To: Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>
Cc: HistoricPres Intern <HistoricPres.Intern@MohicanSMC.onmicrosoft.com>
Subject: FW: Hudson Tunnel Project

STOCKBRIDGE-MUNSEE COMMUNITY

CULTURAL RESOURCES REVIEW RESPONSE FORM

Project Details: <small>_x_Mail __ Email</small>		Received: 12/07/2017
Project Name:	Hudson Tunnel Project	
Agency/Consultant/ Firm:	FRA, NJTransit	
Proposed Project Description:	Received Invitation to Review Revised Draft Programmatic Agreement	
City, County, State:	Hudson County, NJ and New York County, NY	
Point of Contact:	Amishi Castelli amishi.castelli@dot.gov (617)431-0416	

Response:

--

We have no concerns related to the proposed project. We anticipate no adverse effects to our sites of Mohican cultural significance.

0		The project is not located in our cultural area of interest; therefore, we do not have comment or need to consult further.
X	We have no further comment at this time, but request to be included in future correspondence on the matter.	
	We consider this project to be compliant with the Stockbridge-Munsee Tribal Historic Preservation Office's Section 106 review process, with agreed upon mitigations as detailed below:	
	This site will require the on-site presence of a Tribal Cultural Resource Monitor during ground disturbing activities. Contact our office with construction schedule.	
	<p>A review fee is requested, information on which is attached.</p> <p>\$500 standard fee \$1,000 site visit required</p>	
	Upon initial review of your project proposal, we request further information as detailed below:	
	This project has the potential to have adverse effects to historic or cultural resources which are important to our tribe. We recommend the following actions:	

Additional Comments:

No additional comment on PA; we will consider signing as concurring party when the executed copy is received.

Thank you

Bonney Hartley

Tribal Historic Preservation Officer
 Stockbridge-Munsee Mohican Tribal Historic Preservation
 Extension office
 65 1st Street

Troy, NY 12180

(518) 244-3164

Bonney.Hartley@mohican-nsn.gov

www.mohican-nsn.gov



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

November 29, 2017

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement**

Dear Signatory to the Hudson Tunnel Project Section 106 Programmatic Agreement:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

On July 6, 2017 FRA provided a Draft Programmatic Agreement (PA) in accordance with 36 CFR 800.14(b)(3) to all Signatories and Section 106 Consulting Parties for the Project for a 30 day review period. **Attachment 1** summarizes the comments received on and the changes made to the Draft PA to respond to the comments. The preliminary draft of the Final PA, incorporating the input received on the Draft PA, is included as **Attachment 2**.

The purpose of this letter is to invite Signatories to review and provide comments on the preliminary draft of the Final PA. FRA is also providing this preliminary draft of the Final PA to all Section 106 Consulting Parties. Please submit comments by **January 2, 2018**. FRA will incorporate final revisions to the PA as appropriate based on a consideration of any comments received. FRA will then circulate another preliminary draft of the Final PA to all Signatories for a final review prior to finalizing the PA.

You may submit comments on the preliminary draft of the Final PA, or direct any inquiries, via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

You may also contact me by phone at (617) 431-0416.

Sincerely,

A handwritten signature in black ink, appearing to read "Amishi Castelli". The signature is fluid and cursive, with the first name "Amishi" and last name "Castelli" clearly distinguishable.

Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA

ATTACHMENT 1 to transmission letter for:

**Hudson Tunnel Project Programmatic Agreement (PA)
Summary of Comments Received on and Revisions to the Draft PA**

Preamble (Whereas Clauses)

- Based upon consultation and responses to signatory invitations, the PA has been updated with a revised list of Signatories: FRA, NJHPO, NYSHPO, ACHP, FTA, and Amtrak.
- *Comment:* the PA should include a Whereas Clause that clarifies when the Project Sponsor(s) is selected then FRA will need to amend the PA in accordance with Stipulation XVI.
Response: A recital (Whereas Clause) has been added to the PA to this effect on page 2.

Stipulations

Stipulation II

- *Comment:* Stipulation II.A should be revised to clarify that the Lead Federal Agency will be responsible for the "coordination" of the PA rather than the "maintenance" of the PA. Section 106 agreement documents are not maintained.
Response: Stipulation II.A has been amended accordingly.
- *Comment:* Stipulation II.B should be written in the future tense since the "party" or parties" have not been selected.
Response: Stipulation II.B has been amended accordingly.

Stipulation V.B

- *Comment:* Stipulation V.B.2: The Project Sponsor should also distribute the final educational and interpretive materials in electronic (PDF) format.
Response: Stipulation V.B.2 has been amended accordingly.
- *Comment:* The possibility of interpreting the Hudson River Bulkhead within Hudson River Park should be explored, provided that the means of such interpretation is consistent with the Park's design vocabulary, and that the location of the interpretation is selected in tandem with the Hudson River Park Trust.
Response: Stipulation V.B.3 has been added to the PA that includes the interpretation of the Hudson River Bulkhead as a mitigation measure in the PA.

ATTACHMENT 1

Stipulation V.C.2

Comment: A post-construction program for monitoring and repairing, as needed, sections of the Hudson River Bulkhead should also be identified within the Programmatic Agreement. The Hudson River Park Trust has worked with the NYSHPO in the past to restore deteriorated or collapsed bulkhead sections at other Park locations and to build sections of the Park above or abutting the Bulkhead. Since repairing the Bulkhead and completed park sections above or abutting it will be more costly once the Project is constructed given the limitations the Project will impose on such work, the Project Sponsor should commit to making the repairs in a manner consistent with the Programmatic Agreement.

Response: Stipulation V.C.2 has been revised to describe the steps that will be taken, and materials to be submitted, to monitor the Hudson River Bulkhead as a result of Project construction.

Stipulation VI

Comment: The New York City Landmarks Preservation Commission (LPC) is in receipt of the Draft Programmatic Agreement and the DEIS Historic and Archaeological Resources chapter dated 7/14/2017. The LPC concurs with the text pertaining to architectural and archaeological resources in New York City, although would like to be consulted about any archaeology and archaeological mitigation that occurs within New York City as a result of this project and recommends that the language in the Programmatic Agreement be revised to make LPC's involvement clear.

Response: Language developed with NYSHPO has been included in Stipulation VI, indicating that NYSHPO, at its discretion, may consult with the New York City Landmarks Preservation Commission, representing the City of New York, regarding archaeological resources in New York City.

Stipulation XI.A

Comment: Due to security concerns, the current language exempts from the Section 106 process the review of architectural plans and specifications for tunnel interiors. The NJHPO understands the need for security. However, because the adverse effect to the North River Tunnel results from proposed alterations to two of the tunnel's interior features, the bench walls and the ballasted track system, the NJ HPO asks what information or materials the FRA proposes to submit to the NJHPO-- in lieu of project plans -- to allow us the opportunity to ensure that the proposed work is in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties.

Response: FRA provided information regarding the proposed alterations to the North River Tunnel to NJHPO on October 11, 2017, and included an explanation of FRA's and Amtrak's concerns for security. In a letter dated November 14, 2017, NJHPO indicated that they were in agreement that further design work related to the interior of the North River Tunnel can be exempt from the Design Process as outlined in Stipulation XI of the PA, and concur with the language in the Draft PA as submitted to NJHPO on July 6, 2017. This correspondence will be

ATTACHMENT 1

part of the Section 106 Record for the Hudson Tunnel Project, and will be provided in Appendix 9 of the Final Environmental Impact Statement for the Hudson Tunnel Project.

Stipulation XV

Comment: The second paragraph is overly broad and does not seem appropriate for this PA. Amtrak would like it removed. Private entities that might become Project Sponsor, including Amtrak, would not be subject to Anti-Deficiency laws. If this cannot be removed, we would like to discuss how to make it specific to agencies subject to these laws.

Response: The second paragraph of Stipulation XV has been removed from the PA.

Stipulation XVII.A

Comment: The termination in Stipulation XVII should include the following text: "If any Signatory to this PA determines that its terms will not or cannot be carried out or if circumstances change over time and warrant revision of the stipulations, that Signatory shall immediately consult with the other Signatories to attempt to develop an amendment per Stipulation XVI to the PA. If within thirty calendar (30) days (or another period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate the PA upon written notification to FRA and the other Signatories with the obligations accruing up the date of termination remaining in full force and effect."

Response: Stipulation XVII.A has been revised to include this language.

Stipulation XX: Contact Information

As requested by ACHP and NYSHPO, the contact information for these signatories has been revised as requested. In addition, the NYSHPO signatory information has also been changed on NYSHPO signatory page.



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

November 29, 2017

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement**

Dear Consulting Party to the Hudson Tunnel Project Section 106 Programmatic Agreement:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

On July 6, 2017 FRA provided a Draft Programmatic Agreement (PA) in accordance with 36 CFR 800.14(b)(3) to all Signatories and Section 106 Consulting Parties for the Project for a 30 day review period. **Attachment 1** summarizes the comments received on and the changes made to the Draft PA to respond to the comments. The preliminary draft of the Final PA, incorporating the input received on the Draft PA, is included as **Attachment 2**.

The purpose of this letter is to invite Section 106 Consulting Parties to review and provide comments on the preliminary draft of the Final PA. FRA is also providing this preliminary draft of the Final PA to all Signatories of the PA. Please submit comments by **January 2, 2018**. FRA will incorporate final revisions to the PA as appropriate based on a consideration of any comments received. At the time of the execution of the PA, Section 106 Consulting Parties will be provided an opportunity to indicate their concurrence with the outcome of consultation by signing the final PA as Concurring Parties.

You may submit comments on the preliminary draft of the Final PA, or direct any inquiries, via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

You may also contact me by phone at (617) 431-0416.

Sincerely,

A handwritten signature in black ink, appearing to read "Amishi Castelli". The signature is written in a cursive, flowing style.

Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA

ATTACHMENT 1 to transmission letter for:

**Hudson Tunnel Project Programmatic Agreement (PA)
Summary of Comments Received on and Revisions to the Draft PA**

Preamble (Whereas Clauses)

- Based upon consultation and responses to signatory invitations, the PA has been updated with a revised list of Signatories: FRA, NJHPO, NYSHPO, ACHP, FTA, and Amtrak.
- *Comment:* the PA should include a Whereas Clause that clarifies when the Project Sponsor(s) is selected then FRA will need to amend the PA in accordance with Stipulation XVI.
Response: A recital (Whereas Clause) has been added to the PA to this effect on page 2.

Stipulations

Stipulation II

- *Comment:* Stipulation II.A should be revised to clarify that the Lead Federal Agency will be responsible for the "coordination" of the PA rather than the "maintenance" of the PA. Section 106 agreement documents are not maintained.
Response: Stipulation II.A has been amended accordingly.
- *Comment:* Stipulation II.B should be written in the future tense since the "party" or parties" have not been selected.
Response: Stipulation II.B has been amended accordingly.

Stipulation V.B

- *Comment:* Stipulation V.B.2: The Project Sponsor should also distribute the final educational and interpretive materials in electronic (PDF) format.
Response: Stipulation V.B.2 has been amended accordingly.
- *Comment:* The possibility of interpreting the Hudson River Bulkhead within Hudson River Park should be explored, provided that the means of such interpretation is consistent with the Park's design vocabulary, and that the location of the interpretation is selected in tandem with the Hudson River Park Trust.
Response: Stipulation V.B.3 has been added to the PA that includes the interpretation of the Hudson River Bulkhead as a mitigation measure in the PA.

ATTACHMENT 1

Stipulation V.C.2

Comment: A post-construction program for monitoring and repairing, as needed, sections of the Hudson River Bulkhead should also be identified within the Programmatic Agreement. The Hudson River Park Trust has worked with the NYSHPO in the past to restore deteriorated or collapsed bulkhead sections at other Park locations and to build sections of the Park above or abutting the Bulkhead. Since repairing the Bulkhead and completed park sections above or abutting it will be more costly once the Project is constructed given the limitations the Project will impose on such work, the Project Sponsor should commit to making the repairs in a manner consistent with the Programmatic Agreement.

Response: Stipulation V.C.2 has been revised to describe the steps that will be taken, and materials to be submitted, to monitor the Hudson River Bulkhead as a result of Project construction.

Stipulation VI

Comment: The New York City Landmarks Preservation Commission (LPC) is in receipt of the Draft Programmatic Agreement and the DEIS Historic and Archaeological Resources chapter dated 7/14/2017. The LPC concurs with the text pertaining to architectural and archaeological resources in New York City, although would like to be consulted about any archaeology and archaeological mitigation that occurs within New York City as a result of this project and recommends that the language in the Programmatic Agreement be revised to make LPC's involvement clear.

Response: Language developed with NYSHPO has been included in Stipulation VI, indicating that NYSHPO, at its discretion, may consult with the New York City Landmarks Preservation Commission, representing the City of New York, regarding archaeological resources in New York City.

Stipulation XI.A

Comment: Due to security concerns, the current language exempts from the Section 106 process the review of architectural plans and specifications for tunnel interiors. The NJHPO understands the need for security. However, because the adverse effect to the North River Tunnel results from proposed alterations to two of the tunnel's interior features, the bench walls and the ballasted track system, the NJ HPO asks what information or materials the FRA proposes to submit to the NJHPO-- in lieu of project plans -- to allow us the opportunity to ensure that the proposed work is in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties.

Response: FRA provided information regarding the proposed alterations to the North River Tunnel to NJHPO on October 11, 2017, and included an explanation of FRA's and Amtrak's concerns for security. In a letter dated November 14, 2017, NJHPO indicated that they were in agreement that further design work related to the interior of the North River Tunnel can be exempt from the Design Process as outlined in Stipulation XI of the PA, and concur with the language in the Draft PA as submitted to NJHPO on July 6, 2017. This correspondence will be

ATTACHMENT 1

part of the Section 106 Record for the Hudson Tunnel Project, and will be provided in Appendix 9 of the Final Environmental Impact Statement for the Hudson Tunnel Project.

Stipulation XV

Comment: The second paragraph is overly broad and does not seem appropriate for this PA. Amtrak would like it removed. Private entities that might become Project Sponsor, including Amtrak, would not be subject to Anti-Deficiency laws. If this cannot be removed, we would like to discuss how to make it specific to agencies subject to these laws.

Response: The second paragraph of Stipulation XV has been removed from the PA.

Stipulation XVII.A

Comment: The termination in Stipulation XVII should include the following text: "If any Signatory to this PA determines that its terms will not or cannot be carried out or if circumstances change over time and warrant revision of the stipulations, that Signatory shall immediately consult with the other Signatories to attempt to develop an amendment per Stipulation XVI to the PA. If within thirty calendar (30) days (or another period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate the PA upon written notification to FRA and the other Signatories with the obligations accruing up the date of termination remaining in full force and effect."

Response: Stipulation XVII.A has been revised to include this language.

Stipulation XX: Contact Information

As requested by ACHP and NYSHPO, the contact information for these signatories has been revised as requested. In addition, the NYSHPO signatory information has also been changed on NYSHPO signatory page.

From: Perazio, Philip (PARKS) <Philip.Perazio@parks.ny.gov>
Sent: Friday, November 17, 2017 9:29:51 AM
To: Castelli, Amishi (FRA); Brazee, Olivia (PARKS)
Cc: Lynch, Michael (PARKS); Claudia Cooney (ccooney@akrf.com); jcowing@akrf.com;
'RPalladino@njtransit.com'
Subject: RE: Question on Hudson Tunnel Project PA

Hello Amishi,

That language is fine with me, and I've spoken with Amanda Sutphin and it works for them as well.

Philip.

Philip A. Perazio

Historic Preservation Program Analyst – Archaeologist

Division for Historic Preservation

New York State Parks, Recreation & Historic Preservation

Peebles Island State Park, P.O. Box 189, Waterford, NY 12188-0189

518-268-2175

Philip.Perazio@parks.ny.gov

www.nysparks.com/shpo

From: Castelli, Amishi (FRA) [<mailto:Amishi.Castelli@dot.gov>]
Sent: Tuesday, November 14, 2017 11:46 PM
To: Brazee, Olivia (PARKS) <Olivia.Brazee@parks.ny.gov>
Cc: Lynch, Michael (PARKS) <Michael.Lynch@parks.ny.gov>; Perazio, Philip (PARKS) <Philip.Perazio@parks.ny.gov>;
Claudia Cooney (ccooney@akrf.com) <ccooney@akrf.com>; jcowing@akrf.com; 'RPalladino@njtransit.com'

Hi Olivia- As part of our informal coordination work we're trying to do with state and federal agencies involved in the Hudson Tunnel Project (16PR03710) Task Force, I'm reaching out to you for some advice.

As you know, on July 6, 2017 FRA provided all Section 106 Consulting Parties the Draft Programmatic Agreement for the Hudson Tunnel Project for review and comment. As part of their review of the Draft PA, the New York City Landmarks Preservation Commission (LPC) requested that LPC be consulted about any archaeology and archaeological mitigation that occurs within New York City as a result of the Hudson Tunnel Project and recommended that the language in the Draft PA be revised to make LPC's involvement clear.

FRA feels that unless LPC is a signatory, the decision and process of consulting with them to the detail that they should be one that NY SHPO makes. If LPC's role as a Consulting Party is to advise the NYSHPO as needed, we therefore suggest handling LPC's request by adding an additional sentence (identified in bold text) to the end of paragraph VI. Treatment Measures for Archaeological Resources of the Draft PA (let me know if you want me to re-send that to you):

VI. TREATMENT MEASURES FOR ARCHAEOLOGICAL RESOURCES

FRA, in consultation with NJHPO, determined that Project-related ground improvements associated with the construction of an access road to the Hoboken staging area along the north side of the Hudson-Berger Expressway in Weehawken, New Jersey may affect an archaeological resource (a historic Sea Wall) depending on the construction methods used. FRA, in consultation with NYSHPO, determined that archaeological resources in New York may be affected by ground improvements in the vicinity of the Hudson River Bulkhead at River Park; construction of a new ventilation shaft and fan plant structure on Block 675 (bounded by 28th Avenue, Eleventh Avenue, 30th Street, and 29th Street); use of Block 675 as a construction site dependent upon the depth of disturbance; and cut and cover excavation at 30th Street. **NYSHPO, at its discretion, may consult with the New York City Landmarks Preservation Commission, representing the City of New York, regarding archaeological resources in New York City.**

Please let us know if you think this language is agreeable. We are happy to discuss with you if you feel another approach may be more appropriate. I wanted to make sure we have your blessing on this approach to handling LPC's request before we reach back out to LPC and let them know how we're moving forward.

Thanks and I hope all is well with you! Best, Amishi

Amishi Castelli, Ph.D.

Environmental Protection Specialist

U.S Department of Transportation, Federal Railroad Administration

Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)

One Bowling Green, Suite 429

New York, NY 10004-1415



HPO #16-1650-27 & -28
HPO-K2017-101

State of New Jersey

MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

HISTORIC PRESERVATION OFFICE

P.O. Box 420

Trenton, NJ 08625-0420

TEL. (609) 984-0176 FAX (609) 984-0578

CHRIS CHRISTIE

Governor

BOB MARTIN

Commissioner

KIM GUADAGNO

Lt. Governor

November 14, 2017

Amishi Castelli, Ph.D.
Environmental Protection Specialist
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Dr. Castelli:

Thank you for your letter of October 11, 2017 providing the New Jersey Historic Preservation Office (NJ HPO) an opportunity to review and comment on the revised Programmatic Agreement (PA) and Draft Environmental Impact Statement (DEIS) for the following project:

**Hudson County, Hoboken, Jersey City, North Bergen, Secaucus,
Union City and Weehawken
Hudson Tunnel Project
Federal Railroad Administration**

Programmatic Agreement (PA)

Thank you for submitting the 10% plans and narrative description of the rehabilitation work required in the interior of the North River Tunnel, including to the tunnel's bench walls and ballasted track system. The existing 5'10" concrete bench walls, which were severely damaged during Superstorm Sandy, will be demolished and reconstructed with new bench walls. Similar to the existing bench walls, the replacements will be constructed of concrete and will have embedded duct banks. However, the new bench walls will vary in height from the existing. To accommodate current design standards and programmatic needs, the new bench wall on the inner tunnel wall will be four feet above the top of rail to be used for emergency exits, and the new bench wall on the outside tunnel wall will be only slightly above the top of rail in order to provide easy access to the tracks and the underside of trains. In addition to the change to the bench walls, the existing track system and ballast will be replaced with a direct fixation rail system in order to provide better track stability, reduced maintenance requirements, and increased service life relative to ties and ballast.

Based on the information you provided, including an explanation of FRA's and Amtrak's concern for security, the NJ HPO is in agreement that further design work related to the interior of the North River

Tunnel can be exempt from the Design Review process as outlined in Stipulation XI of the PA. We therefore concur with the language in the draft PA as submitted to NJ HPO on July 6, 2017.

As described in Stipulation V.A.1 of the PA, we look forward to receiving at least 90 days prior to the initiation of any demolition or construction activity in the North River Tunnel the Historic American Engineering Record (HAER)-Level II documentation for the affected portions of the tunnel.

Draft Environmental Impact Statement (DEIS)

The NJ HPO has reviewed and approved the changes to the DEIS as outlined in your October 11, 2017 letter. These changes are in accordance with NJ HPO's August 14, 2017 comments.

Additional Comments

Thank you again for providing us with the opportunity to review and comment on the two revised draft documents. Please reference the HPO project number 16-1650 in any future calls, emails, submission or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Meghan Baratta of my staff at (609) 292-1253 or Meghan.Baratta@dep.nj.gov with any questions on architectural history and Vincent Maresca at (609) 633-2395 or Vincent.Maresca@dep.nj.gov with any questions on archaeology.

Sincerely,



Katherine J. Marcopul
Deputy State Historic
Preservation Officer

KJM/MMB/VM/NZ

Cc:

Laura Shick, USDOT Federal Railroad Administration
Johnette Davies, Amtrak
Jeremy Colangelo-Bryan, NJ TRANSIT
RJ Palladino, AICP, PP, NJ TRANSIT
Dara Callender, P.E., NJ TRANSIT

Question on Hudson Tunnel Project PA

1 message

Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>

Tue, Nov 14, 2017 at 11:45 PM

To: "olivia.brazee@parks.ny.gov" <olivia.brazee@parks.ny.gov>

Cc: "michael.lynych@parks.ny.gov" <michael.lynych@parks.ny.gov>, "Perazio, Philip (PARKS) (Philip.Perazio@parks.ny.gov)" <Philip.Perazio@parks.ny.gov>, "Claudia Cooney (ccooney@akrf.com)" <ccooney@akrf.com>, "jcowing@akrf.com" <jcowing@akrf.com>, "RPalladino@njtransit.com" <RPalladino@njtransit.com>

Hi Olivia- As part of our informal coordination work we're trying to do with state and federal agencies involved in the Hudson Tunnel Project (16PR03710) Task Force, I'm reaching out to you for some advice.

As you know, on July 6, 2017 FRA provided all Section 106 Consulting Parties the Draft Programmatic Agreement (PA) for the Hudson Tunnel Project for review and comment. As part of their review of the Draft PA, the New York City Landmarks Preservation Commission (LPC) requested that LPC be consulted about any archaeology and archaeological mitigation that occurs within New York City as a result of the Hudson Tunnel Project and recommended that the language in the Draft PA be revised to make LPC's involvement clear.

FRA feels that unless LPC is a signatory, the decision and process of consulting with them to the detail that they request should be one that NY SHPO makes. If LPC's role as a Consulting Party is to advise the NYSHPO as needed, then we therefore suggest handling LPC's request by adding an additional sentence (identified in bold text) to the end of the first paragraph of Stipulation VI. Treatment Measures for Archaeological Resources of the Draft PA (let me know if you'd like me to re-send that to you):

VI. TREATMENT MEASURES FOR ARCHAEOLOGICAL RESOURCES

FRA, in consultation with NJHPO, determined that Project-related ground improvements associated with construction of an access road to the Hoboken staging area along the north side of the Hudson-Bergen Light Rail in Weehawken, New Jersey may affect an archaeological resource (a historic Sea Wall) depending on the construction methods used. FRA, in consultation with NYSHPO, determined that archaeological resources in New York may be affected by ground improvements in the vicinity of the Hudson River Bulkhead and Hudson River Park; construction of a new ventilation shaft and fan plant structure on Block 675 (bound by Twelfth Avenue, Eleventh Avenue, 30th Street, and 29th Street); use of Block 675 as a construction staging area, dependent upon the depth of disturbance; and cut and cover excavation at 30th Street. **NYSHPO, at its discretion, may consult with the New York City Landmarks Preservation Commission, representing the City of New York, regarding archaeological resources in New York City.**

Please let us know if you think this language is agreeable. We are happy to discuss with you if you feel another approach may be more appropriate. I wanted to make sure we have your blessing on this approach to handling LPC's request before we reach back out to LPC and let them know how we're moving forward.

Thanks and I hope all is well with you! Best, Amishi

Amishi Castelli, Ph.D.

Environmental Protection Specialist

U.S Department of Transportation, Federal Railroad Administration

Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)

One Bowling Green, Suite 429

New York, NY 10004-1415

617-431-0416



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

October 11, 2017

Ms. Katherine J. Marcopul
Deputy State Historic Preservation Officer
New Jersey Historic Preservation Office
New Jersey Department of Environmental Protection
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625

**Re: Hudson Tunnel Project – HPO Project No: 16-1650
Hudson County, New Jersey, and New York County, New York
Draft Programmatic Agreement and Draft Environmental Impact Statement**

Dear Ms. Marcopul:

Thank you for your letter of August 14, 2017, providing comments on the draft Programmatic Agreement (PA) and Draft Environmental Impact Statement (DEIS) for the Hudson Tunnel Project. This response is intended to address both those written comments and the issues subsequently discussed during the September 13, 2017, teleconference between FRA and NJ TRANSIT with NJHPO staff.

Your review and response to this letter, either providing further comments or acknowledging that this response satisfies your concerns, would be appreciated by **November 13, 2017**.

1. Programmatic Agreement

As requested in your letter and as further discussed on the aforementioned September 13th call, FRA is now providing information regarding the proposed alterations to the North River Tunnel for your review. As previously discussed, detailed information about the interior of the tunnel is confidential and cannot be shared because of security concerns, but we have enclosed additional information to the maximum extent practicable. The information is provided in the attached information package entitled “**Information on the Rehabilitation of the North River Tunnel**,” which includes a description of the rehabilitation of North River Tunnel, cross-sections of the North River Tunnel showing existing and proposed components (as depicted in Figure 1), and selected drawings from the 10% conceptual design plans for the North River Tunnel rehabilitation (included as Attachment A).

2. Draft Environmental Impact Statement (DEIS)

As discussed on the aforementioned September 13th call, the DEIS will be revised in response to your comments as follows:

- Page 9-26, Table 9-4: The table will be revised to indicate that due to lack of prudent or feasible archaeological survey methods, there would be no adverse effect to historic properties resulting from machine-driven (e.g. pile-driving) construction methods.
- Page 9-36, Section 9.8.1, Historic Architectural Resources: In the third line of this section, the text “the Hudson River, and New York” will be removed to make it clear that the North River Tunnel is only an individually eligible resource in New Jersey.
- Page 9-38, Section 9.8.2.1, New Jersey: In the first sentence, the text will be revised to indicate that FRA, through further consultation with NJHPO, has determined that due to the lack of prudent or feasible archaeological survey methods, there would be no adverse effect to historic properties resulting from machine-driven (e.g. pile-driving) construction methods and NJHPO has concurred with this determination.
- Page 9-38, Section 9.8.2.1, Historic Sea Wall: The text regarding the historic sea wall will be retained as there is a potential historic sea wall identified as an archaeological resource in New Jersey. The reference to the “NYSHPO” in the discussion regarding the Historic Sea Wall will be deleted.

If you have any questions or require additional information, please contact me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist

Enclosure

cc: Laura Shick, FRA
Johnette Davies, Amtrak
Jeremy Colangelo-Bryan, NJ TRANSIT
RJ Palladino, NJ TRANSIT
Dara Callender, P.E., NJ TRANSIT

ENCLOSURE

Hudson Tunnel Project Information on the Rehabilitation of the North River Tunnel For the New Jersey Historic Preservation Office

October 6, 2017

A. PURPOSE AND NEED

The North River Tunnel, built in 1910 as part of the construction of Penn Station New York (PSNY), is more than 100 years old and was designed and built to early 20th century standards. In October 2012, Superstorm Sandy inundated the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm damage and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

Superstorm Sandy inundated both tubes in the North River Tunnel with seawater in October 2012, resulting in the cancellation of all Amtrak and NJ TRANSIT service into New York City for five days. Seawater rose to above the top of rail for approximately 3,200 feet of the tunnel's north tube and 2,300 feet of the south tube. The flood level reached above the height of the bench walls at the tunnel's lowest point.¹ The bench walls were inundated for approximately 1,900 feet in the north tube and 800 feet in the south tube. While the tunnel was restored to service and is now safe for travel, chlorides from the seawater remain in the tunnel's concrete liner, bench walls, and ballast, causing ongoing damage to these elements as well as to embedded steel, track and third rail systems, and signaling, mechanical and electrical components.

The most serious damage affects the concrete bench walls, which run the length of the tunnel and provide emergency egress and maintenance access to trains and track. Ducts housed inside the bench walls contain electrical wiring, utility cables, and other essential equipment. As a result of the seawater inundation, the bench walls have longitudinal cracks, severe spalls with exposed steel, and corrosion of embedded steel elements. As a result of steel corrosion that has caused the concrete to spall, the continuous bench walls and duct work cannot perform reliably or be repaired. While the tunnel is structurally sound and safe for continuing passenger rail use, these conditions necessitate that the existing bench walls be replaced with new bench walls. These should be constructed at the proper height to meet current fire-life safety standards (National Fire Protection Association (NFPA) 130). This replacement should occur portal to portal, since it is not practical to construct the middle portion of a bench wall at different height than the two ends, given that the bench wall operates as one continuous system providing emergency egress and housing duct work inside.

In addition, the North River Tunnel's rock ballast is coated with chlorides remaining from the

¹ The bench wall is a ledge along a tunnel's side wall that can serve as a walkway for maintenance and emergency use; the bench wall also houses ducts that contain electrical wiring, equipment, cables, and other essential equipment. The North River Tunnel has two bench walls, one on each side.

seawater that flooded the tunnel. The existing rail system in the North River Tunnel consists of rock ballast, treated timber ties, running rail and third rail. Full removal of the chlorides from the ballast, including from the inaccessible surfaces, is not physically possible; therefore, the ballast needs to be entirely removed. This requires removal of the tie and rail systems as well, in order to remove the ballast.

The damage caused by Superstorm Sandy is compounded by the tunnel's age and the intensity of its current use, resulting in frequent delays due to component failures within the tunnel. The damage to the bench walls and ballast and track systems necessitates full portal-to-portal replacement of these elements, which form integrated systems running the length of the tunnel. Moreover, both systems would need to be reconstructed to meet modern standards including fire and life safety; it would be both impractical and unsafe to reconstruct a portion of either system to a higher standard while other portions remain constructed to an older, incompatible standard

B. REHABILITATION OF THE NORTH RIVER TUNNEL

As part of the Hudson Tunnel Project, the Project Sponsor would rehabilitate and modernize the North River Tunnel. Such work would include the following:

- Localized repairs on the existing tunnel lining;
- New bench walls and duct banks;
- New direct fixation track system and track drainage system; and
- New or rehabilitated systems, including signal, overhead contact system, communications, traction power, and fire-life safety.

These are described in more detail in the sections below.

TUNNEL DESIGN

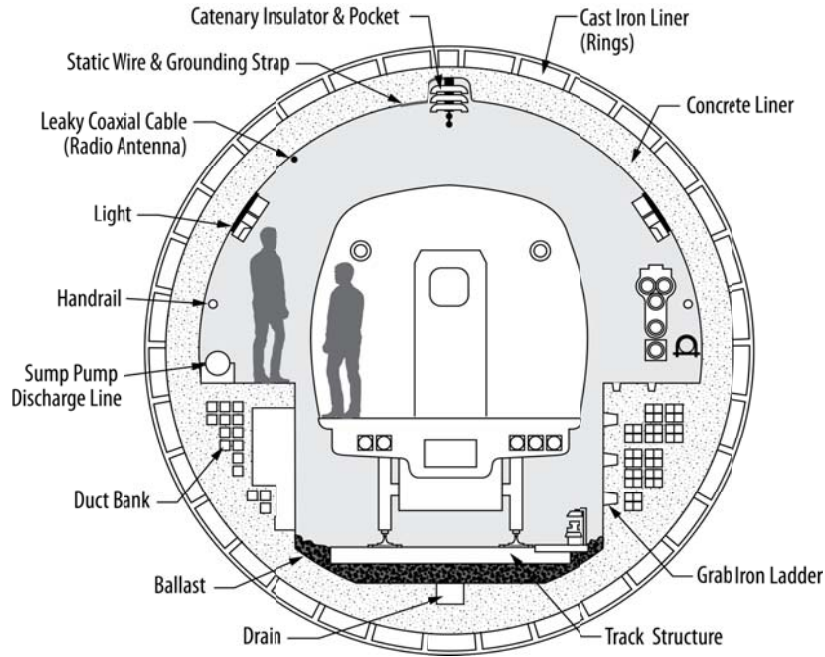
The North River Tunnel consists of two single-track tubes, running from a portal in North Bergen, New Jersey, just east of Tonelle Avenue and continuing beneath the Palisades, Weehawken, and the Hudson River. In Manhattan the tunnel crosses through the existing Hudson River bulkhead's foundation, continues beneath the LIRR's West Side Yard, and emerges at a portal just east of Tenth Avenue, where it connects to the approach tracks to PSNY. Ventilation shafts and emergency access points are located in Weehawken (within the Lincoln Tunnel Helix) and at Eleventh Avenue within the West Side Yard.

The North River Tunnel's design varies along the alignment, based on geologic conditions. Typically, the tunnel consists of a cast iron outer ring and an inner concrete lining (i.e., tunnel walls) about 2 feet thick. Concrete bench walls approximately 5 feet 10 inches above top of rail run along both sides of the trackbed, housing electrical wiring, utility cables, and other essential equipment and providing a path for maintenance workers, as well as emergency egress. **Figure 1** attached provides an illustration of the existing tunnel cross section and proposed cross section after rehabilitation. **Attachment A** provides additional selected 10% design plans depicting the proposed work in the North River Tunnel.

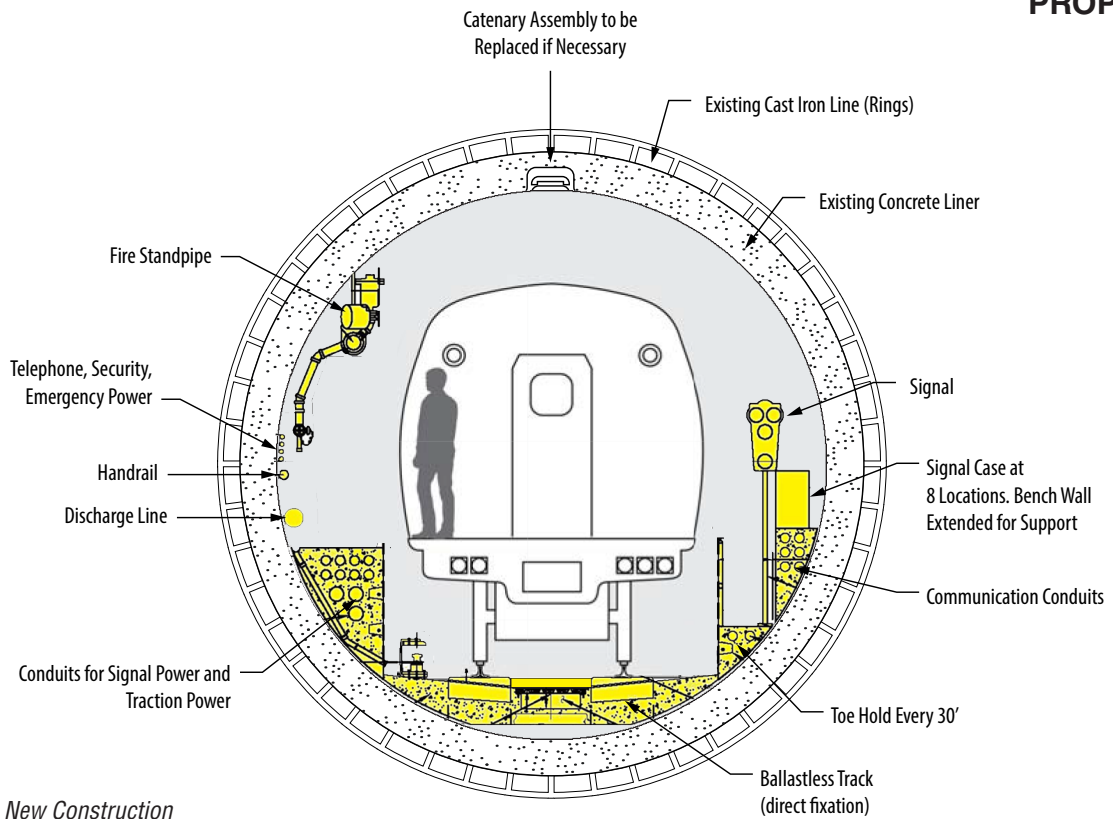
BERGEN PORTAL

The Bergen Portal in North Bergen serves as the western terminus of the North River Tunnel. The portal is a coursed stone structure with two arched tunnel openings and with an upper level containing sealed arched openings. No changes would occur to the Bergen Portal as part of the tunnel rehabilitation. As discussed in the draft Programmatic Agreement, the Bergen Portal would be included in a Construction Protection Plan to be developed by the Project Sponsor to avoid inadvertent construction-related damage to this resource.

EXISTING



PROPOSED



TUNNEL LINER

Overall, the concrete liner in the North River Tunnel's two tubes is in good condition. The cast iron ring and concrete tunnel liner of both tubes would not be altered. Minor cracking and spalling in the tunnel's concrete liner would be repaired.

BENCH WALLS

The most serious damage to the North River Tunnel from Superstorm Sandy affected the concrete bench walls. As part of the tunnel rehabilitation, the bench walls would be demolished and reconstructed, portal to portal, including the embedded duct banks and associated duct bank cabling and wiring.

Bench walls would be completely demolished down to the tunnel liner. Demolition work would be staggered with one side leading the other by approximately 500 feet to give work crews sufficient clearance. Bench walls would be demolished, with materials bagged for removal. During demolition, the attachment hardware for the new bench walls would be installed.

Concrete work for new bench walls and duct banks would begin once demolition has advanced 3,000 to 5,000 feet, with one side leading the other by approximately 500 feet. The new cable and wire in the new bench wall ducts would be pulled when bench wall construction is approximately 80 percent complete.

Any work to address cracking and spalling on the interior face of the concrete tunnel liner would be undertaken concurrently with construction of the bench walls.

The new bench wall arrangement would be designed to meet the requirements of NFPA 130 and would have one high bench wall, level with the train floor (4 feet above top of rail), on the inner tunnel wall (i.e., the wall closest to the tunnel's other tube). The high bench wall could be used as an emergency walkway for passengers if a train must be evacuated and would connect to the cross passages between the North River Tunnel's two tubes. The other bench wall (along the outside tunnel wall) would be low, slightly above the top of rail, to provide easy access to the tracks and underside of trains, for inspection and repairs, safe clearance for workers to stand and access for railroad personnel to decouple a stopped or disabled train.

TRACK

The existing rail system in the North River Tunnel consists of rock ballast, treated timber ties, running rail, and third rail. These components are now coated with chlorides remaining from the seawater that flooded the tunnel. Full removal of the chlorides from the ballast, including from the inaccessible surfaces, is not possible; therefore, the ballast would be removed in its entirety. The tie and rail systems have to be removed in order to remove the ballast.

Track removal and replacement would start after the bench wall is advanced far enough that the track construction does not interfere with to the bench wall construction. Track system demolition and ballast removal would be performed sequentially in 2,000-foot sections; then halted until that section is reconstructed. The track system would be assembled and built using the top down method in which the track system is supported and set to grade; the concrete is then placed, encasing the ties, and the concrete surface finished by hand.

Concrete would either be delivered using a portable concrete mixer on a work train, or pumped from the staging area through a slick line laid in the track bed.

The track system and ballast in the North River Tunnel would be replaced in its entirety with a direct fixation rail system, which is the state of practice for rail tunnels. Direct fixation track systems generally provide better track stability, reduced maintenance requirements, and

increased service life relative to ties and ballast. In addition, a direct fixation track system would provide an opportunity for vibration reduction and would reduce stray current where appropriate.

DRAINAGE AND UTILITIES

The drainage system in the North River Tunnel would be completely replaced and upgraded. The new drainage system would supplement the new pumps installed after Superstorm Sandy and would include adequate drainage structures and facilities (such as track bed drainage and discharge lines) to handle normal infiltration and anticipated inflows. The new tunnel drainage system would not be designed to keep the tunnel dry during a storm event such as Superstorm Sandy, due to the physical limitations of existing pump rooms and tunnel geometry that limits the size of discharge piping. Instead, the pumps have been hardened as part of a separate project so that they will continue pumping water during a flooded condition.

Utilities in the tunnel, including those in the bench walls and those mounted on the tunnel walls, would be replaced or upgraded, as appropriate. Cabling and replacement of cable attachments in the tunnel crown and above the existing bench wall, including catenary, signals, and communications would be performed after the completion of bench wall and track construction. Existing utilities that are in good condition would be retained as is. In addition, a new fire protection system would be provided.

TUNNEL VENTILATION

No changes to the tunnel ventilation system are proposed as part of the rehabilitation.

POWER

The tunnel's overhead contact system, installed in the tunnel ceiling, would be replaced and rehabilitated to a state of good repair. Traction power feeders and third rail will also be replaced during construction.

SIGNALS AND COMMUNICATION SYSTEMS

The signal system within the North River Tunnel would be fully replaced and upgraded to the same configuration as the new tunnel, except that the North River Tunnel does not have vent zones and therefore would not include vent zone signals. In addition, new communication systems equipment would be installed. The new signal system, working in conjunction with the communication systems, would be a Positive Train Control (PTC) system as is the current system.

SAFETY AND SECURITY / EMERGENCY ACCESS

Cross passages are located approximately every 100 feet between the two tubes of the North River Tunnel in the hard rock section of the tunnel beneath the Palisades in New Jersey and another cross passage is located at the Manhattan shoreline. No cross passages are located in the section of the tunnel beneath the Hudson River. Emergency access is available at the tunnel's portals and at its two ventilation shafts—one in Weehawken and one at Eleventh Avenue in Manhattan.

No changes are proposed to the cross passages. In the rehabilitated tunnel, the reconfigured bench walls would facilitate emergency egress. The bench wall along the inner tunnel wall (i.e., the wall that connects to the cross passages) would be at the same height as the train doors so that in an emergency, passengers could exit the train using the bench wall as a walkway to reach the cross passages/emergency access points.

RESILIENCY / FLOOD PROTECTION

During Superstorm Sandy, flood waters entered the North River Tunnel from Manhattan, through the tunnel portal at Tenth Avenue and the ventilation shaft at Eleventh Avenue once the West Side Yard was inundated. LIRR is undertaking a perimeter protection project for the West Side Yard to protect the yard from future flooding. LIRR is designing this wall to a Design Flood Elevation (DFE) of four feet above the Base Flood Elevation (BFE), meaning that the new perimeter wall will withstand flood that are four feet higher than the currently projected 1 percent probability storm elevations. By preventing floodwaters from entering the West Side Yard, the perimeter wall will protect the North River Tunnel from future flooding.

In addition, the Project Sponsor would harden the drainage system in the North River Tunnel to continue operating during a flooded condition. Amtrak has already hardened the pumping systems in the North River Tunnel so that they would continue to operate in the event of tunnel flooding. In addition, as part of the rehabilitation with the Preferred Alternative, the Project Sponsor would relocate electronic control systems out of the tunnel to locations that are protected from flooding, and install electronics and cables within the tunnel that are more flood-resilient. In addition, the rehabilitated tunnel would have ballastless (i.e., direct fixation) track, which is more resistant to salt water incursion than ballasted track. These measures would allow for faster recovery in the event of tunnel flooding, avoiding the type of damage that resulted from Superstorm Sandy.

While the Weehawken ventilation shaft leading to the North River Tunnel was not flooded during Superstorm Sandy, to protect the Weehawken ventilation shaft against future flooding during a severe storm, Amtrak is planning to implement a smaller standalone project or install deployable flood barriers at this ventilation shaft. Amtrak will undertake this floodproofing project as a separate project from the Preferred Alternative, as part of Amtrak's regular capital maintenance program. Amtrak will complete the Weehawken shaft floodproofing project no later than by completion of the North River Tunnel rehabilitation. Amtrak's standalone Weehawken shaft floodproofing project will be designed to a DFE of five feet above BFE.

ATTACHMENT A

**SELECTED DRAWINGS FROM 10% DESIGN FOR
NORTH RIVER TUNNEL REHABILITATION**

[REDACTED FROM FEIS]



Preserving America's Heritage

September 5, 2017

Ms. Laura Shick
Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington D.C. 20590

Ref: *ACHP Comments on Second Draft Programmatic Agreement regarding the Hudson Tunnel Project Hudson County, New Jersey and New York County, New York*

Dear Ms. Shick:

The Advisory Council on Historic Preservation (ACHP) has completed its review of the Second Draft Programmatic Agreement (PA) among the *Federal Railroad Administration (FRA), the New Jersey Historic Preservation Officer, the New York Historic Preservation Officer, the Advisory Council on Historic Preservation, the Federal Transit Administration, the U.S. Army Corps of Engineers, the New Jersey Transit Corporation, the National Railroad Passenger Corporation (Amtrak), and the Port Authority of New York & New Jersey Regarding the Hudson Tunnel Project in Hudson County, New Jersey and New York County, New York* submitted to ACHP via email on July 11, 2017. The Federal Railroad Administration (FRA) revised the Second Draft PA to address the comments submitted by the consulting parties after reviewing the First Draft PA. The ACHP recommends a few additional revisions before FRA executes the final PA. Our comments should be considered along with other relevant revisions and edits submitted by other consulting parties who are participating in the Section 106 consultation process.

Whereas Clauses

- The PA should include a Whereas Clause that clarifies when the Project Sponsor(s) is selected then FRA will need to amend the PA in accordance with Stipulation XVI.

Stipulations

- Stipulation II. A should be revised to clarify that the Lead Federal Agency will be responsible for the “coordination” of the PA rather than the “maintenance” of the PA. Section 106 agreement documents are not maintained.
- Stipulation II.B should be written in the future tense since the “party or parties” have not been selected.

- The termination in Stipulation XVII.A should include the following text:

If any Signatory to this PA determines that its terms will not or cannot be carried out or if circumstances change over time and warrant revision of the stipulations, that Signatory shall immediately consult with the other Signatories to attempt to develop an amendment per Stipulation XVI to the PA. If within thirty calendar (30) days (or another period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate the PA upon written notification to FRA and the other Signatories with the obligations accruing up to the date of termination remaining in full force and effect.

- In Stipulation XX please change the Point of Contact for the ACHP to read as follows:

Reid Nelson
Director
Office of Federal Agency Programs

The ACHP looks forward to receiving the Final PA from FRA once it has been signed by the other signatories. If you have any questions, please contact Sarah Stokely who can be reached at (202) 517-0224 or via e-mail at sstokely@achp.gov.

Sincerely,



Charlene Dwin Vaughn, AICP
Assistant Director
Office of Federal Agency Programs
Federal Permitting, Licensing and Assistance Section

ENVIRONMENTAL REVIEW

Project number: FEDERAL RAILWAY ADMINISTRATION / 16FRA001M
Project: HUDSON TUNNEL PROJECT (HARBS)
Address: 4 PENN PLAZA, **BBL:** 1007810001
Date Received: 7/14/2017

Comments: The LPC is in receipt of the Draft Programmatic Agreement and the DEIS Historic and Archaeological Resources chapter dated 7/14/17. The LPC concurs with the text pertaining to architectural and archaeological resources in New York City, although would like to be consulted about any archaeology and archaeological mitigation that occurs within New York City as a result of this project and recommends that the language in the Programmatic Agreement be revised to make LPC's involvement clear.

Gina Santucci

7/26/2017 (8/30/17)

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 31462_FSO_ALS_07182017.doc



Hudson River Park Trust

August 23, 2017

Amishi Castelli, Ph.D.
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: Comments from the Hudson River Park Trust on the Draft Programmatic Agreement for the Hudson Tunnel Project

Dear Ms. Castelli:

The Hudson River Park Trust (the "Trust") has reviewed the Draft Programmatic Agreement for the Hudson Tunnel Project and has the following comments. Our comments are limited to the historic resources within Hudson River Park's boundaries: the North Tunnel and the Hudson River Bulkhead ("Bulkhead").

Overall, the Trust concurs with the proposals for treatment of these resources. However, we have several recommendations for additional commitments regarding the Bulkhead specifically. First, we would be interested in exploring the possibility of interpreting the Bulkhead within Hudson River Park (the "Park"), provided that the means of such interpretation is consistent with the Park's design vocabulary, and that the location of the interpretation is selected in tandem with the Trust. Our staff can provide information on current educational and interpretive planning to the Project Sponsor if desired.

Second, as noted in our comments on the Draft Environmental Impact Statement ("DEIS") and Section 4(f) Statement, we believe that a post-construction program for monitoring and repairing, as needed, sections of the Bulkhead should also be identified within the Programmatic Agreement. The Trust has worked with the New York State Historic Preservation Office ("SHPO") in the past to restore deteriorated or collapsed bulkhead sections at other Park locations and to build sections of the Park above or abutting the Bulkhead. Since repairing the Bulkhead and completed park sections above or abutting it will be more costly once the Project is constructed given the limitations the Project will impose on such work, the Project Sponsor

should commit to making the repairs in a manner consistent with the Programmatic Agreement.

Thank you for taking our comments into consideration, and please feel free to contact me if you need further information. My number is 212-627-2020.

Sincerely,



Noreen Doyle
Executive Vice President

cc: RJ Palladino, NJ Transit
Michael Lynch, NYS SHPO
Beth Cumming, NYS SHPO
Madelyn Wils, HRPT
Nicole Cuttino, HRPT
Chris Rizzo, Carter Ledyard



HPO #16-1650-20-24
HPO-F2017-133

State of New Jersey

MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

HISTORIC PRESERVATION OFFICE

P.O. Box 420

Trenton, NJ 08625-0420

TEL. (609) 984-0176 FAX (609) 984-0578

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

August 14, 2017

Amishi Castelli, Ph.D.
Environmental Protection Specialist
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Dr. Castelli:

Thank you for your letters of July 6, 2017 providing the New Jersey Historic Preservation Office (NJ HPO) an opportunity to review and comment on the revised Programmatic Agreement (PA) and Draft Environmental Impact Statement (DEIS) and Section 4(f) Evaluation for the following project:

**Hudson County, Hoboken, Jersey City, North Bergen, Secaucus,
Union City and Weehawken
Hudson Tunnel Project
Federal Railroad Administration**

Programmatic Agreement (PA)

The revised PA addresses the NJ HPO's April 18, 2017 comments on the earlier draft. My only comment on the current draft pertains to Section XI. Design Review. Due to security concerns, the current language exempts from the Section 106 process the review of architectural plans and specifications for tunnel interiors. The NJ HPO understands the need for security. However, because the adverse effect to the North River Tunnel results from proposed alterations to two of the tunnel's interior features, the bench walls and the ballasted track system, the NJ HPO asks what information or material the FRA proposes to submit to the NJ HPO—in lieu of project plans—to allow us the opportunity to ensure that the proposed work is in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Draft Environmental Impact Statement (DEIS) and Section 4(f) Evaluation

The revised DEIS and Section 4(f) document, dated June 2017, addresses the HPO's May 25, 2017 comments on the earlier draft. Our comments on the current draft:

- Page 9-26. Table 9-4. Based on the lack of prudent or feasible archaeological survey methods, the HPO does not recommend to FRA a finding of adverse effect for pile-driven construction methods.

- Page 9-36, Section 9.8.1, Historic Architectural Resources. There appear to be a few extra words in the third line, namely “the Hudson River, and New York.”
- Page 9-38. Section 9.8.2.1, New Jersey.
 - First sentence. The NJ HPO does not recommend to FRA a finding of adverse effect for pile-driven construction methods.
 - Historic sea wall. Because this resource is in New York, consultation should be limited to the NY HPO and not the NJ HPO. I recommend that the entire document be checked to make sure that the state-appropriate SHPO is referenced for consultation.

Additional Comments

Thank you again for providing us with the opportunity to review and comment on the two revised draft documents. Please reference the HPO project number 16-1650 in any future calls, emails, submission or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Meghan Baratta of my staff at (609) 292-1253 or Meghan.Baratta@dep.nj.gov with any questions on architectural history and Vincent Maresca at (609) 633-2395 or Vincent.Maresca@dep.nj.gov with any questions on archaeology.

Sincerely,



Katherine J. Marcopul
Deputy State Historic
Preservation Officer

KJM/MMB/VM/NZ

Cc:

Laura Shick, USDOT Federal Railroad Administration
Johnette Davies, Amtrak
Jeremy Colangelo-Bryan, NJ TRANSIT
RJ Palladino, AICP,PP, NJ TRANSIT
Dara Callender, P.E., NJ TRANSIT



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

July 27, 2017

Ms. Amishi Castelli
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (NY Environmental Conservation Law Article 8).

We have reviewed the Draft Environmental Impact Statement and the revised Programmatic Agreement that were provided to our office on July 7th, 2017. Based upon our review, we find the DEIS acceptable for historic and cultural resources, and we concur with the conclusions and recommendations regarding archaeological and architectural resources as presented. We find the text of the revised Programmatic Agreement to be acceptable; however we request the following change in signatory for our office:

1. Please change the signatory for our office to:

Daniel Mackay
Deputy, State Historic Preservation Officer

If additional information correspondence is required regarding this project it should be provided via our Cultural Resource Information System (CRIS) at www.nysparks.com/shpo/online-tools/. Once on the CRIS site, you can log in as a guest and choose "submit" at the very top menu. Next choose "submit new information for an existing project". You will need this project number and your e-mail address. If you have any questions, I can be reached at (518) 268-2182.

Sincerely,

Olivia Brazee
Historic Site Restoration Coordinator
olivia.brazee@parks.ny.gov

via e-mail only

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Mr. James H. Cannon
New York District U.S. Army Corps of Engineers Regulatory Branch
U.S. Army Corps of Engineers
26 Federal Plaza, 19th Floor
New York, NY 10278

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Mr. Cannon:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

FRA previously provided a preliminary draft Programmatic Agreement (PA) in accordance with 36 CFR 800.14(b)(3) to resolve the Project's identified adverse effects to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 Consulting Parties for the Project for a 30 day review period. Based on comments received to date, the document has been revised and the enclosed Draft PA is provided for review and comment. The Draft PA is being provided to all Section 106 Consulting Parties and will also be included as Appendix 9-1 of the Draft EIS for review during the NEPA public comment period.

The purpose of this letter is to invite the U.S. Army Corps of Engineers to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonstunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

FRA has scheduled a Webinar on **Tuesday, July 25, 2017 at 11:00AM** to provide an opportunity for FRA to review the Draft PA with the Section 106 Consulting Parties. Attendees will be able to offer their views and to participate in the resolution of adverse effects. Information to attend the Webinar is provided below:

Webinar

Tuesday, July 25, 2017 at 11:00AM

Join the meeting: <https://join.me/583-280-876>

On a computer, use any browser; there is nothing to download.

On a phone or tablet, launch the join.me app (<https://join.me/app>) and enter meeting code: **583-280-876**

Join the audio conference:

By phone: **646.307.1990**

Access Code: **583-280-876#**

Public hearings will be held to receive comments on the Draft EIS and Draft PA, on the dates and locations listed below.

August 1, 2017
Hotel Pennsylvania
Skytop Ballroom, 18th floor
401 7th Ave at W 33rd St
New York, NY 10001

August 3, 2017
Secaucus Junction Rail Station
Upper Level Long Hallway
County Rd & County Ave
Secaucus, NJ 07094

August 10, 2017
Union City High School
2500 Kennedy Blvd
Union City, NJ 07087

Each public hearing will include an afternoon and evening session, from 3-5 PM and from 6-8 PM with a brief presentation about the Project at 3:15 PM and again at 6:15 PM. Following the public comment period, FRA will further revise the Draft PA, as necessary, to take into consideration input provided by the Section 106 Consulting Parties and the public. FRA will then circulate a revised Draft PA to all Section 106 Consulting Parties for subsequent review prior to finalizing and executing the PA.

Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Ms. Sherry White
Tribal Historic Preservation Officer
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
W13447 Camp 14 Road
Bowler, WI 54416

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms. White:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

FRA previously provided a preliminary draft Programmatic Agreement (PA) in accordance with 36 CFR 800.14(b)(3) to resolve the Project's identified adverse effects to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 Consulting Parties for the Project for a 30 day review period. Based on comments received to date, the document has been revised and the enclosed Draft PA is provided for review and comment. The Draft PA is being provided to all Section 106 Consulting Parties and will also be included as Appendix 9-1 of the Draft EIS for review during the NEPA public comment period.

The purpose of this letter is to invite the Stockbridge-Munsee Community of Mohican Indians of Wisconsin to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

FRA has scheduled a Webinar on **Tuesday, July 25, 2017 at 11:00AM** to provide an opportunity for FRA to review the Draft PA with the Section 106 Consulting Parties. Attendees will be able to offer their views and to participate in the resolution of adverse effects. Information to attend the Webinar is provided below:

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Skytop Ballroom, 18th floor
401 7th Ave at W 33rd St
New York, NY 10001

August 3, 2017
Secaucus Junction Rail Station
Upper Level Long Hallway
County Rd & County Ave
Secaucus, NJ 07094

August 10, 2017
Union City High School
2500 Kennedy Blvd
Union City, NJ 07087

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Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Ms. Bonney Hartley
Tribal Historic Preservation Officer – New York Office
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
65 1st Street
Troy, NY 12180

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms. Hartley:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

FRA previously provided a preliminary draft Programmatic Agreement (PA) in accordance with 36 CFR 800.14(b)(3) to resolve the Project's identified adverse effects to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 Consulting Parties for the Project for a 30 day review period. Based on comments received to date, the document has been revised and the enclosed Draft PA is provided for review and comment. The Draft PA is being provided to all Section 106 Consulting Parties and will also be included as Appendix 9-1 of the Draft EIS for review during the NEPA public comment period.

The purpose of this letter is to invite the Stockbridge-Munsee Community of Mohican Indians of Wisconsin to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

FRA has scheduled a Webinar on **Tuesday, July 25, 2017 at 11:00AM** to provide an opportunity for FRA to review the Draft PA with the Section 106 Consulting Parties. Attendees will be able to offer their views and to participate in the resolution of adverse effects. Information to attend the Webinar is provided below:

Webinar

Tuesday, July 25, 2017 at 11:00AM

Join the meeting: <https://join.me/583-280-876>

On a computer, use any browser; there is nothing to download.

On a phone or tablet, launch the join.me app (<https://join.me/app>) and enter meeting code: **583-280-876**

Join the audio conference:

By phone: **646.307.1990**

Access Code: **583-280-876#**

Public hearings will be held to receive comments on the Draft EIS and Draft PA, on the dates and locations listed below.

August 1, 2017
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Skytop Ballroom, 18th floor
401 7th Ave at W 33rd St
New York, NY 10001

August 3, 2017
Secaucus Junction Rail Station
Upper Level Long Hallway
County Rd & County Ave
Secaucus, NJ 07094

August 10, 2017
Union City High School
2500 Kennedy Blvd
Union City, NJ 07087

Each public hearing will include an afternoon and evening session, from 3-5 PM and from 6-8 PM with a brief presentation about the Project at 3:15 PM and again at 6:15 PM. Following the public comment period, FRA will further revise the Draft PA, as necessary, to take into consideration input provided by the Section 106 Consulting Parties and the public. FRA will then circulate a revised Draft PA to all Section 106 Consulting Parties for subsequent review prior to finalizing and executing the PA.

Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Bryan Polite, Daniel S. Collins, Sr., & Eugene Cuffee II, Trustees
Shinnecock Indian Nation Tribal Office
P.O. Box 5006
Southampton, NY 11969-5006

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Sirs:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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The purpose of this letter is to invite the Shinnecock Indian Nation to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsontunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

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Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amishi Castelli', written in a cursive style.

Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Chief Ron Sparkman
Shawnee Tribe of Oklahoma
P.O. Box 189
29 South Highway 69A
Miami, OK 74355

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Chief Sparkman:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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The purpose of this letter is to invite the Shawnee Tribe of Oklahoma to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

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Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
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**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Mr. Steven Plate
Chief of Major Capital Projects
Port Authority of New York and New Jersey
80 Pine Street, 7th Floor
New York, NY 10005

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Mr. Plate:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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The purpose of this letter is to invite the Port Authority of New York and New Jersey to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

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Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
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**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Mr. Michael Lynch
Deputy, State Historic Preservation Officer
New York State Historic Preservation Office
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Mr. Lynch:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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The purpose of this letter is to invite the New York State Historic Preservation Office to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

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One Bowling Green, Suite 429
New York, NY 10004

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Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

**Federal Railroad
Administration**

July 6, 2017

Ms. Dara Callender
Manager, Environmental Compliance Environment, Energy and Sustainability Unit
New Jersey Transit
One Penn Plaza East
Newark, NJ 07105-2246

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms. Callender:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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The purpose of this letter is to invite NJ TRANSIT to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

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Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

**Federal Railroad
Administration**

July 6, 2017

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Historic Preservation Office
New Jersey Department of Environmental Protection
Mail Code 501-04B
PO Box 420
Trenton, NJ 08625-0420

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms. Marcopul:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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The purpose of this letter is to invite the New Jersey Historic Preservation Office to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

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Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amishi Castelli', written in a cursive style.

Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Mr. Stephen Goodman, P.E.
Federal Transit Administration
One Bowling Green, Room 428
New York, NY 10004-1415

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Mr. Goodman:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

FRA previously provided a preliminary draft Programmatic Agreement (PA) in accordance with 36 CFR 800.14(b)(3) to resolve the Project's identified adverse effects to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 Consulting Parties for the Project for a 30 day review period. Based on comments received to date, the document has been revised and the enclosed Draft PA is provided for review and comment. The Draft PA is being provided to all Section 106 Consulting Parties and will also be included as Appendix 9-1 of the Draft EIS for review during the NEPA public comment period.

The purpose of this letter is to invite the Federal Transit Administration to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonstunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

FRA has scheduled a Webinar on **Tuesday, July 25, 2017 at 11:00AM** to provide an opportunity for FRA to review the Draft PA with the Section 106 Consulting Parties. Attendees will be able to offer their views and to participate in the resolution of adverse effects. Information to attend the Webinar is provided below:

Webinar

Tuesday, July 25, 2017 at 11:00AM

Join the meeting: <https://join.me/583-280-876>

On a computer, use any browser; there is nothing to download.

On a phone or tablet, launch the join.me app (<https://join.me/app>) and enter meeting code: **583-280-876**

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By phone: **646.307.1990**

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Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

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Energy and Sustainability Unit



U.S. Department
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**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

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

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Chief Wallace:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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The purpose of this letter is to invite the Eastern Shawnee Tribe of Oklahoma to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonstunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

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Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,

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Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
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Energy and Sustainability Unit



U.S. Department
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**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Chief Chester Brooks
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
170 N.E. Barbara
Bartlesville, OK 74006

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Chief Brooks:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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The purpose of this letter is to invite the Delaware Tribe of Indians, Oklahoma to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

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Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
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RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
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Energy and Sustainability Unit



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1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Blair Fink and Susan Bachor
Historic Preservation Representatives
Delaware Tribe Historic Preservation Office
Delaware Tribe
P.O. Box 64
Pocono Lake, PA 18347

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms Fink and Ms. Bachor,

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

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Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Ms. Kim Penrod
Director, Cultural Resources/106, Archives, Library and Museum
Delaware Nation
31064 State Hwy 281
P.O. Box 825
Anadarko, OK 73005

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms. Penrod:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

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New York, NY 10004

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Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

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Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Ms. Nekole Alligood
Tribal Historic Preservation Officer
Delaware Nation
ATTN: Cultural Preservation Department
31064 State Hwy 281
P.O. Box 825
Anadarko, OK 73005

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms. Alligood:

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Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

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Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Ms. Johnette Davies
Senior Historic Preservation Specialist
Amtrak
30th Street Station
2955 Market Street, Mailbox 55
Philadelphia, PA 19104

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms. Davies:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

FRA previously provided a preliminary draft Programmatic Agreement (PA) in accordance with 36 CFR 800.14(b)(3) to resolve the Project's identified adverse effects to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 Consulting Parties for the Project for a 30 day review period. Based on comments received to date, the document has been revised and the enclosed Draft PA is provided for review and comment. The Draft PA is being provided to all Section 106 Consulting Parties and will also be included as Appendix 9-1 of the Draft EIS for review during the NEPA public comment period.

The purpose of this letter is to invite Amtrak to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

FRA has scheduled a Webinar on **Tuesday, July 25, 2017 at 11:00AM** to provide an opportunity for FRA to review the Draft PA with the Section 106 Consulting Parties. Attendees will be able to offer their views and to participate in the resolution of adverse effects. Information to attend the Webinar is provided below:

Webinar

Tuesday, July 25, 2017 at 11:00AM

Join the meeting: <https://join.me/583-280-876>

On a computer, use any browser; there is nothing to download.

On a phone or tablet, launch the join.me app (<https://join.me/app>) and enter meeting code: **583-280-876**

Join the audio conference:

By phone: **646.307.1990**

Access Code: **583-280-876#**

Public hearings will be held to receive comments on the Draft EIS and Draft PA, on the dates and locations listed below.

August 1, 2017 Hotel Pennsylvania Skytop Ballroom, 18th floor 401 7th Ave at W 33rd St New York, NY 10001	August 3, 2017 Secaucus Junction Rail Station Upper Level Long Hallway County Rd & County Ave Secaucus, NJ 07094	August 10, 2017 Union City High School 2500 Kennedy Blvd Union City, NJ 07087
------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------

Each public hearing will include an afternoon and evening session, from 3-5 PM and from 6-8 PM with a brief presentation about the Project at 3:15 PM and again at 6:15 PM. Following the public comment period, FRA will further revise the Draft PA, as necessary, to take into consideration input provided by the Section 106 Consulting Parties and the public. FRA will then circulate a revised Draft PA to all Section 106 Consulting Parties for subsequent review prior to finalizing and executing the PA.

Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

July 6, 2017

Ms. Sarah Stokely
Program Analyst
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Revised Draft Programmatic Agreement and to Participate in
a Webinar**

Dear Ms. Stokely:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for preparation of the EIS, as well as responsible for compliance with Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

FRA previously provided a preliminary draft Programmatic Agreement (PA) in accordance with 36 CFR 800.14(b)(3) to resolve the Project's identified adverse effects to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 Consulting Parties for the Project for a 30 day review period. Based on comments received to date, the document has been revised and the enclosed Draft PA is provided for review and comment. The Draft PA is being provided to all Section 106 Consulting Parties and will also be included as Appendix 9-1 of the Draft EIS for review during the NEPA public comment period.

The purpose of this letter is to invite the Advisory Council on Historic Preservation to review and provide comments on the Draft PA. Please submit comments by **September 5, 2017**. The Draft PA is available for download on the Project website at:

<http://www.hudsonunnelproject.com/deis.html>

You may submit comments on the Draft PA via email to me, Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or via mail at the following address:

Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004

FRA has scheduled a Webinar on **Tuesday, July 25, 2017 at 11:00AM** to provide an opportunity for FRA to review the Draft PA with the Section 106 Consulting Parties. Attendees will be able to offer their views and to participate in the resolution of adverse effects. Information to attend the Webinar is provided below:

Webinar

Tuesday, July 25, 2017 at 11:00AM

Join the meeting: <https://join.me/583-280-876>

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By phone: **646.307.1990**

Access Code: **583-280-876#**

Public hearings will be held to receive comments on the Draft EIS and Draft PA, on the dates and locations listed below.

August 1, 2017
Hotel Pennsylvania
Skytop Ballroom, 18th floor
401 7th Ave at W 33rd St
New York, NY 10001

August 3, 2017
Secaucus Junction Rail Station
Upper Level Long Hallway
County Rd & County Ave
Secaucus, NJ 07094

August 10, 2017
Union City High School
2500 Kennedy Blvd
Union City, NJ 07087

Each public hearing will include an afternoon and evening session, from 3-5 PM and from 6-8 PM with a brief presentation about the Project at 3:15 PM and again at 6:15 PM. Following the public comment period, FRA will further revise the Draft PA, as necessary, to take into consideration input provided by the Section 106 Consulting Parties and the public. FRA will then circulate a revised Draft PA to all Section 106 Consulting Parties for subsequent review prior to finalizing and executing the PA.

Please direct any inquiries to me at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Amishi Castelli, Ph.D.
Environmental Protection Specialist
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Laura Shick, Federal Preservation Officer, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



Preserving America's Heritage

May 31, 2017

Ms. Laura Shick
Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington D.C. 20590

Ref: *Advisory Council on Historic Preservation's Comments on the Draft Programmatic Agreement for the Proposed Hudson Tunnel Project*

Dear Ms. Shick:

The Advisory Council on Historic Preservation (ACHP) has completed its review of the *Draft Programmatic Agreement among the Federal Railroad Administration, the New Jersey Historic Preservation Officer, the New York Historic Preservation Officer, the Advisory Council on Historic Preservation, the Federal Transit Administration, the U.S. Army Corps of Engineers, the New Jersey Transit Corporation, the National Railroad Passenger Corporation (Amtrak), and the Port Authority of New York & New Jersey Regarding the Hudson Tunnel Project in Hudson County, New Jersey and New York County, New York* submitted to ACHP via email on May 9, 2017. We have developed a summary of comments highlighting the major issues that the Federal Railroad Administration (FRA) will need to consider as it drafts the next version of the Section 106 agreement document. Our comments should be considered along with those submitted by other consulting parties who are participating in the Section 106 consultation process.

Specific Comments

Lead Federal Agency

FRA should consider using consistent language in identifying the lead federal agency. Throughout the agreement the lead federal agency is referred to as FRA or Lead Federal Agency. In order to avoid confusion due to the multiple agencies involved with this agreement, the ACHP recommends using FRA when referencing the lead federal agency throughout the agreement.

Whereas Section

Page 1: Second Whereas Clause

Scope of the undertaking

FRA should consider including language explaining the entire scope of the undertaking, and not only

discuss the grant funding provided by FRA.

Page 1: Fourth Whereas Clause

New Jersey Transit

FRA should consider including language that clarifies New Jersey (NJ) Transit's role with the undertaking and state that NJ Transit may be a project sponsor.

Page 1: Fifth Whereas Clause

Section 800.14

FRA should reference which section of 800.14 this programmatic agreement (PA) is adhering to since 800.14 is referenced later in this PA (Page 4; fourth Whereas Clause) as 800.14(b).

Page 2: Third and Fourth Whereas Clauses

Project Sponsor

FRA should clarify in this agreement that the Project Sponsor remains unknown at time of execution of this agreement, that multiple Project Sponsors may be responsible for advancing the project through different stages of the project, and that these multiple Project Sponsors may have different Section 106 responsibilities in this agreement. FRA should identify that this agreement will be amended once the Project Sponsor(s) is selected and the amendment will specify the Section 106 responsibilities for the Project Sponsor(s).

Page 2: Sixth Whereas Clause

Construction of the Project

FRA should consider deleting this Whereas Clause. In the Whereas Clause describing the entire undertaking, construction should be included as part of that description.

Page 2: Ninth Whereas Clause

Federal Transit Administration and United States Army Corps of Engineers

FRA should consider indicating how and when the Federal Transit Administration (FTA) and the United States Army Corps of Engineers (USACE) designated FRA as the lead federal agency (i.e. by letter dated March 1, 2016).

Page 2: Tenth Whereas Clause

Area of Potential Effect

FRA should consider clarifying if the Area of Potential Effect (APE) is for the preferred alternative only, multiple alternatives, or it includes all the alternatives.

Page 2: Eleventh Whereas Clause

Federally recognized Native American tribes

FRA should consider separating this clause into two separate clauses. The first clause would identify all the federally recognized Native American tribes who were invited to participate in Section 106 consultation for the undertaking. This clause can include the specific responses FRA received from this invitation.

In the second clause, FRA should identify which federally recognized Native American tribes will be consulting parties to this undertaking and clarify these Native American tribes will be referenced as the Project Consulting Tribes throughout the rest of this agreement.

Page 3: Fourth Whereas Clause

NJ Transit

FRA should consider removing NJ Transit from this clause. FRA, the lead federal agency, is responsible for making the final determination about the assessment of adverse effects per our Section 106 regulations 36 C.F.R. § 800.5.

If Constructed

FRA should consider removing “if constructed” from this clause. The description of the full undertaking should address the construction phase of this project.

New Jersey Historic Preservation Office and New York State Historic Preservation Office

FRA should consider including how and when the New Jersey Historic Preservation Office (NJHPO) and New York State Historic Preservation Office (NYSHPO) concurred with the adverse effect determination (i.e. by letter dated March 1, 2016).

Page 4: First and Third Whereas Clause

NJ Transit

FRA should consider removing NJ Transit in both Whereas Clauses. Again, FRA, as the lead federal agency, makes the final determination about the identification of historic properties per our Section 106 regulations 36 C.F.R. § 800.4.

Page 4: Third Whereas Clause

Unanticipated Discoveries

FRA should consider referencing the Unanticipated Discoveries Stipulation in this Whereas Clause considering this part of the undertaking will occur in a sensitive area for deeply buried prehistoric resources.

Page 4: Fifth Whereas Clause

Whereas Recommendation

FRA should consider adding a separate Whereas Clause stating how consulting parties participated in the development of the PA. This can be included on Page 4 when discussing the public opportunity to review and provide comments on the draft PA.

Stipulations Section

Page 5: Stipulation

Please insert the following sentence before listing the stipulations:

FRA, in coordination with the Project Sponsor(s), shall ensure that the following measures are carried out:

Page 5: Stipulation I.A

Please delete this section (Stipulation I.A). FRA already is identified as the lead federal agency in the beginning of the agreement.

Page 5: Stipulation I.B

Please delete the following text: “Notwithstanding Stipulation I.A.”

Page 6: Stipulation III

The Lead Federal Agency already has been identified in the beginning of this agreement. Please revise this stipulation to Identification of Project Sponsor and delete all references to identification of the Lead Federal Agency.

Page 6: Stipulation III.B

Please remove this section of the stipulation and insert a separate stipulation for Coordination with Other Federal Agency Reviews. The Coordination with Other Federal Agency Review stipulation can include the following text:

In the event that a federal agency or other agency applies for federal funding or approvals for the Undertaking and the Undertaking remains unchanged, such funding or approving agency may comply with Section 106 by agreeing in writing to the terms of this PA and notifying and consulting with FRA, NJHPO, NYSHPO, and ACHP. Any necessary modifications will be considered in accordance with the Amendment Stipulation.

Page 6: Stipulation III.C

Please revise this stipulation to require an amendment to the PA if a new Project Sponsor is identified or multiple Project Sponsors are identified. This amendment should include specified Section 106 responsibilities for the new Project Sponsor(s).

Page 7: Stipulation V.A

Please include specific text clarifying the duration and sequencing of the reviews listed in this stipulation.

Page 7: Stipulation V.A.2

Please identify the documentation standards (HABS/HAER and or state standards) for this recordation.

Page 9: Stipulation VI

Please remove NJ TRANSIT when referencing final determinations for potential effects to historic properties. The lead federal agency makes the final determination per our Section 106 regulations 36 C.F.R. § 800.5.

Page 9: Stipulation VI.A.1-2**Page 10: Stipulation VI.B.3****Page 10: Stipulation VI.C.1****Page 11: Stipulation VI.D.1**

Please clarify if consultation will be with the Project Consulting Tribes only and or with other federally recognized Native American tribes.

Page 11: Stipulation VI.D.1

The ACHP recommends that all curation of records and artifacts resulting from the identification and data recovery efforts be done in accordance with 36 CFR 79.

Page 12: Stipulation VII

Please address unanticipated effects on historic properties in this stipulation by including specific text stating procedures to be implemented if previously known historic properties are affected in an unanticipated manner. This can be addressed in the Unanticipated Discoveries Plan.

Page 14: Stipulation IX

Please revise this stipulation to include both emergency situations and natural disasters. FRA should reference the need to adhere to 36 C.F.R. § Section 800.12(b) in the event of a disaster or emergency.

Page 16: Stipulation XII.B

Please clarify exactly when this annual reporting will commence, either when this agreement is executed or when a Project Sponsor(s) is selected.

Page 16: Stipulation XII.C

Please delete this section of the stipulation. This agreement has an amendment stipulation.

Page 16: Stipulation XIII

Please clarify what happens if an adverse effect occurs on a property. If the PA will not include treatment protocols for adverse effects, then an amendment to this agreement may be required that documents the agreed upon strategies to avoid, minimize, or mitigate the adverse effect.

Page 16: Stipulation XIII.B-C, E-G

Please clarify if consultation will be with the Project Consulting Tribes only and or with other federally recognized Native American tribes.

Page 17: Stipulation XIV.A.4

Please define what “expedite” means by including certain timeframes.

Page 18: Stipulation XVII.A

Please include this text after the first line: “that if circumstances change over time and warrant revision of the stipulations.”

Page 25: Advisory Council on historic Preservation Signature Page

The ACHP is a signatory to this agreement. Please delete Invited from the ACHP signature page. Please insert John M. Fowler for the name and Executive Director for the title.

We understand FRA’s desire to move forward with this agreement. This Section 106 agreement document, therefore, should adhere to our regulations and be comprehensive so as to avoid the potential for subsequent procedural challenges. Accordingly, we urge FRA to consider revising the agreement document to address all comments provided by consulting parties. If you have any questions, please contact Sarah Stokely who can be reached at (202) 517-0224 or via e-mail at sstokely@achp.gov.

Sincerely,



Charlene Dwin Vaughn, AICP
Assistant Director, FPLAS
Office of Federal Agency Programs

Enclosure



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 9, 2017

Sarah Stokely
Program Analyst
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Ms. Stokely:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase IA Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite the Advisory Council on Historic Preservation (ACHP) to review and provide comments on the draft PA. FRA has also provided the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for review and comment.

Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA respectfully requests that the ACHP expedite its review, if possible, and provide comments on the draft PA by **May 30th**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



May 9, 2017

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
RPD-13
1200 New Jersey Avenue, SE
Washington, DC 20590
Via e-mail: laura.shick@dot.gov

RE: Hudson Tunnel Project
Section 106 Programmatic Agreement

Dear Ms. Shick:

Thank you for the invitation to become a signatory to the Section 106 Programmatic Agreement (PA) for the Hudson Tunnel Project. Amtrak accepts the invitation. We also appreciate the opportunity to review and provide comments on the draft PA. Amtrak's comments are in "track changes" in the attached Word document.

If you have any questions on the enclosed, please feel free to contact me at 215-349-1354 or johnette.davies@amtrak.com. We look forward to further consultation regarding this project.

Sincerely,

A handwritten signature in black ink that reads "Johnette Davies". The signature is written in a cursive style with a large, looped initial "J".

Johnette Davies
Senior Historic Preservation Specialist

cc: Michael Stern, Amtrak Managing Deputy General Counsel
Mohammed Nasim, Amtrak Senior Director Engineering Design



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

May 2nd, 2017

Ms. Amishi Castelli
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources.

We have reviewed the draft Programmatic Agreement that was provided to our office on April 10th, 2017. Based upon our review, we offer the following comments:

- Stipulation VI - NYSHPO requests that the results of investigations pursuant to the Archaeological Testing Plan/Archaeological Monitoring Plan (VI.B) should be presented in an interim report, including text and graphics sufficient to support an assessment of the National Register-eligibility of the identified property. This report should be submitted to this office for review and comment as part of the consideration of avoidance or mitigation options. We concur that a full report of all phases of investigation should be submitted once all field work and analysis has been completed (VI.D.2).
- Stipulation VI.D.2 – NYSHPO recommends that the NYAC standards for curation (1994) be followed for collections from archaeological sites in New York State.

If additional information correspondence is required regarding this project it should be provided via our Cultural Resource Information System (CRIS) at www.nysparks.com/shpo/online-tools/

If you have any questions, I can be reached at (518) 268-2182.

Sincerely,

Olivia Brazee
Historic Site Restoration Coordinator
olivia.brazee@parks.ny.gov

via e-mail only

Division for Historic Preservation



State of New Jersey

MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

HISTORIC PRESERVATION OFFICE

P.O. Box 420

Trenton, NJ 08625-0420

TEL. (609) 984-0176 FAX (609) 984-0578

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

April 18, 2017

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Ms. Shick,

Thank you for your April 7, 2017 letter and copy of the draft Programmatic Agreement (PA) for the following project:

**Hudson County, Hoboken, Jersey City, North Bergen, Secaucus,
Union City and Weehawken
Hudson Tunnel Project
Federal Railroad Administration**

As Deputy State Historic Preservation Officer, I have the following comments on the draft PA:

Stipulation V. TREATMENT MEASURES FOR HISTORIC ARCHITECTURAL PROPERTIES (page PA-7). Please add a comma following "Stipulation III.A" so that the sentence reads:

"The Lead Federal Agency and the Project Sponsor, identified in accordance with Stipulation III.A.,"

Stipulation VI.D. Curation and Reporting (page PA-11).

The New Jersey Historic Preservation Office does request that all curation of records and artifacts resulting from the archaeological investigations (whether from federal or non-federal lands) be done in accordance with 36 CFR Part 79.

Stipulation X.A. DOCUMENT REVIEW (page PA-14).

Please add an "s" to "Stipulations" before "VI, VIII, and XIII" and add a comma following "XIII" so that the sentence reads:

"Except as specified in Stipulations VII and IX, Signatories and Concurring Parties, and Federally recognized Native American tribes where noted in Stipulations VI, VIII, and XIII,"

SIGNATORY (page PA-23).

Under the signature line, please add:

Katherine J. Marcopul

Deputy State Historic Preservation Officer

Thank you again for providing the opportunity to review and comment on the draft PA. Please reference the HPO project number 16-1650 in any future calls, emails, submission or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Meghan Baratta of my staff at (609) 292-1253 or Meghan.Baratta@dep.nj.gov with any questions on architectural history and Vincent Maresca at (609) 633-2395 or Vincent.Maresca@dep.nj.gov with any questions on archaeology.

Sincerely,



Katherine J. Marcopul
Deputy State Historic
Preservation Officer

KJM/MMB/VM/NZ

Cc:

Amishi Castelli, USDOT Federal Railroad Administration

Donald Burns, USDOT Federal Railroad Administration

Johnette Davies, Amtrak

Jeremy Colangelo-Bryan, NJ TRANSIT

RJ Palladino, AICP, PP, NJ TRANSIT

Dara Callender, P.E., NJ TRANSIT

From: Kimberly Penrod [mailto:kpenrod@delawarenation.com]
Sent: Wednesday, April 12, 2017 12:42 PM
To: Castelli, Amishi (FRA)
Cc: Kimberly Penrod
Subject: RE: FOR REVIEW: Hudson Tunnel Project Section 106 PA

Amishi,

I have a few comments on the Draft PA for consideration:

1. Page 8-B1. Any/all of the interpretive materials produced-The Delaware Nation would like to have a copy for our members to enjoy here at our facility. And printed materials for our archives and museum.
2. Delaware Nation would like to be involved and have a voice with said interpretive materials.
3. Page 12-discussion of unanticipated discoveries—we like to recommend a 50-100ft perimeter (especially if human remains are found). This additional area will help alleviate any “compression issues” from construction equipment.
4. Last—update your files to reflect my contact information from below.

Thanks so much for getting this out to us and we look forward to working with everyone on this project.
Kim

Respectfully,

Kim Penrod
Delaware Nation
Director, Cultural Resources/
106, Archives, Library and Museum
31064 State Highway 281
PO Box 825
Anadarko, OK 73005
(405)-247-2448 Ext. 1403 Office
(405)-924-9485 Cell
kpenrod@delawarenation.com

From: Castelli, Amishi (FRA) [mailto:Amishi.Castelli@dot.gov]
Sent: Friday, April 07, 2017 3:42 PM
To: Nekole Alligood
Cc: Shick, Laura (FRA); 'RPalladino@njtransit.com'; jcowing@akrf.com; Claudia Cooney (ccooney@akrf.com)
Subject: FOR REVIEW: Hudson Tunnel Project Section 106 PA

Good afternoon,

On behalf of Laura Shick, I am transmitting the Programmatic Agreement for a 30-day review. Please note we are requesting **comments be returned by May 9th**. Please also note that we'll be following up this email with a hard copy of the letters and materials.

Please contact me with any questions.

Have a great weekend!
Best, Amishi

Amishi Castelli, Ph.D.

Environmental Protection Specialist

U.S Department of Transportation, Federal Railroad Administration

Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)

One Bowling Green, Suite 429

New York, NY 10004-1415

[617-431-0416](tel:617-431-0416)



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Mr. James H. Cannon
New York District, U.S. Army Corps of Engineers Regulatory Branch
U.S. Army Corps of Engineers
26 Federal Plaza, 19th Floor
New York, NY 10278

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to be a Signatory to the Section 106 Programmatic Agreement and to Review
Draft Programmatic Agreement**

Dear Mr. Cannon:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite the U.S. Army Corps of Engineers (USACE) to be an invited signatory to the PA. FRA encourages USACE to be a signatory to the PA because it is anticipated that USACE will grant permits under Section 404 of the Clean Water Act and Section 10 of the

Rivers and Harbors Act, which would be an undertaking pursuant to Section 106. By being a signatory to the PA, USACE recognizes its potential future role related to Project permitting, and demonstrates its commitment to the process established in the PA for continued Section 106 compliance.

In advance of your response, FRA is proactively providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. USACE is not required to be a signatory to the PA. If USACE chooses not to be a signatory to the PA, USACE will continue to be a consulting party and will be provided the opportunity to participate in development of the PA. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to USACE's response as to whether USACE will be signing the PA as well as USACE's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Mr. RJ Palladino, AICP/PP
Senior Program Manager
NJ TRANSIT Capital Planning
One Penn Plaza East - 8th Floor
Newark, NJ 07105-2246

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to be a Signatory to the Section 106 Programmatic Agreement and to Review
Draft Programmatic Agreement**

Dear Mr. Palladino:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

As you are also aware, NJ TRANSIT has participated in the Section 106 process to date for the Project as a consulting party. Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite NJ TRANSIT to be an invited signatory to the PA. FRA encourages NJ TRANSIT to be a signatory to the PA because NJ TRANSIT is co-lead agency for NEPA. By being a signatory to the PA, NJ TRANSIT recognizes its potential future role as a Project Sponsor for final design and construction of the Project and/or future approval role related to Project funding or permitting, and demonstrates its commitment to the process established in the PA for continued Section 106 compliance.

In advance of your response, FRA is proactively providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. NJ TRANSIT is not required to be a signatory to the PA. If NJ TRANSIT chooses not to be a signatory to the PA, NJ TRANSIT will continue to be a consulting party and will be provided the opportunity to participate in development of the PA. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to NJ TRANSIT's response on whether NJ TRANSIT will be signing the PA as well as NJ TRANSIT's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Mr. Steven Plate
Chief of Major Capital Projects
Port Authority of New York and New Jersey
80 Pine Street, 7th Floor
New York, NY 10005

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to be a Signatory to the Section 106 Programmatic Agreement and to Review
Draft Programmatic Agreement**

Dear Mr. Plate:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

As you are also aware, the Port Authority of New York & New Jersey (PANYNJ) has participated in the Section 106 process to date for the Project as a consulting party. Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment (HARBS/EA)* and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite PANYNJ to be an invited signatory to the PA. FRA encourages PANYNJ to be a signatory to the PA because PANYNJ has a management and coordination role in the Project and may potentially provide and/or oversee state funding for construction of the Project. By being a signatory to the PA, PANYNJ recognizes its potential future role as a Project Sponsor for final design and construction of the Project and/or future approval role related to Project funding or permitting, and demonstrates its commitment to the process established in the PA for continued Section 106 compliance.

In advance of your response, FRA is proactively providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. PANYNJ is not required to be a signatory to the PA. If PANYNJ chooses not to be a signatory to the PA, PANYNJ will continue to be a consulting party and will be provided the opportunity to participate in development of the PA. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to PANYNJ's response on whether PANYNJ will be signing the PA as well as PANYNJ's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Stephen Goodman, P.E.
Regional Administrator
Federal Transit Administration
One Bowling Green, Room 428
New York, NY 10004-1415

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to be a Signatory to the Section 106 Programmatic Agreement and to Review
Draft Programmatic Agreement**

Dear Mr. Goodman:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

As you are also aware, the Federal Transit Administration (FTA) has participated in the Section 106 process to date for the Project as a consulting party. Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite FTA to be an invited signatory to the PA. FRA encourages FTA to be a signatory to the PA because FTA may have a financial action related to the Project. By being a signatory to the PA, FTA recognizes its potential future role as the Lead Federal Agency for final design and construction of the Project and/or future approval role related to Project funding, and demonstrates its commitment to the process established in the PA for continued Section 106 compliance.

In advance of your response, FRA is proactively providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. FTA is not required to be a signatory to the PA. If FTA chooses not to be a signatory to the PA, FTA will continue to be a consulting party and will be provided the opportunity to participate in development of the PA. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to FTA's response on whether FTA will be signing the PA as well as FTA's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit
Donald Burns, Federal Transit Administration



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Ms. Johnette Davies
Senior Historic Preservation Specialist
Amtrak
30th Street Station
2955 Market Street, Mailbox 55
Philadelphia, PA 19104

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to be a Signatory to the Section 106 Programmatic Agreement and to Review
Draft Programmatic Agreement**

Dear Ms. Davies:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

As you are also aware, Amtrak has participated in the Section 106 process to date for the Project as a consulting party. Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Because FRA has determined that the Project will have an adverse effect on historic properties, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite Amtrak to be an invited signatory to the PA and to provide Amtrak an opportunity to participate in its development. FRA encourages Amtrak to be a signatory to the PA because Amtrak is the owner and operator of the Northeast Corridor (NEC) and the existing North River Tunnel, is responsible for carrying out the preliminary engineering (“PE”) for the Project, and could potentially own the new tunnel. By being a signatory to the PA, Amtrak recognizes its potential future role as a Project Sponsor for final design and construction of the Project and/or future approval role related to Project funding or permitting, and demonstrates its commitment to the process established in the PA for continued Section 106 compliance.

In advance of your response, FRA is proactively providing the draft PA to all signatories, invited signatories, and the Federally-recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30-day review period. Amtrak is not required to be a signatory to the PA. If Amtrak chooses not to be a signatory to the PA, Amtrak will continue to be a consulting party and will be provided the opportunity to participate in development of the PA. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to Amtrak’s response on whether Amtrak will be signing the PA as well as Amtrak’s comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Mr. Michael Lynch
Deputy, State Historic Preservation Officer
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Mr. Lynch:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase IA Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite NYSHPO to review and provide comments on the draft PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. Please note that the enclosed PA is a draft, subject to change, based on

comments that may be received on the PA and also based on further review by FRA. FRA looks forward to NYSHPO's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Historic Preservation Office
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Ms. Marcopul:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite NJHPO to review and provide comments on the draft PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally recognized Native

American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to NJHPO's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Mr. Bryan Polite; Daniel S. Collins, Sr.; and Eugene Cuffee, II
Trustees
Shinnecock Indian Nation Tribal Office
PO Box 5006
Southampton, NY 11969-5006

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Sirs:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite the Shinnecock Indian Nation as a Federally recognized Native American Tribe and Section 106 consulting party for the Project to review and provide comments on the draft PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally

recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to the Shinnecock Indian Nation's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
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**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Ms. Bonney Hartley,
Tribal Historic Preservation Officer – New York Office
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
65 1st Street
Troy, NY 12180

Ms. Sherry White
Tribal Historic Preservation Officer
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
W13447 Camp 14 Road
Bowler, WI 54416

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Ms. Hartley and Ms. White:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. In addition, the Stockbridge-Munsee Community of

Mohican Indians of Wisconsin indicated in correspondence from Ms. Hartley to my attention dated March 6, 2017 that they have no significant cultural resources concerns pursuant to Section 106 based on review of the New Jersey and New York Phase 1A reports, and requested continued consultation should the project design change, or in the event of inadvertent discoveries.

Because of the aforementioned adverse effects, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those effects. The purpose of this letter is to invite the Stockbridge-Munsee Community of Mohican Indians of Wisconsin as a Federally recognized Native American Tribe and Section 106 consulting party for the Project to review and provide comments on the draft PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to the Stockbridge-Munsee Community of Mohican Indians of Wisconsin's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Chief Ron Sparkman
Shawnee Tribe of Oklahoma
P.O. Box 189
29 South Highway 69A
Miami, OK 74355

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Chief Sparkman:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase IA Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite the Shawnee Tribe of Oklahoma as a Federally recognized Native American Tribe and Section 106 consulting party for the Project to review and provide comments on the draft PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting

parties for the Project for a 30 day review period. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to the Shawnee Tribe of Oklahoma's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Chief Glenna Wallace
Eastern Shawnee Tribe of Oklahoma
12755 South 705 Road
Wyandotte, OK 74370

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Chief Wallace:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite the Eastern Shawnee Tribe of Oklahoma as a Federally recognized Native American Tribe and Section 106 consulting party for the Project to review and provide comments on the draft PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. Please note that the enclosed PA is

a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to the Eastern Shawnee Tribe of Oklahoma's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Ms. Blair Fink and Ms. Susan Bachor
Historic Preservation Representatives
Delaware Tribe Historic Preservation Office
Delaware Tribe
P.O. Box 64
Pocono Lake, PA 18347

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Ms. Fink and Ms. Bachor:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite the Delaware Tribe as a Federally recognized Native American Tribe and Section 106 consulting party for the Project to review and provide comments on the draft PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally

recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to the Delaware Tribe's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov, or by phone at (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Mr. Chester Brooks
Chief
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
5100 Tuxedo Blvd.
Bartlesville, OK 74006

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Mr. Brooks:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite the Delaware Tribe of Indians as a Federally recognized Native American Tribe and Section 106 consulting party for the Project to review and provide comments on the draft PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally

recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to the Delaware Tribe of Indians' comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

April 7, 2017

Ms. Neckole Alligood
Tribal Historic Preservation Officer
Delaware Nation
ATTN: Cultural Preservation Department
PO Box 825
31064 State Hwy 281
Anadarko, OK 73005

**Re: Hudson Tunnel Project
Hudson County, New Jersey, and New York County, New York
Invitation to Review Draft Programmatic Agreement**

Dear Ms. Alligood:

As you are aware, the Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the Project), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 CFR 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). FRA is the lead federal agency for the EIS, as well as Section 106 of the National Historic Preservation Act (36 CFR Part 800). Current grant funding from FRA is for preliminary engineering, identification and evaluation of alternatives, and environmental analysis. Federal funding for final design and construction of the Project has not been identified.

Through the Section 106 consultation process that has occurred to date, FRA has determined that the Project will have an adverse effect on historic properties. This consultation has included the preparation of *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Survey* reports by consultants on behalf of FRA and NJ TRANSIT for the Project's Area of Potential Effects (APE) and submission of these reports to Section 106 consulting parties in January and March 2017. The New Jersey State Historic Preservation Officer (NJHPO) and New York State Historic Preservation Officer (NYSHPO) have subsequently provided concurrence and comments on those reports in correspondence dated February 17, February 24, and March 6, 2017. Therefore, FRA, in consultation with NJHPO and NYSHPO, is developing a Programmatic Agreement (PA) for the Project and potential future undertaking in accordance with 36 CFR 800.14(b)(3), to resolve those adverse effects.

The purpose of this letter is to invite the Delaware Nation as a Federally recognized Native American Tribe and Section 106 consulting party for the Project to review and provide comments on the draft

PA. FRA is providing the draft PA to all signatories, invited signatories, and the Federally recognized Native American tribes that have been identified as Section 106 consulting parties for the Project for a 30 day review period. Please note that the enclosed PA is a draft, subject to change, based on comments that may be received on the PA and also based on further review by FRA. FRA looks forward to the Delaware Nation's comments on the draft PA by **May 9, 2017**.

If you have any questions or require additional information, please contact Ms. Amishi Castelli, FRA Environmental Protection Specialist, at amishi.castelli@dot.gov or (617) 431-0416.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosure

cc: Amishi Castelli, Environmental Protection Specialist, FRA
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment,
Energy and Sustainability Unit

Milford Wayne Donaldson, FAIA
Chairman

Leonard A. Forsman
Vice Chairman

John M. Fowler
Executive Director



Preserving America's Heritage

April 4, 2017

Mr. Patrick T. Warren
Executive Director
U.S. Department of Transportation
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Ref: *Proposed Hudson Tunnel Project
Hudson County, New Jersey and New York County, New York*


Dear Mr. Warren:

In response to a notification by the Federal Railroad Administration (FRA), the Advisory Council on Historic Preservation (ACHP) will participate in consultation to resolve the adverse effects that may result from the referenced undertaking. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within our regulations. The criteria are met because the undertaking presents important policy and interpretation questions.

Section 800.6(a)(1)(iii) of our regulations requires that we notify you, as the Executive Director, of our decision to participate in consultation. By copy of this letter, we are also notifying Ms. Marlys Osterhues, Environmental & Corridor Planning Division Chief.

Our participation in this consultation will be handled by Sarah Stokely who can be reached at 202-517-0224 or via e-mail at sstokely@achp.gov. We look forward to working with FRA and other consulting parties on this important project.

Sincerely,



John M. Fowler
Executive Director



March 24, 2017

Michael Lynch
Deputy Commissioner, Historic Preservation
New York State Office of Parks, Recreation and Historic Preservation
P.O. Box 189
Waterford, NY 12188-0189

Reference: Hudson Tunnel Project
Hudson County, NJ and New York County, NY
Approval to Perform Geotechnical Borings on the Hudson River
Bulkhead

Dear Mr. Lynch:

This letter is to request concurrence from your office for the performance of a geotechnical boring within Hudson River Bulkhead for the Hudson Tunnel Project. The proposed Hudson Tunnel alignment is shown in **Attachment A**. The geotechnical boring program is being advanced by Amtrak as part of the Preliminary Engineering (PE) for the Hudson Tunnel Project. Please note, that this is a related but separate effort from the Hudson Tunnel Project National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) and Section 106 Process which is being led by Federal Railroad Administration (FRA) and NJ TRANSIT.

Geotechnical borings are being proposed on land and in water along the project alignment in both New Jersey and New York. The boring proposed within the landside portion of the Hudson River Park on the Hudson River Bulkhead is identified in **Attachment B**. The boring is labeled HTP-NY-001s.

Coordination with the Hudson Park Trust is also being undertaken related to the proposed boring activities in the waterside and landside portions of their property.

Description of Proposed Boring Program

The Gateway Trans-Hudson Partnership (GTHP) will perform the geotechnical borings on behalf of AMTRAK, the Project Owner. GTHP is a joint venture of WSP | Parsons Brinckerhoff, Inc., AECOM USA Inc., and STV Incorporated.

Boring information will be used for both geotechnical and environmental purposes. In addition to collecting boring data and samples for geotechnical characterization, the proposed borings will be monitored for gases during drilling,

and collected soil samples will be chemically analyzed to document environmental conditions.

For the land-based boring, a truck-mounted roto-sonic drill rig will be used to advance the boring through the man-made fill materials comprising the bulkhead by sonic drilling (**Attachment C**). Unlike a rotary drill head, a sonic drill head includes an oscillator which applies a high-frequency vibratory force on the drill string, causing the drill bit to vibrate in addition to being pushed down and rotated. Drilling fluid typically is not necessary with this technique.

Boring Program Duration

The land boring on the bulkhead in Hudson River Park is estimated to require about 2-3 weeks to complete, including *in situ* testing and well installation. Two mobilizations will be required for this boring: a roto-sonic rig for overburden drilling and a truck-mounted rig for rock coring. Total time for mobilization is expected to be about half a day.

It is anticipated that the work will start in April 2017.

The drilling crew will employ all reasonable methods to protect the bulkhead and from damage.

If you have any questions or require additional information, please feel free to contact me at (973) 856-0321 or mohammed.nasim@amtrak.com, or Mr. Phil Rice of GTHP at (212) 465-5256 or ricep@pbworld.com.

Very truly yours,



Mr. Mohammed Nasim, P.E.
Senior Director Engineering Design, Amtrak
Hudson Tunnel Project

Attachments

cc: N. Doyle, HRPT
M. Corrado, Amtrak
O. Brazee, OPRHP
P. Perazio, OPRHP
D. Merwin, OPRHP
P. Rice, GTHP



HUDSON TUNNEL PROJECT

Hudson Tunnel Project Overview

Contract # 9500001023

Attachment A

March, 2017

Submitted to:



Submitted by:

**The Gateway
Trans-Hudson
Partnership**





LEGEND

- - - Existing North River Tunnel
- - - Existing R.O.W. Preservation
- Proposed Hudson Tunnel (Mined)
- Proposed Hudson Tunnel (Cut-and-Cover)
- ▨ Potential Shaft Site & Construction Staging Area
- ▨ Proposed In-Water Construction

TUNNEL PORTAL

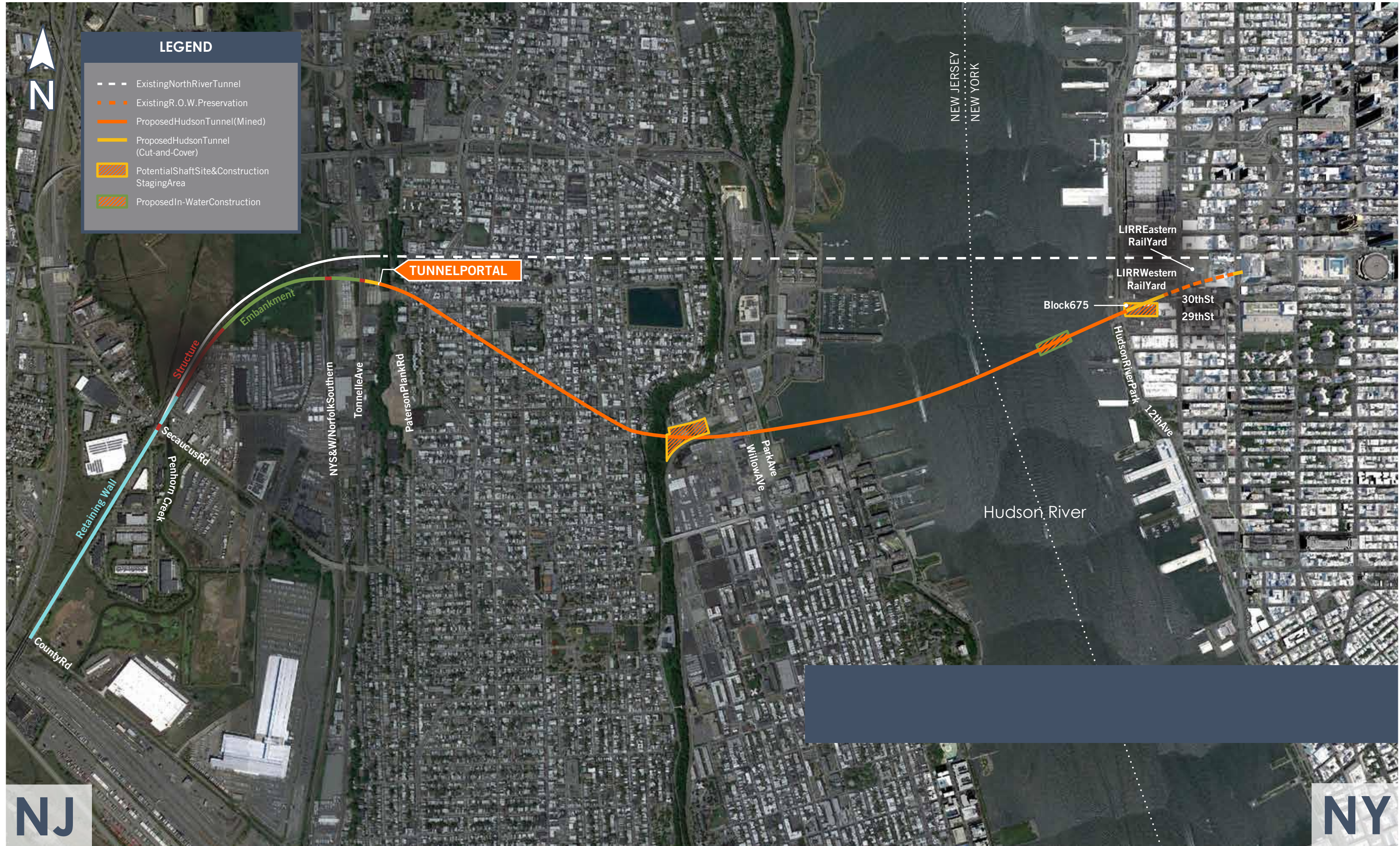
NEW JERSEY
NEW YORK

LIRR Eastern
Rail Yard
LIRR Western
Rail Yard
Block 675
30th St
29th St

Hudson River

NJ

NY





HUDSON TUNNEL PROJECT

New York State Office of Parks, Recreation and Historic Preservation

Contract # 9500001023

Attachment B

March, 2017

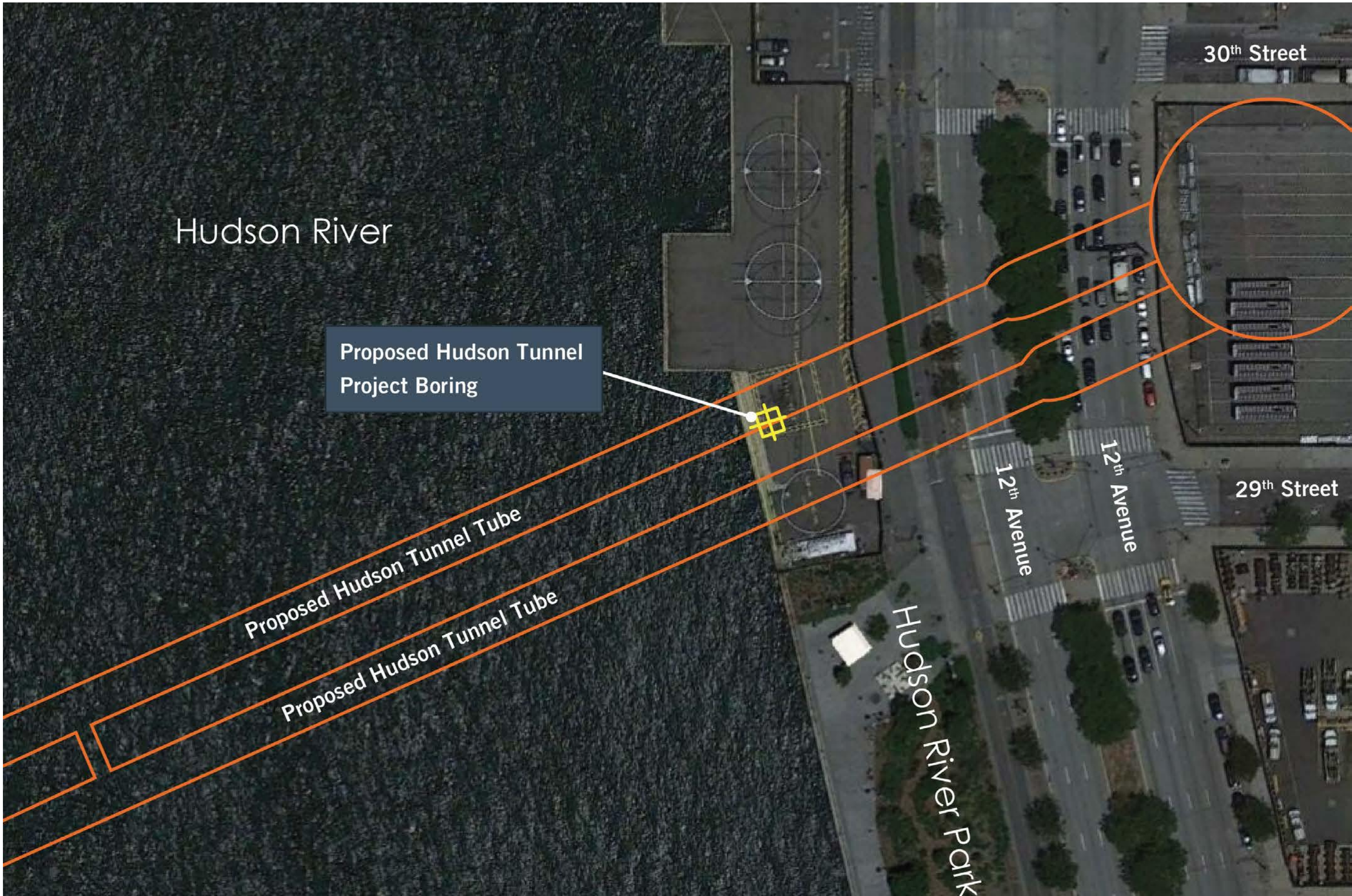
Submitted to:



Submitted by:

**The Gateway
Trans-Hudson
Partnership**





Hudson River

Proposed Hudson Tunnel
Project Boring

Proposed Hudson Tunnel Tube

Proposed Hudson Tunnel Tube

30th Street

29th Street

12th Avenue

11th Avenue

Hudson River Park



HUDSON TUNNEL PROJECT

Boring Equipment

Contract # 9500001023

Attachment C

March, 2017

Submitted to:



Submitted by:

**The Gateway
Trans-Hudson
Partnership**



45 ft. H (with rig raised)



45 ft. L

8 ft. W



From: Castelli, Amishi (FRA)
Sent: Friday, March 17, 2017 6:38 PM
To: Robin Dushane
Cc: 'RPalladino@njtransit.com'
Subject: RE: Holland Tunnel Project proposed APE Section 106 Consult

Great, thanks very much! We look forward to working with the Eastern Shawnee THPO office on the next steps in the 106 process. Have a good weekend! -Amishi

From: Robin Dushane [<mailto:RDushane@estoo.net>]
Sent: Friday, March 17, 2017 5:12 PM
To: Castelli, Amishi (FRA)
Subject: Holland Tunnel Project proposed APE Section 106 Consult

Dear Ms. Castelli,

Thank you for informing the Eastern Shawnee Tribe of the proposed project associated with the undertaking referenced above.

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f), and implementing regulation, 36 CFR 800, "Protection of Historic Properties" the Eastern Shawnee Tribal Historic Preservation Office is responding to your request for concurring with the APE of the project referenced above.

If you have any questions, please feel free to contact this office by phone at 918 533 4104 or by e-mail at rdushane@estoo.net.

Sincerely,

Robin Dushane

Tribal Historic Preservation Officer

Eastern Shawnee Tribe

70500 E 128 Rd.

Wyandotte, OK 74370

918 533 4104-cell

rdushane@estoo.net

IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential information it may contain. E-mail messages from ESTOO.net may contain information that is confidential and legally privileged. Please do not read, copy, forward, or store this message unless you are an intended recipient of it. If you have received this message in error, please forward it to the sender and delete it completely from your computer system.

From: Shick, Laura (FRA)
Sent: Monday, March 06, 2017 12:43 PM
To: 'Bonney Hartley'
Cc: Castelli, Amishi (FRA)
Subject: RE: Hudson Tunnel Project--Hudson County NJ & New York County NY

Thank you, Ms. Hartley.

From: Bonney Hartley [<mailto:Bonney.Hartley@mohican-nsn.gov>]
Sent: Monday, March 06, 2017 12:39 PM
To: Shick, Laura (FRA)
Cc: Castelli, Amishi (FRA)
Subject: Hudson Tunnel Project--Hudson County NJ & New York County NY

Dear Ms. Shick:

I have completed review of the Phase 1A Archaeological studies for the Hudson Tunnel Project for the New York and New Jersey survey areas.

Based on the findings of these reports, Stockbridge-Munsee Community does not have significant cultural resource concerns with the project pursuant to Section 106. Should the project designs change, or in the event of inadvertent discoveries, we request continued consultation.

Kind regards,
Bonney

Bonney Hartley

Tribal Historic Preservation Officer
Stockbridge-Munsee Mohican Tribal Historic Preservation
New York Office
65 1st Street
Troy, NY 12180

[\(518\) 244-3164](tel:5182443164)

Bonney.Hartley@mohican-nsn.gov

www.mohican-nsn.gov



State of New Jersey

MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

HISTORIC PRESERVATION OFFICE

P.O. Box 420

Trenton, NJ 08625-0420

TEL. (609) 984-0176 FAX (609) 984-0578

CHRIS CHRISTIE

Governor

BOB MARTIN

Commissioner

KIM GUADAGNO

Lt. Governor

March 6, 2017

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Ms. Shick:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40553-40555), I am providing initial consultation comments on the following proposed undertaking:

**Hudson County, Hoboken, Jersey City, North Bergen, Secaucus,
Union City and Weehawken
Hudson Tunnel Project
Federal Railroad Administration**

Summary (NEW SHPO OPINIONS): The Charles X. Harris House and Studio at 356 Mountain Road, Union City, and the house at 320-324 Mountain Road, Union City are individually eligible for inclusion in the National Register of Historic Places (NRHP). The North River Tunnel, previously identified as both individually eligible for inclusion in the NRHP and contributing to the NRHP-eligible Pennsylvania Railroad New York to Philadelphia Historic District (PRR NYPHD), is considered key contributing to the PRR NYPHD. The proposed undertaking will constitute an adverse effect to the North River Tunnel and the PRR NYPHD. Additional consultation, pursuant to 36 CFR 800.6 Resolution of Adverse Effects, is required to complete the Section 106 process.

The consultation comments below are in reply to the following cultural resource reports received at the Historic Preservation Office (HPO) on January 30, 2017:

Alpert, Lynn and Allee Davis

January 2017

Historic Architectural Resources Background Study (HARBS) and Effects Assessment (EA), Hudson Tunnel Project, Town of Secaucus, Township of North

*Bergen, City of Union City, Township of Weehawken, and City of Hoboken,
Hudson County, New Jersey. Prepared by Richard Grubb & Associates, Inc.*

and

Bulger, Teresa D.
January 26, 2017

*Phase IA Archaeological Survey, Hudson Tunnel Project, Town of Secaucus,
Township of North Bergen, City of Union City, Township of Weehawken, and
City of Hoboken, Hudson County, New Jersey. Prepared by Richard Grubb &
Associates, Inc.*

800.4 Identification of Historic Properties

Historic Architecture

The submitted architectural survey examined 31 previously surveyed or newly identified resources more than 50 years of age inside the Area of Potential Effects (APE) for the project. Six of these resources had been previously determined as eligible for listing in the NRHP: PRR NYPHD (SHPO Opinion 10/2/2002); New Jersey Midland Railway/New York, Susquehanna and Western Railroad Historic District (SHPO Opinions 1/3/2015 and 4/25/2006); Erie Railroad Main Line Historic District (SHPO Opinions 3/6/2006; 2/20/2003 and 3/10/1999); Jersey City Waterworks Historic District (SHPO Opinions 4/2/2013, 2/20/2003, and 5/15/1998); North (Hudson) River Tunnel (SHPO Opinion 11/12/1998); and Substation No. 3, Pennsylvania Railroad (SHPO opinion 9/12/1994).

As a result of the intensive level historic architectural survey, three new resources were recommended as eligible for inclusion in the NRHP: the Willow Avenue Historic District; the Charles X. Harris House and Studio at 356 Mountain Road, Union City; and the house at 320-324 Mountain Road, Union City. **It is my opinion as Deputy State Historic Preservation Officer that the following resources within the APE-Architecture for the proposed undertaking are eligible for listing on the New Jersey and National Registers of Historic Places:**

- The Charles X. Harris House and Studio, 356 Mountain Road, Union City, is eligible for inclusion in the NRHP under Criterion B for its association with noted artist Charles Xavier Harris, who had the house built in 1906 and lived there until 1931. Harris was a nationally-acclaimed artist who had been trained in the Ecole des Beaux-Arts school of painting and who was known for both his paintings and his work to reproduce, restore, and exhibit early American paintings. In addition, the property is significant under Criterion C as a relatively intact example of an early twentieth century artist's home and studio.
- The house at 320-324 Mountain Road, Union City, is eligible for inclusion in the NRHP under Criterion B for its association with two artists, sculptor and inventor Robert Treat Paine from its construction in 1907 until 1912, and architectural sculptors Frank and Raphael Menconi from 1912 until Frank's death in 1928. Robert Treat Paine, trained at the Chicago School of Art and the Art Students League of New York, developed a pantograph machine to assist artists with planning large-scale monuments. The Menconi brothers worked with well-known architects such as McKim, Mead and White to develop sculptures in the Beaux Arts style.

Although the report recommends that the house at 320-324 Mountain Road meets NRHP Criterion C as "a personal reflection and expression of the Menconi's Beaux Arts style," I am not able to fully evaluate the building's architectural significance. It is understandable that the wall around the house undoubtedly made photography difficult; however, the limited views of the

house, combined with the report's reference to alterations, prohibit me from evaluating at this time the house's significance under Criterion C. Because the house is receiving a SHPO Opinion of Eligibility under Criterion B, no further evaluation of Criterion C eligibility is needed at this time.

- The North River Tunnel, previously identified as both individually eligible for inclusion in the NRHP and contributing to the NRHP-eligible PRR NYPHD, is considered key contributing to the PRR NYPHD due to its role in providing rail access into New York City as well as facilitating the PRR's early electrification efforts.

The report recommends that the Willow Avenue Historic District in Weehawken is eligible for inclusion in the NRHP under Criteria A and C and that two buildings within the potential historic district, Baldwin Hose Company No. 1 at 1818 Willow Avenue and the Herme at 1732-34 Willow Avenue, are key contributing buildings within the historic district, although these buildings are evaluated as not individually eligible for inclusion in the NRHP. Based on the information submitted, the Willow Avenue Historic District does not appear to be eligible for inclusion in the National Register of Historic Places, due to the loss of buildings within the potential historic district as well as the alterations to the extant buildings. In addition, neither Baldwin Hose Company No. 1 at 1818 Willow Avenue nor the Herme at 1732-34 Willow Avenue appear to be individually eligible for inclusion in the NRHP. For future reference, it should be noted that in order for a resource within a potential historic district to be considered key, it needs to meet the criteria for inclusion in the NRHP as an individual resource.

Archaeology

The above-referenced Phase IA report provides a comprehensive assessment of the Pre-Contact and historic period archaeological sensitivity within the undertaking's area of potential effects (APE) direct effects. A summary of the archaeological resource potential and archaeological testing methodological recommendations are provided in Table 6.1. *Field testing for the early 19th century Historic Sea Wall is appropriate depending on construction methods. Based on prior archaeological survey, geomorphological resources, and late 19th/20th century dates of construction, no additional archaeological consideration is recommended for the NJJRR Freight Building, NJJRR Interlocking/Signal Tower and two unidentified structures, Felix Mc Ardel House, Arthur Koppel Company et al site, and light industrial buildings locations. A work plan by an archaeologist who meets the Secretary of the Interior's Standards for archaeology for treating the Historic Sea Wall location will need to be developed in the future once project impacts are better understood.*

800.5 Assessing Adverse Effects

I concur with the report's evaluation that the proposed undertaking will not have an adverse effect on the following NRHP-eligible historic resources:

- New Jersey Midland Railway/New York, Susquehanna and Western Railroad Historic District
- Erie Railroad Main Line Historic District
- Jersey City Waterworks Historic District
- Substation No. 3, Pennsylvania Railroad
- Charles X. Harris House and Studio, 356 Mountain Road, Union City
- 320-324 Mountain Road, Union City

I also concur that the proposed changes to the interior of the North River Tunnel, including the demolition and reconstruction of the tunnel's bench walls and removal and replacement of the existing

ballasted track system, will result in an adverse effect to the North River Tunnel as well as to the PRR NYPHD.

Therefore, the HPO looks forward to continuing Section 106 consultation, pursuant to 36 CFR §800.6 (a) Resolution of Adverse Effects, to develop measures/alternatives to avoid, minimize, and/or mitigate the adverse effects. I concur with the report's recommendation that these measures should include development of construction protection measures to ensure that the Bergen Portal and Substation No. 3 are not damaged during construction, HAER documentation of affected portions of the North River Tunnel, and development of appropriate educational material be completed. Additional mitigation may be necessary depending on the outcome of the archeological survey.

FRA should notify the Advisory Council on Historic Preservation of this adverse effect finding, pursuant to 36 CFR §800.6 (a)(1).

Additional Comments

Thank you again for providing the opportunity to review and comment on the potential for the above-referenced undertaking to affect historic properties. Please reference the HPO project number 16-1650 in any future calls, emails, submission or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Meghan Baratta of my staff at (609) 292-1253 or Meghan.Baratta@dep.nj.gov with any questions or architectural history and Vincent Maresca at (609) 633-2395 or Vincent.Maresca@dep.nj.gov with any questions on archaeology.

Sincerely,



Katherine J. Marcopul
Deputy State Historic
Preservation Officer

KJM/MMB/VM/NZ

Cc:

Amishi Castelli, USDOT Federal Railroad Administration
Johnette Davies, Amtrak
Jeremy Colangelo-Bryan, NJ TRANSIT
RJ Palladino, AICP,PP, NJ TRANSIT
Dara Callender, P.E., NJ TRANSIT
Rebecca Reyes-Alicea, USDOT Federal Railroad Administration
Ruth L. Pierpont, New York State Historic Preservation Officer
Steven Plate, Port Authority of New York and New Jersey
Charlene Dwin Vaughn, Advisory Council on Historic Preservation
Nekole Alligood and Jason Ross, Delaware Nation
Blair Fink and Susan Bachor, Delaware Tribe
Chester Brooks, Chief Delaware Tribe of Indians of Oklahoma
Sherry White, Stockbridge-Munsee Community of Mohican Indians of Wisconsin
Bonney Hartley, Stockbridge-Munsee Community of Mohican Indians of New York
Daniel S. Collins, Sr., Shinnecock Indian Nation
Corrine Remington, Eastern Delaware Nation

Doris Pieschel, Eastern Lenape Nation of Pennsylvania
Mark Gould, Nanticoke Lenni-Lenape Indians of New Jersey
Meenakshi Srinivasan, New York City Landmarks Preservation Commission
Dawn Zimmer, Hoboken Mayor's Office
Dennis English, Hoboken Historic Preservation Commission
Steven M. Fulop, Jersey City Mayor's Office
Robert Cotter, PP, FAICP, Jersey City Historic Preservation Commission
Nicolas Sacco, North Bergen Mayor's Office
Michael J. Gonnelli, Secaucus Mayor's Office
Brian Stack, Union City Mayor's Office
David Spatz, Union City Landmarks Commission
Richard F. Turner, Weehawken Mayor's Office
Weehawken Historical Commission
Noreen Doyle, Hudson River Park Trust
Ilene Grossman-Bailey, Archaeological Society of New Jersey
Jim Mackin, Society for Industrial Archeology
S. Spritzer, Professional Archaeologists of New York City
Walter Hoffman, Anthracite Railroads Historical Society
Michael J. Connor, Erie Lackawanna Historical Society
John E. Barth, National Railway Historical Society, Inc.
Tommy Meehan, Railway & Locomotive Historical Society
Steve Staffieri, Pennsylvania Railroad Technical & Historical Society
Michael Del Vecchio, Tri-State Railway Historical Society, Inc.
Larry Gross, United Railroad Historical Society of New Jersey
Richard Wilson, National Railway Historical Society
Thomas A. DeGise, Hudson County Executive
Charles Enyart, Chief, Eastern Shawnee Tribe of Oklahoma
Shawnee Tribe of Oklahoma
Steve Tettamanti, New Jersey Historical Society
Alex Matthiessen, Hudson Riverkeeper
Bob Foster, Hoboken Historical Museum
Justin Frohwirth, Jersey City Landmarks Conservancy
Weehawken Historical Society
Hoboken Quality of Life Coalition



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

February 24, 2017

Ms. Amishi Castelli
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources.

SHPO has reviewed the Phase IA archaeological report for this project – *Phase 1A Archaeological Documentary Study, Hudson Tunnel Project, New York, NY* (AKRF, 24 January 2017). We concur with the conclusions and recommendations of this report. We would like to emphasize that testing in advance of construction as opposed to monitoring during construction is preferred whenever feasible. Please continue to consult with this office as the project proceeds.

If you have any questions please don't hesitate to contact me.

Sincerely,

Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit
Phone: 518-268-2175
e-mail: philip.perazio@parks.ny.gov

via e-mail only

cc: Claudia Cooney, AKRF
Amanda Sutphin, LPC

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

February 17, 2017

Ms. Amishi Castelli
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

We have reviewed the Revised Historic Architectural Resources Background Study and Effects Assessment report and appendices dated January 24th, 2017, submitted to our office on January 27th, 2017. Based upon our review, we concur with the list of National Register eligible historic resources identified within the Area of Potential Effect, as well as the recommendation that the Westyard Distribution Center/Lerner Building remains ineligible for listing. We concur with the consultant that the building is not NRE due to the recent renovations. Constructed between 1966 (the year a new building permit was issued) and 1969/1970, the 15-story Westyard Distribution Center Building was originally designed in the Brutalist style by David Brody & Associates. In 2015-2016 the building underwent a major renovation that includes a new glass façade, replacing the exposed concrete façade of the Brutalist design. The substantial modifications impact the building's original Brutalist design, and negatively affect the building's integrity of design, materials, and workmanship. Therefore, as a result of this lack of integrity, the building does not meet the NR criteria.

We further concur with the assessment of direct and indirect effects, and specifically with the determination that the proposed undertaking will result in a direct Adverse Effect to the National Register eligible New York Improvement and Tunnel Extension of the Pennsylvania Railroad (aka North River Tunnel) and Hudson River Bulkhead resources. Our understanding of the basis for this determination is that the undertaking would result in the removal of interior components of the North River Tunnel that include original physical features such as the bench

walls, which were technologically innovative and are character-defining features of the NRHP-eligible resource, and the ballast track system; and that the two tubes of the new Hudson Tunnel would be bored directly through the foundation of the Hudson River Bulkhead, cutting through the bulkhead's timber piles and riprap, and thus resulting in the removal of original components of the Hudson River Bulkhead.

Finally, we concur with your suggested mitigation items, including HAER recordation of the North River Tunnel and additional mitigation possibly including a published written history and interpretive displays related to the North River Tunnel, documentation of the affected Hudson River Bulkhead during project construction, and the development and implementation of construction protection and monitoring measures avoid inadvertent secondary construction related impacts on the Hudson River Bulkhead structure and on two historic architectural resources, the High Line and Master Printers Building at 406-416 Tenth Avenue, that are located within 90 feet of Project construction.

If additional information correspondence is required regarding this project it should be provided via our Cultural Resource Information System (CRIS) at www.nysparks.com/shpo/online-tools/ Once on the CRIS site, you can log in as a guest and choose "submit" at the very top menu. Next choose "submit new information for an existing project". You will need this project number and your e-mail address. If you have any questions, I can be reached at (518) 268-2182.

Sincerely,



Olivia Brazee
Historic Preservation Technical Specialist
olivia.brazee@parks.ny.gov

via e-mail only



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

January 30, 2017

Ms. Bonney Hartley, Tribal Historic Preservation Officer – New York Office
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
65 1st Street
Troy, NY 12180

Ms. Sherry White, Tribal Historic Preservation Officer
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
W13447 Camp 14 Road
Bowler, WI 54416

**Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York:
(1) submittal of Cultural Resources reports as part of Section 106 Consultation; (2)
invitation to engage in Government-to-Government Consultation**

Dear Ms. Hartley and Ms. White:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present the cultural resources reports that have been prepared for the Project for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), *Historic Architectural Resources Background Study and Effects Assessment (HARBS/EA)* and *Phase 1A Archaeological Documentary Study (Phase 1A)* reports have been prepared for New Jersey and New York (a separate HARBS/EA and Phase 1A each for New Jersey and New York, resulting in a total of four reports). These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project’s potential effects on identified resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant

resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line extending to the right.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

January 30, 2017

Mr. Bryan Polite; Daniel S. Collins, Sr.; and Eugene Cuffee, II
Trustees
Shinnecock Indian Nation Tribal Office
PO Box 5006
Southampton, NY 11969-5006

**Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York:
(1) submittal of Cultural Resources reports as part of Section 106 Consultation; (2)
invitation to engage in Government-to-Government Consultation**

Dear Sirs:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present the cultural resources reports that have been prepared for the Project for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Documentary Study* (Phase 1A) reports have been prepared for New Jersey and New York (a separate HARBS/EA and Phase 1A each for New Jersey and New York, resulting in a total of four reports). These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project’s potential effects on identified resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

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Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

January 30, 2017

Chief Ron Sparkman
Shawnee Tribe of Oklahoma
P.O. Box 189
29 South Highway 69A
Miami, OK 74355

**Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York:
(1) submittal of Cultural Resources reports as part of Section 106 Consultation; (2)
invitation to engage in Government-to-Government Consultation**

Dear Chief Sparkman:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present the cultural resources reports that have been prepared for the Project for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), *Historic Architectural Resources Background Study and Effects Assessment (HARBS/EA)* and *Phase 1A Archaeological Documentary Study (Phase 1A)* reports have been prepared for New Jersey and New York (a separate HARBS/EA and Phase 1A each for New Jersey and New York, resulting in a total of four reports). These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project’s potential effects on identified resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

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Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

January 30, 2017

Chief Glenna Wallace
Eastern Shawnee Tribe of Oklahoma
12755 South 705 Road
Wyandotte, OK 74370

**Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York:
(1) submittal of Cultural Resources reports as part of Section 106 Consultation; (2)
invitation to engage in Government-to-Government Consultation**

Dear Chief Wallace:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present the cultural resources reports that have been prepared for the Project for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Documentary Study* (Phase 1A) reports have been prepared for New Jersey and New York (a separate HARBS/EA and Phase 1A each for New Jersey and New York, resulting in a total of four reports). These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project’s potential effects on identified resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

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If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line extending to the right.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

January 30, 2017

Ms. Blair Fink and Ms. Susan Bachor, Historic Preservation Representatives
Delaware Tribe Historic Preservation Office
Delaware Tribe
P.O. Box 64
Pocono Lake, PA 18347

**Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York:
(1) submittal of Cultural Resources reports as part of Section 106 Consultation; (2)
invitation to engage in Government-to-Government Consultation**

Dear Ms. Fink and Ms. Bachor:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present the cultural resources reports that have been prepared for the Project for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Documentary Study* (Phase 1A) reports have been prepared for New Jersey and New York (a separate HARBS/EA and Phase 1A each for New Jersey and New York, resulting in a total of four reports). These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project’s potential effects on identified resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line extending to the right.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

January 30, 2017

Mr. Chester Brooks
Chief
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
5100 Tuxedo Blvd.
Bartlesville, OK 74006

**Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York:
(1) submittal of Cultural Resources reports as part of Section 106 Consultation; (2)
invitation to engage in Government-to-Government Consultation**

Dear Mr. Brooks:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present the cultural resources reports that have been prepared for the Project for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), *Historic Architectural Resources Background Study and Effects Assessment (HARBS/EA)* and *Phase 1A Archaeological Documentary Study (Phase 1A)* reports have been prepared for New Jersey and New York (a separate HARBS/EA and Phase 1A each for New Jersey and New York, resulting in a total of four reports). These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project’s potential effects on identified resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

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Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

January 30, 2017

Ms. Neckole Alligood
Tribal Historic Preservation Officer
Delaware Nation
ATTN: Cultural Preservation Department
PO Box 825
31064 State Hwy 281
Anadarko, OK 73005

**Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York:
(1) submittal of Cultural Resources reports as part of Section 106 Consultation; (2)
invitation to engage in Government-to-Government Consultation**

Dear Ms. Alligood:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present the cultural resources reports that have been prepared for the Project for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), *Historic Architectural Resources Background Study and Effects Assessment (HARBS/EA)* and *Phase 1A Archaeological Documentary Study (Phase 1A)* reports have been prepared for New Jersey and New York (a separate HARBS/EA and Phase 1A each for New Jersey and New York, resulting in a total of four reports). These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project’s potential effects on identified resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

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If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

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Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

**Federal Railroad
Administration**

January 27, 2017

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Historic Preservation Office
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625

**Re: Hudson Tunnel Project— Hudson County, NJ, and New York County, NY:
Submission of Cultural Resources reports as part of Section 106 Consultation**

Dear Ms. Marcopul:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the "Project") in accordance with the National Environmental Policy Act (NEPA). As per our May 12, 2016 letter, FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), and following the methodology outlined in the *Effect Assessment Methodology for Historic and Archaeological Resources* document submitted to your office, a *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Documentary Study* have been prepared. These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project's potential effects to identified historic architectural and archaeological resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

If you have any questions, or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com.

Sincerely,

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

**Federal Railroad
Administration**

January 26, 2017

Mr. Michael Lynch
Deputy, State Historic Preservation Officer
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

**Re: Hudson Tunnel Project— Hudson County, NJ, and New York County, NY:
Submission of Cultural Resources reports as part of Section 106 Consultation**

Dear Mr. Lynch:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the "Project") in accordance with the National Environmental Policy Act (NEPA). As per our May 12, 2016 letter, FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), and following the methodology outlined in the *Effect Assessment Methodology for Historic and Archaeological Resources* document submitted to your office, a *Historic Architectural Resources Background Study and Effects Assessment* (HARBS/EA) and *Phase 1A Archaeological Documentary Study* have been prepared. These reports a) identify historic architectural and archaeological resources in the Area of Potential Effects (APE), b) describe the methodologies used to identify historic architectural and archaeological resources in the APE, c) provide assessments of the Project's potential effects to identified historic architectural and archaeological resources, and d) provide recommendations with respect to additional evaluation and mitigation. These reports are enclosed for your review.

If you have any questions, or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com.

Sincerely,

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

Federal Railroad
Administration

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

HISTORIC PRESERVATION OFC

December 9, 2016

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RCVD

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Historic Preservation Office
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625

**Re: Hudson Tunnel Project— Hudson County, NJ, and New York County, NY:
Submittal of Proposed APE as part of Section 106 Consultation**

Dear Ms. Marcopul:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the "Project") in accordance with the National Environmental Policy Act (NEPA). As per our May 12, 2016 letter, FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC.

Pursuant to Section 106 and its implementing regulations (36 CFR 800) and following the methodology in the October 2016 *Effect Assessment Methodology for Historic and Archaeological Resources* submitted to your office, FRA and NJ TRANSIT have determined an Area of Potential Effects (APE) in which to assess the Project's potential effects on historic properties. A required step in the Section 106 process is determining the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The proposed Section 106 APE and the proposed study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS, are the same.

A description of the proposed APE, including the Project's components and their potential to affect historic properties, a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed December 7, 2016 *Section 106 Documentation: Hudson Tunnel Project: Proposed Area of Potential Effects (APE)* document.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com. FRA looks forward to working with you on this important rail transportation project.

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A2017-129

Ms. K. Marcopul

2

December 9, 2016

Sincerely,




Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit

CONCUR


Katherine J. Marcopul
DEPUTY STATE HISTORIC
PRESERVATION OFFICER

1/13/2017
DATE



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

Region II
New York
New Jersey

One Bowling Green
Room 428
New York, NY 10004-1415
212-668-2170
212-668-2136 (Fax)

December 20, 2016

Ms. Ruth Pierpont
Deputy Commissioner
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

Re: Hudson Tunnel Project, Hudson County, NJ, and New York County, NY
Designation of FRA as Lead Federal Agency per 36 CFR 800.2(a)(2)

Dear Ms. Pierpont:

The purpose of this letter is to notify your office that the Federal Transit Administration (FTA) is designating the Federal Railroad Administration (FRA) as the lead federal agency pursuant to 36 CFR 800.2(a)(2) to act on FTA's behalf to fulfil our responsibilities under Section 106 for the proposed Hudson Tunnel Project (Project). FRA and the New Jersey Transit Corporation are preparing an Environmental Impact Statement (EIS) to evaluate the proposed Project, pursuant to the National Environmental Policy Act of 1969 (NEPA). The FTA is a cooperating agency on the EIS and may also have a financial action on the proposed Project.

The FRA sent letters, dated May 12, 2016, to the New Jersey Historic Preservation Office and New York Historic Preservation Office to initiate consultation pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. §306168) and its implementing regulations (36 CFR 800) for the Hudson Tunnel Project (Project) (see **Attachment**). The Project, an undertaking under Section 106, involves the construction of two new rail tunnels under the Hudson River and new railroad infrastructure in New Jersey and New York to connect the tunnels to the NEC and the rehabilitation of the existing NEC tunnels beneath the Hudson River.

If you have any questions about this designation, please contact Mr. Donald Burns of my staff at donald.burns@dot.gov.

Sincerely,

Stephen Goodman, P.E.
Regional Administrator

Attachment

cc: Rebecca Reyes-Alicea, USDOT Federal Railroad Administration
Amishi Castelli, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, NJ Transit
RJ Palladino, AICP, PP, NJ Transit
Dara Callender, P.E., NJ Transit
Kate Marcopul, New Jersey Department of Environmental Protection
Johnette Davies, Amtrak
Steven Plate, Port Authority of New York and New Jersey
Charlene Dwin Vaughn, Advisory Council on Historic Preservation
Nekole Alligood and Jason Ross, Delaware Nation
Blair Fink and Susan Bachor, Delaware Tribe
Chester Brooks, Chief, Delaware Tribe of Indians, Oklahoma
Harry Wallace, Chief, Unkechaug Nation
Glenna Wallace, Chief, Eastern Shawnee Tribe of Oklahoma
Ron Sparkman, Chief, Shawnee Tribe of Oklahoma
Sherry White, Stockbridge-Munsee Community of Mohican Indians of Wisconsin
Bonney Hartley, Stockbridge-Munsee Community of Mohican Indians
Daniel S. Collins, Sr., Shinnecock Indian Nation
Corrine Remington, Eastern Delaware Nation
Doris Pieschel, Eastern Lenape Nation of Pennsylvania
Mark Gould, Nanticoke Lenni-Lenape Indians of New Jersey
Meenakshi Srinivasan, New York City Landmarks Preservation Commission
Dawn Zimmer, Hoboken Mayor's Office
Dennis English, Hoboken Historic Preservation Commission
Steven M. Fulop, Jersey City Mayor's Office
Robert Cotter, PP, FAICP, Jersey City Historic Preservation Commission



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 12, 2016

Ms. Ruth Pierpont
Deputy Commissioner, Historic Preservation
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

**Re: Hudson Tunnel Project, Hudson County, NJ, and New York County, NY
Initiation of Section 106 Consultation**

Dear Ms. Pierpont:

By way of this letter, the U.S. Department of Transportation's Federal Railroad Administration (FRA) is initiating consultation with your office pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. § 306108) and its implementing regulations (36 CFR 800) (Section 106) for the Hudson Tunnel Project (Project). FRA and the New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Project, pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). Consistent with Section 11503 of the Fixing America's Surface Transportation Act of 2015 (FAST Act), the EIS will also be prepared in accordance with 23 U.S.C. 139. FRA and NJ TRANSIT intend to coordinate the Section 106 process with the NEPA process for the Project.

The Project is intended to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The Project is located along the New Jersey- and National Register-eligible Pennsylvania Railroad New York to Philadelphia Historic District (Northeast Corridor, Pennsylvania to New York) and includes the North River Tunnel, also New Jersey- and National Register-eligible.

The Notice of Intent announcing the preparation of an EIS, initiation of the scoping period, and the initiation of the Section 106 process for the Hudson Tunnel Project was published in the Federal Register on May 2, 2016. The scoping period will end on May 31st.

Project Background

The existing NEC Hudson River rail tunnel beneath the Hudson River is known as the North River Tunnel. **Figure 1**, attached, illustrates the location of the North River Tunnel and its approach tracks. This tunnel is

used by Amtrak for intercity passenger rail service and by NJ TRANSIT for commuter rail service. As shown in the figure, the approach to the existing tunnel begins east of NJ TRANSIT's Frank R. Lautenberg Station in Secaucus, New Jersey (which is 5 miles east of Amtrak and NJ TRANSIT's Newark Penn Station). East of the Secaucus station, the NEC has two tracks that approach the tunnel on a raised embankment through the towns of Secaucus and North Bergen, New Jersey. The existing NEC tracks enter a tunnel portal in North Bergen, passing beneath Union City and Weehawken, New Jersey and the Hudson River before emerging within the Penn Station New York (PSNY) rail complex in New York City. The tunnel has two separate tubes, each accommodating a single track for electrically powered trains, and extends approximately 2.5 miles from the tunnel portal in North Bergen to PSNY. The new tunnel would be located close to, and south of, the existing NEC tracks and existing tunnel.

Superstorm Sandy in October 2012 damaged the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. The damage caused by Superstorm Sandy is compounded by the tunnel's age and the intensity of its current use (operating at capacity to meet current demands), resulting in frequent delays due to component failures within the tunnel. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

Statement of Undertaking

The Project, which is also the undertaking for purposes of Section 106, consists of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel's tracks would connect with the NEC to (in New York) the existing rail complex at PSNY.

The purpose of the Project is to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to support reliable service by providing redundant capacity under the Hudson River for Amtrak and NJ TRANSIT NEC trains between New Jersey and the existing PSNY. These improvements must be achieved while maintaining uninterrupted commuter and intercity rail service and by optimizing the use of existing infrastructure.

To perform the needed rehabilitation in the existing North River Tunnel, each of the tunnel's two tubes will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday train service. Removing one tube in the existing North River Tunnel from operation without new capacity in place would reduce weekday service to volumes well below the current maximum capacity of 24 peak direction trains per hour. Therefore, the Project includes construction of two new rail tubes beneath the Hudson River that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation.

Identification of Consulting Parties

Section 106 requires that FRA consult with the New York State Historic Preservation Office (NYSHPO) and New Jersey Historic Preservation Office (NJHPO) to identify parties to participate in the Section 106 process ("consulting parties"). Consulting parties may include local governments, Federally recognized Indian tribes,

and individuals and organizations with a demonstrated interest in the undertaking due to the nature of their legal or economic relation to the undertaking or affected historic properties, or their concern with the undertaking's effects on historic properties. FRA and NJ TRANSIT have identified entities that may be invited to participate in the Section 106 process for the undertaking as consulting parties, in addition to the NYSHPO and NJHPO. In accordance with 36 C.F.R. §800.3, FRA is providing the attached preliminary list of invited consulting parties for your review (see **Attachment**).

If you have any questions or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com. FRA looks forward to working with you on this important rail transportation project.

Sincerely,



Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

**Federal Railroad
Administration**

May 12, 2016

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Historic Preservation Office
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625

**Re: Hudson Tunnel Project, Hudson County, NJ, and New York County, NY
Initiation of Section 106 Consultation**

Dear Ms. Marcopul:

By way of this letter, the U.S. Department of Transportation's Federal Railroad Administration (FRA) is initiating consultation with your office pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. § 306108) and its implementing regulations (36 CFR 800) (Section 106) for the Hudson Tunnel Project (Project). FRA and the New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Project, pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). Consistent with Section 11503 of the Fixing America's Surface Transportation Act of 2015 (FAST Act), the EIS will also be prepared in accordance with 23 U.S.C. 139. FRA and NJ TRANSIT intend to coordinate the Section 106 process with the NEPA process for the Project.

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Statement of Undertaking

The Project, which is also the undertaking for purposes of Section 106, consists of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel's tracks would connect with the NEC to (in New York) the existing rail complex at PSNY.

The purpose of the Project is to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to support reliable service by providing redundant capacity under the Hudson River for Amtrak and NJ TRANSIT NEC trains between New Jersey and the existing PSNY. These improvements must be achieved while maintaining uninterrupted commuter and intercity rail service and by optimizing the use of existing infrastructure.

To perform the needed rehabilitation in the existing North River Tunnel, each of the tunnel's two tubes will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday train service. Removing one tube in the existing North River Tunnel from operation without new capacity in place would reduce weekday service to volumes well below the current maximum capacity of 24 peak direction trains per hour. Therefore, the Project includes construction of two new rail tubes beneath the Hudson River that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation.

Identification of Consulting Parties

Section 106 requires that FRA consult with the New Jersey Historic Preservation Office (NJHPO) and New York State Historic Preservation Office (NYSHPO) to identify parties to participate in the Section 106 process (“consulting parties”). Consulting parties may include local governments, Federally recognized Indian tribes, and individuals and organizations with a demonstrated interest in the undertaking due to the nature of their legal or economic relation to the undertaking or affected historic properties, or their concern with the undertaking’s effects on historic properties. FRA and NJ TRANSIT have identified entities that may be invited to participate in the Section 106 process for the undertaking as consulting parties, in addition to the NJHPO and NYSHPO. In accordance with 36 C.F.R. §800.3, FRA is providing the attached preliminary list of invited consulting parties for your review (see **Attachment**).

If you have any questions or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com. FRA looks forward to working with you on this important rail transportation project.

Sincerely,



Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



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

Region II
New York
New Jersey

One Bowling Green
Room 428
New York, NY 10004-1415
212-668-2170
212-668-2136 (Fax)

December 20, 2016

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Department of Environmental Protection
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625-0420

Re: Hudson Tunnel Project, Hudson County, NJ, and New York County, NY
Designation of FRA as Lead Federal Agency per 36 CFR 800.2(a)(2)

Dear Ms. Marcopul:

The purpose of this letter is to notify your office that the Federal Transit Administration (FTA) is designating the Federal Railroad Administration (FRA) as the lead federal agency pursuant to 36 CFR 800.2(a)(2) to act on FTA's behalf to fulfil our responsibilities under Section 106 for the proposed Hudson Tunnel Project (Project). FRA and the New Jersey Transit Corporation are preparing an Environmental Impact Statement (EIS) to evaluate the proposed Project, pursuant to the National Environmental Policy Act of 1969 (NEPA). The FTA is a cooperating agency on the EIS and may also have a financial action on the proposed Project.

The FRA sent letters, dated May 12, 2016, to the New Jersey Historic Preservation Office and New York Historic Preservation Office to initiate consultation pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. §306168) and its implementing regulations (36 CFR 800) for the Hudson Tunnel Project (Project) (see **Attachment**). The Project, an undertaking under Section 106, involves the construction of two new rail tunnels under the Hudson River and new railroad infrastructure in New Jersey and New York to connect the tunnels to the NEC and the rehabilitation of the existing NEC tunnels beneath the Hudson River.

If you have any questions about this designation, please contact Mr. Donald Burns of my staff at donald.burns@dot.gov.

Sincerely,

Stephen Goodman, P.E.
Regional Administrator

Attachment

cc: Rebecca Reyes-Alicea, USDOT Federal Railroad Administration
Amishi Castelli, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, NJ Transit
RJ Palladino, AICP, PP, NJ Transit
Dara Callender, P.E., NJ Transit
Ruth Pierpont, New York State Historic Preservation Office
Johnette Davies, Amtrak
Steven Plate, Port Authority of New York and New Jersey
Charlene Dwin Vaughn, Advisory Council on Historic Preservation
Nekole Alligood and Jason Ross, Delaware Nation
Blair Fink and Susan Bachor, Delaware Tribe
Chester Brooks, Chief, Delaware Tribe of Indians, Oklahoma
Harry Wallace, Chief, Unkechaug Nation
Glenna Wallace, Chief, Eastern Shawnee Tribe of Oklahoma
Ron Sparkman, Chief, Shawnee Tribe of Oklahoma
Sherry White, Stockbridge-Munsee Community of Mohican Indians of Wisconsin
Bonney Hartley, Sockbridge-Munsee Community of Mohican Indians
Daniel S. Collins, Sr., Shinnecock Indian Nation
Corrine Remington, Eastern Delaware Nation
Doris Pieschel, Eastern Lenape Nation of Pennsylvania
Mark Gould, Nanticoke Lenni-Lenape Indians of New Jersey
Meenakshi Srinivasan, New York City Landmarks Preservation Commission
Dawn Zimmer, Hoboken Mayor's Office
Dennis English, Hoboken Historic Preservation Commission
Steven M. Fulop, Jersey City Mayor's Office
Robert Cotter, PP, FAICP, Jersey City Historic Preservation Commission



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 12, 2016

Ms. Ruth Pierpont
Deputy Commissioner, Historic Preservation
New York State Historic Preservation Office
Pebbles Island State Park, P.O. Box 189
Waterford, NY 12188

**Re: Hudson Tunnel Project, Hudson County, NJ, and New York County, NY
Initiation of Section 106 Consultation**

Dear Ms. Pierpont:

By way of this letter, the U.S. Department of Transportation's Federal Railroad Administration (FRA) is initiating consultation with your office pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. § 306108) and its implementing regulations (36 CFR 800) (Section 106) for the Hudson Tunnel Project (Project). FRA and the New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Project, pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). Consistent with Section 11503 of the Fixing America's Surface Transportation Act of 2015 (FAST Act), the EIS will also be prepared in accordance with 23 U.S.C. 139. FRA and NJ TRANSIT intend to coordinate the Section 106 process with the NEPA process for the Project.

The Project is intended to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The Project is located along the New Jersey- and National Register-eligible Pennsylvania Railroad New York to Philadelphia Historic District (Northeast Corridor, Pennsylvania to New York) and includes the North River Tunnel, also New Jersey- and National Register-eligible.

The Notice of Intent announcing the preparation of an EIS, initiation of the scoping period, and the initiation of the Section 106 process for the Hudson Tunnel Project was published in the Federal Register on May 2, 2016. The scoping period will end on May 31st.

Project Background

The existing NEC Hudson River rail tunnel beneath the Hudson River is known as the North River Tunnel. **Figure 1**, attached, illustrates the location of the North River Tunnel and its approach tracks. This tunnel is

used by Amtrak for intercity passenger rail service and by NJ TRANSIT for commuter rail service. As shown in the figure, the approach to the existing tunnel begins east of NJ TRANSIT's Frank R. Lautenberg Station in Secaucus, New Jersey (which is 5 miles east of Amtrak and NJ TRANSIT's Newark Penn Station). East of the Secaucus station, the NEC has two tracks that approach the tunnel on a raised embankment through the towns of Secaucus and North Bergen, New Jersey. The existing NEC tracks enter a tunnel portal in North Bergen, passing beneath Union City and Weehawken, New Jersey and the Hudson River before emerging within the Penn Station New York (PSNY) rail complex in New York City. The tunnel has two separate tubes, each accommodating a single track for electrically powered trains, and extends approximately 2.5 miles from the tunnel portal in North Bergen to PSNY. The new tunnel would be located close to, and south of, the existing NEC tracks and existing tunnel.

Superstorm Sandy in October 2012 damaged the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. The damage caused by Superstorm Sandy is compounded by the tunnel's age and the intensity of its current use (operating at capacity to meet current demands), resulting in frequent delays due to component failures within the tunnel. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

Statement of Undertaking

The Project, which is also the undertaking for purposes of Section 106, consists of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel's tracks would connect with the NEC to (in New York) the existing rail complex at PSNY.

The purpose of the Project is to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to support reliable service by providing redundant capacity under the Hudson River for Amtrak and NJ TRANSIT NEC trains between New Jersey and the existing PSNY. These improvements must be achieved while maintaining uninterrupted commuter and intercity rail service and by optimizing the use of existing infrastructure.

To perform the needed rehabilitation in the existing North River Tunnel, each of the tunnel's two tubes will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday train service. Removing one tube in the existing North River Tunnel from operation without new capacity in place would reduce weekday service to volumes well below the current maximum capacity of 24 peak direction trains per hour. Therefore, the Project includes construction of two new rail tubes beneath the Hudson River that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation.

Identification of Consulting Parties

Section 106 requires that FRA consult with the New York State Historic Preservation Office (NYSHPO) and New Jersey Historic Preservation Office (NJHPO) to identify parties to participate in the Section 106 process ("consulting parties"). Consulting parties may include local governments, Federally recognized Indian tribes,

and individuals and organizations with a demonstrated interest in the undertaking due to the nature of their legal or economic relation to the undertaking or affected historic properties, or their concern with the undertaking's effects on historic properties. FRA and NJ TRANSIT have identified entities that may be invited to participate in the Section 106 process for the undertaking as consulting parties, in addition to the NYSHPO and NJHPO. In accordance with 36 C.F.R. §800.3, FRA is providing the attached preliminary list of invited consulting parties for your review (see **Attachment**).

If you have any questions or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com. FRA looks forward to working with you on this important rail transportation project.

Sincerely,



Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 12, 2016

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Historic Preservation Office
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625

**Re: Hudson Tunnel Project, Hudson County, NJ, and New York County, NY
Initiation of Section 106 Consultation**

Dear Ms. Marcopul:

By way of this letter, the U.S. Department of Transportation's Federal Railroad Administration (FRA) is initiating consultation with your office pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. § 306108) and its implementing regulations (36 CFR 800) (Section 106) for the Hudson Tunnel Project (Project). FRA and the New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Project, pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). Consistent with Section 11503 of the Fixing America's Surface Transportation Act of 2015 (FAST Act), the EIS will also be prepared in accordance with 23 U.S.C. 139. FRA and NJ TRANSIT intend to coordinate the Section 106 process with the NEPA process for the Project.

The Project is intended to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The Project is located along the New Jersey- and National Register-eligible Pennsylvania Railroad New York to Philadelphia Historic District (Northeast Corridor, Pennsylvania to New York) and includes the North River Tunnel, also New Jersey- and National Register-eligible.

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Identification of Consulting Parties

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If you have any questions or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com. FRA looks forward to working with you on this important rail transportation project.

Sincerely,



Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

December 19, 2016

Ms. Amishi Castelli
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project.

We have reviewed your memorandum and draft report on the proposed Area of Potential Effect (APE) dated December 7th, 2016, submitted to our office on December 12th, 2016. Based upon our review, we concur with the proposed Area of Potential Effect. We note that the National Register-eligible Hudson River Bulkhead is located within the proposed APE, both for direct and indirect effects. Therefore, at this time we recommend inviting the Hudson River Park Trust to be an additional consulting party. The Trust's contact information is below:

Ms. Noreen Doyle
Executive Vice President
Hudson River Park Trust
Pier 40
353 West Street
New York, NY 10014

Ph: (212)627-2020
Cell: (917)661-8756

ndoyle@hrpt.ny.gov

If additional information correspondence is required regarding this project it should be provided via our Cultural Resource Information System (CRIS) at www.nysparks.com/shpo/online-tools/

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com

Next choose "submit new information for an existing project". You will need this project number and your e-mail address. If you have any questions, I can be reached at (518) 268-2182.

Sincerely,

A handwritten signature in black ink that reads "Olivia Brazee". The signature is written in a cursive style with a large initial "O" and "B".

Olivia Brazee
Historic Preservation Technical Specialist
olivia.brazee@parks.ny.gov

via e-mail only

From: Castelli, Amishi (FRA) [mailto:Amishi.Castelli@dot.gov]
Sent: Monday, December 19, 2016 11:03 AM
To: Shick, Laura (FRA); 'Bonney Hartley'
Cc: jcowing@akrf.com; RPalladino@njtransit.com; sholley@akrf.com
Subject: RE: Hudson Tunnel Project APE

Yes, thanks for the confirmation Bonney. Best, Amishi

From: Shick, Laura (FRA)
Sent: Monday, December 19, 2016 9:59 AM
To: 'Bonney Hartley'; Castelli, Amishi (FRA)
Subject: RE: Hudson Tunnel Project APE

Thank you, Bonney.

From: Bonney Hartley [mailto:Bonney.Hartley@mohican-nsn.gov]
Sent: Monday, December 19, 2016 9:56 AM
To: Shick, Laura (FRA); Castelli, Amishi (FRA)
Subject: Hudson Tunnel Project APE

Dear Laura & Amishi:

Stockbridge-Munsee Community does not have concerns with the proposed APE for the Hudson Tunnel Project.

Best,
Bonney

Bonney Hartley

Tribal Historic Preservation Officer
Stockbridge-Munsee Mohican Tribal Historic Preservation
New York Office
65 1st Street
Troy, NY 12180

[\(518\) 244-3164](tel:(518)244-3164)

Bonney.Hartley@mohican-nsn.gov

www.mohican-nsn.gov



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Chief Glenna Wallace
Eastern Shawnee Tribe of Oklahoma
12755 South 705 Road
Wyandotte, OK 74370

Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York: (1) submittal of proposed APE as part of Section 106 Consultation; (2) invitation to engage in Government-to-Government Consultation

Dear Chief Wallace:

As we informed you in our correspondence of August 5, 2016, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present a proposed Area of Potential Effects for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), FRA and NJ TRANSIT have determined an Area of Potential Effects (APE) in which to assess the Project’s potential effects on historic properties. A required step in the Section 106 process is determining the APE, which is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]).

A description of the proposed APE, including the Project’s components and their potential to affect historic properties, a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed December 7, 2016 *Section 106 Documentation: Hudson Tunnel Project: Proposed Area of Potential Effects (APE)* document.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be

available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Ms. Bonney Hartley, Tribal Historic Preservation Officer – New York Office
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
65 1st Street
Troy, NY 12180

Ms. Sherry White, Tribal Historic Preservation Officer
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
W13447 Camp 14 Road
Bowler, WI 54416

Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York: (1) submittal of proposed APE as part of Section 106 Consultation; (2) invitation to engage in Government-to-Government Consultation

Dear Ms. Hartley and Ms. White:

As we informed you in our correspondence of May 12, 2016, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present a proposed Area of Potential Effects for your review, and to reiterate our invitation to engage in Government-to- Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), FRA and NJ TRANSIT have determined an Area of Potential Effects (APE) in which to assess the Project’s potential effects on historic properties. A required step in the Section 106 process is determining the APE, which is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]).

A description of the proposed APE, including the Project’s components and their potential to affect historic properties, a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed December 7, 2016 *Section 106 Documentation: Hudson Tunnel Project: Proposed Area of Potential Effects (APE)* document.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Mr. Bryan Polite; Daniel S. Collins, Sr.; and Eugene Cuffee, II
Trustees
Shinnecock Indian Nation Tribal Office
PO Box 5006
Southampton, NY 11969-5006

Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York: (1) submittal of proposed APE as part of Section 106 Consultation; (2) invitation to engage in Government-to-Government Consultation

Dear Sirs:

As we informed you in our correspondence of May 11, 2016, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present a proposed Area of Potential Effects for your review, and to reiterate our invitation to engage in Government-to- Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), FRA and NJ TRANSIT have determined an Area of Potential Effects (APE) in which to assess the Project’s potential effects on historic properties. A required step in the Section 106 process is determining the APE, which is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]).

A description of the proposed APE, including the Project’s components and their potential to affect historic properties, a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed December 7, 2016 *Section 106 Documentation: Hudson Tunnel Project: Proposed Area of Potential Effects (APE)* document.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be

available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is fluid and cursive, with a long horizontal stroke at the end.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Chief Ron Sparkman
Shawnee Tribe of Oklahoma
P.O. Box 189
29 South Highway 69A
Miami, OK 74355

Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York: (1) submittal of proposed APE as part of Section 106 Consultation; (2) invitation to engage in Government-to-Government Consultation

Dear Chief Sparkman:

As we informed you in our correspondence of August 5, 2016, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present a proposed Area of Potential Effects for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

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Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be

available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

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Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
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**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Ms. Blair Fink and Ms. Susan Bachor, Historic Preservation Representatives
Delaware Tribe Historic Preservation Office
Delaware Tribe
P.O. Box 64
Pocono Lake, PA 18347

Re: Hudson Tunnel Project—Hudson County, New Jersey, and New York County, New York: (1) submittal of proposed APE as part of Section 106 Consultation; (2) invitation to engage in Government-to-Government Consultation

Dear Ms. Fink and Ms. Bachor:

As we informed you in our correspondence of May 12, 2016, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present a proposed Area of Potential Effects for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

Pursuant to Section 106 and its implementing regulations (36 CFR 800), FRA and NJ TRANSIT have determined an Area of Potential Effects (APE) in which to assess the Project’s potential effects on historic properties. A required step in the Section 106 process is determining the APE, which is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]).

A description of the proposed APE, including the Project’s components and their potential to affect historic properties, a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed December 7, 2016 *Section 106 Documentation: Hudson Tunnel Project: Proposed Area of Potential Effects (APE)* document.

Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be

available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

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Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Mr. Chester Brooks
Chief
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
5100 Tuxedo Blvd.
Bartlesville, OK 74006

Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York: (1) submittal of proposed APE as part of Section 106 Consultation; (2) invitation to engage in Government-to-Government Consultation

Dear Mr. Brooks:

As we informed you in our correspondence of May 11, 2016, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present a proposed Area of Potential Effects for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

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resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

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Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Ms. Neckole Alligood
Tribal Historic Preservation Officer
Delaware Nation
ATTN: Cultural Preservation Department
PO Box 825
31064 State Hwy 281
Anadarko, OK 73005

**Re: Hudson Tunnel Project— Hudson County, New Jersey, and New York County, New York:
(1) submittal of proposed APE as part of Section 106 Consultation; (2) invitation to engage
in Government-to-Government Consultation**

Dear Ms. Alligood:

As we informed you in our correspondence of May 11, 2016, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The purpose of this correspondence is to present a proposed Area of Potential Effects for your review, and to reiterate our invitation to engage in Government-to-Government consultation.

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Again, as mentioned in our earlier correspondence, the FRA is available to meet for formal Government-to-Government consultation at your request. Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for

participation in the continuing process to identify cultural resources, effects of the Project on significant resources, and resolution of any adverse effects that may result from the Project. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-0416.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is fluid and cursive, with a horizontal line extending from the end.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Ms. Ruth Pierpont
Deputy Commissioner, Historic Preservation
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

**Re: Hudson Tunnel Project— Hudson County, NJ, and New York County, NY:
Submittal of Proposed APE as part of Section 106 Consultation**

Dear Ms. Pierpont:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). As per our May 12, 2016 letter, FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC.

Pursuant to Section 106 and its implementing regulations (36 CFR 800) and following the methodology in the October 2016 *Effect Assessment Methodology for Historic and Archaeological Resources* submitted to your office, FRA and NJ TRANSIT have determined an Area of Potential Effects (APE) in which to assess the Project’s potential effects on historic properties. A required step in the Section 106 process is determining the APE, which is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]). The proposed Section 106 APE and the proposed study area for assessing the Project’s potential impacts on historic properties pursuant to NEPA in the EIS, are the same.

A description of the proposed APE, including the Project’s components and their potential to affect historic properties, a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed December 7, 2016 *Section 106 Documentation: Hudson Tunnel Project: Proposed Area of Potential Effects (APE)* document.

If you agree that the proposed APE is appropriate for the undertaking, please kindly indicate your agreement at your earliest convenience. If you have any questions or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com. FRA looks forward to working with you on this important rail transportation project.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and
Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

December 9, 2016

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Historic Preservation Office
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625

**Re: Hudson Tunnel Project— Hudson County, NJ, and New York County, NY:
Submittal of Proposed APE as part of Section 106 Consultation**

Dear Ms. Marcopul:

As you know, the Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). As per our May 12, 2016 letter, FRA and NJ TRANSIT are concurrently conducting the analyses required pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). The Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC.

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Sincerely,

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Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

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RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and
Sustainability Unit



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

August 5, 2016

Chief Glenna Wallace
Eastern Shawnee Tribe of Oklahoma
12755 South 705 Road
Wyandotte, OK 74370

Re: Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Hudson Tunnel Project; Hudson County, New Jersey, and New York County, New York

Dear Chief Wallace:

The Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the “Proposed Action”), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). The Proposed Action is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. FRA and NJ TRANSIT will serve as joint lead agencies for the EIS.

The Proposed Action would consist of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel’s tracks would connect with the NEC to (in New York) the existing rail complex at Penn Station New York (PSNY). Please see “Project Background” below for more information on the Proposed Action.

As part of the Hudson Tunnel Project, the FRA will comply with Section 106 of the National Historic Preservation Act (36 CFR Part 800) which requires Federal agencies to consider the effects of their actions on historic properties that are listed in or eligible for listing in the National Register of Historic Places, based on an established consultation process. Participants in Section 106 consultation include FRA, NJ TRANSIT, the New York State Historic Preservation Office (NYSHPO), the New Jersey Historic Preservation Office (NJHPO), Native American tribes, representatives of local governments, and other “Consulting Parties.” FRA, as the lead Federal agency, is contacting you to begin Government-to-Government consultation on this project. FRA is available for formal Government-to-Government consultation at your request.

Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to

identify cultural resources, effects of the Proposed Action on significant resources, and resolution of any adverse effects that may result from the Proposed Action.

Project Background

The existing NEC Hudson River rail tunnel beneath the Hudson River is known as the North River Tunnel. **Figure 1**, attached, illustrates the location of the North River Tunnel and its approach tracks. This tunnel is used by Amtrak for intercity passenger rail service and by NJ TRANSIT for commuter rail service. As shown in the figure, the approach to the existing tunnel begins east of NJ TRANSIT's Frank R. Lautenberg Station in Secaucus, New Jersey (which is 5 miles east of Amtrak and NJ TRANSIT's Newark Penn Station). East of the Secaucus station, the NEC has two tracks that approach the tunnel on a raised embankment through the towns of Secaucus and North Bergen, New Jersey. The existing NEC tracks enter a tunnel portal in North Bergen, passing beneath Union City and Weehawken, New Jersey and the Hudson River before emerging within the PSNY rail complex in New York City. The tunnel has two separate tubes, each accommodating a single track for electrically powered trains, and extends approximately 2.5 miles from the tunnel portal in North Bergen to PSNY. The new tunnel would be located close to, and south of, the existing NEC tracks and existing tunnel.

Superstorm Sandy in October 2012 damaged the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm damage and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. The damage caused by Superstorm Sandy is compounded by the tunnel's age and the intensity of its current use (operating at capacity to meet current demands), resulting in frequent delays due to component failures within the tunnel. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

To perform the needed rehabilitation in the existing North River Tunnel, each of the tunnel's two tubes will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday train service. Removing one tube in the existing North River Tunnel from operation without new capacity in place would reduce weekday service to volumes well below the current maximum capacity of 24 peak direction trains per hour. Therefore, the Proposed Action includes construction of two new rail tubes beneath the Hudson River that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation.

The purpose of the Proposed Action is: to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to support reliable service by providing redundant capacity under the Hudson River for Amtrak and NJ TRANSIT NEC trains between New Jersey and the existing PSNY. These improvements must be achieved while maintaining uninterrupted commuter and intercity rail service and by optimizing the use of existing infrastructure.

The FRA and NJ TRANSIT conducted scoping for the Hudson Tunnel Project EIS in May 2016; the scoping period was initiated with a Notice of Intent in the Federal Register on May 2, 2016. Two scoping meetings were held on May 17, 2016, in New York City and on May 19, 2016, in Union, NJ. The full Scoping Document, as well as additional information about the Hudson Tunnel Project, is available on the project website: www.hudsontunnelproject.com.

In closing, we invite you to meet with FRA representatives for the purpose of conducting Government-to-Government consultation and sharing information as the Hudson Tunnel Project is advanced. FRA will be

available for consultation with your Tribe and will ensure you are kept informed as the project progresses and new information becomes available.

If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-4016.

Sincerely,



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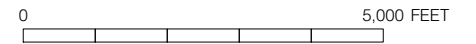
Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



-  Existing North River Tunnel
-  Existing Northeast Corridor





U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

August 5, 2016

Chief Ron Sparkman
Shawnee Tribe of Oklahoma
P.O. Box 189
29 South Highway 69A
Miami, OK 74355

Re: Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Hudson Tunnel Project; Hudson County, New Jersey, and New York County, New York

Dear Chief Sparkman:

The Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the “Proposed Action”), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). The Proposed Action is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. FRA and NJ TRANSIT will serve as joint lead agencies for the EIS.

The Proposed Action would consist of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel’s tracks would connect with the NEC to (in New York) the existing rail complex at Penn Station New York (PSNY). Please see “Project Background” below for more information on the Proposed Action.

As part of the Hudson Tunnel Project, the FRA will comply with Section 106 of the National Historic Preservation Act (36 CFR Part 800) which requires Federal agencies to consider the effects of their actions on historic properties that are listed in or eligible for listing in the National Register of Historic Places, based on an established consultation process. Participants in Section 106 consultation include FRA, NJ TRANSIT, the New York State Historic Preservation Office (NYSHPO), the New Jersey Historic Preservation Office (NJHPO), Native American tribes, representatives of local governments, and other “Consulting Parties.” FRA, as the lead Federal agency, is contacting you to begin Government-to-Government consultation on this project. FRA is available for formal Government-to-Government consultation at your request.

Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Proposed Action on significant resources, and resolution of any adverse effects that may result from the Proposed Action.

Project Background

The existing NEC Hudson River rail tunnel beneath the Hudson River is known as the North River Tunnel. **Figure 1**, attached, illustrates the location of the North River Tunnel and its approach tracks. This tunnel is used by Amtrak for intercity passenger rail service and by NJ TRANSIT for commuter rail service. As shown in the figure, the approach to the existing tunnel begins east of NJ TRANSIT's Frank R. Lautenberg Station in Secaucus, New Jersey (which is 5 miles east of Amtrak and NJ TRANSIT's Newark Penn Station). East of the Secaucus station, the NEC has two tracks that approach the tunnel on a raised embankment through the towns of Secaucus and North Bergen, New Jersey. The existing NEC tracks enter a tunnel portal in North Bergen, passing beneath Union City and Weehawken, New Jersey and the Hudson River before emerging within the PSNY rail complex in New York City. The tunnel has two separate tubes, each accommodating a single track for electrically powered trains, and extends approximately 2.5 miles from the tunnel portal in North Bergen to PSNY. The new tunnel would be located close to, and south of, the existing NEC tracks and existing tunnel.

Superstorm Sandy in October 2012 damaged the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm damage and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. The damage caused by Superstorm Sandy is compounded by the tunnel's age and the intensity of its current use (operating at capacity to meet current demands), resulting in frequent delays due to component failures within the tunnel. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

To perform the needed rehabilitation in the existing North River Tunnel, each of the tunnel's two tubes will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday train service. Removing one tube in the existing North River Tunnel from operation without new capacity in place would reduce weekday service to volumes well below the current maximum capacity of 24 peak direction trains per hour. Therefore, the Proposed Action includes construction of two new rail tubes beneath the Hudson River that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation.

The purpose of the Proposed Action is: to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to support reliable service by providing redundant capacity under the Hudson River for Amtrak and NJ TRANSIT NEC trains between New Jersey and the existing PSNY. These improvements must be achieved while maintaining uninterrupted commuter and intercity rail service and by optimizing the use of existing infrastructure.

The FRA and NJ TRANSIT conducted scoping for the Hudson Tunnel Project EIS in May 2016; the scoping period was initiated with a Notice of Intent in the Federal Register on May 2, 2016. Two scoping meetings were held on May 17, 2016, in New York City and on May 19, 2016, in Union, NJ. The full Scoping Document, as well as additional information about the Hudson Tunnel Project, is available on the project website: www.hudsonstunnelproject.com.

In closing, we invite you to meet with FRA representatives for the purpose of conducting Government-to-Government consultation and sharing information as the Hudson Tunnel Project is advanced. FRA will be available for consultation with your Tribe and will ensure you are kept informed as the project progresses and new information becomes available.

If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-4016.

Sincerely,



A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line extending to the right.

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



 Existing North River Tunnel
 Existing Northeast Corridor

0 5,000 FEET



HPO Project# 16-1650-2
HPO- G2016-041

State of New Jersey

MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

HISTORIC PRESERVATION OFFICE

P.O. Box 420

Trenton, NJ 08625-0420

TEL. (609) 984-0176 FAX (609) 984-0578

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

July 6, 2016

Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Ms. Shick:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40553-40555), I am providing initial consultation comments on the following proposed undertaking:

**Hudson Tunnel Project
Hudson County, Hoboken, Jersey City, North Bergen, Secaucus,
Union City and Weehawken
Federal Railroad Administration**

These comments were prepared in response to your submission of a cover letter and supporting documentation initiating consultation pursuant to Section 106 of the National Historic Preservation Act and received by the Historic Preservation Office (HPO) on May 18, 2016.

800.3 Initiation of the Section 106 Process

I concur with the list of consulting parties included in the submission. As always, the documentation of public participation in the evaluation of historical resources and project effects will substantially enhance the quality, timeliness, and public value of the Section 106 consultation.

In addition to the list of consulting parties provided by the U.S. Department of Transportation, the NJ HPO would like to recommend that the additional consulting parties included on the list enclosed also be invited to participate.

We look forward to continuing consultation pursuant to 36 CFR 800.4 Identification of Historic Properties and 36 CFR 800.5 Assessment of Effects.

Thank you for providing the opportunity to review and comment on the submitted documentation. Please do not hesitate to contact Jenna Solomon of my staff at jenna.solomon@dep.nj.gov or (609) 984-0176 with any questions regarding historic architecture, historic districts, and historic landscapes or Vincent Maresca of my staff at vincent.maresca@dep.nj.gov or (609) 633-2395 with questions regarding archaeology. Please reference the HPO project number 16-1650 in any future calls, emails, or written correspondence in order to expedite our review and response.

Sincerely,



Katherine J. Marcopul
Acting Administrator and
Deputy State Historic
Preservation Officer

Cc:

Rebecca Reyes-Alicea, USDOT Federal Railroad Administration
Amishi Castelli, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, NJ Transit
RJ Palladino, AICP,PP, NJ Transit
Dara Callender, P.E., NJ Transit
Ruth L. Pierpont, New York State Historic Preservation Officer
Johnette Davies, Amtrak
Steven Plate, Port Authority of New York and New Jersey
Charlene Dwin Vaughn, Advisory Council on Historic Preservation
Nekole Allgood and Jason Ross, Delaware Nation
Blair Fink and Susan Bachor, Delaware Tribe
Chester Brooks, Chief Delaware Tribe of Indians of Oklahoma
Sherry White, Stockbridge-Munsee Community of Mohican Indians of Wisconsin
Bonney Hartley, Stockbridge-Munsee Community of Mohican Indians of New York
Daniel S. Collins, Sr., Shinnecock Indian Nation
Corrine Remington, Eastern Delaware Nation
Doris Pieschel, Eastern Lenape Nation of Pennsylvania
Mark Gould, Nanticoke Lenni-Lenape Indians of New Jersey
Meenakshi Srinivasan, New York City Landmarks Preservation Commission
Dawn Zimmer, Hoboken Mayor's Office
Dennis English, Hoboken Historic Preservation Commission
Steven M. Fulop, Jersey City Mayor's Office
Robert Cotter, PP, FAICP, Jersey City Historic Preservation Commission

Nicolas Sacco, North Bergen Mayor's Office
Michael J. Gonnelli, Secaucus Mayor's Office
Brian Stack, Union City Mayor's Office
David Spatz, Union City Landmarks Commission
Richard F. Turner, Weehawken Mayor's Office
Weehawken Historical Commission
Noreen Doyle, Hudson River Park Trust
Ilene Grossman-Bailey, Archaeological Society of New Jersey
Jim Mackin, Society for Industrial Archeology
S. Spritzer, Professional Archaeologists of New York City
Walter Hoffman, Anthracity Railroads Historical Society
Michael J. Connor, Erie Lackawanna Historical Society
John E. Barth, National Railway Historical Society, Inc.
Tommy Meehan, Railway & Locomotive Historical Society
Steve Staffieri, Pennsylvania Railroad Technical & Historical Society
Michael Del Vecchio, Tri-State Railway Historical Society, Inc.
Larry Gross, United Railroad Historical Society of New Jersey
Richard Wilson, National Railway Historical Society
Thomas A. DeGise, Hudson County Executive
Charles Enyart, Chief, Eastern Shawnee Tribe of Oklahoma
Shawnee Tribe of Oklahoma
Steve Tettamanti, New Jersey Historical Society
Alex Matthiessen, Hudson Riverkeeper
Bob Foster, Hoboken Historical Museum
Justin Frohwirth, Jersey City Landmarks Conservancy
Weehawken Historical Society
Hoboken Quality of Life Coalition

Recommended Additional Invitations to Participate as Consulting Parties:

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

Eastern Shawnee Tribe of Oklahoma
Chief Charles Enyart
P.O. Box 350
Seneca, MO 64865

Shawnee Tribe of Oklahoma
P.O. Box 189
Miami, OK 74354

New Jersey Historical Society
Steve Tettamanti, Executive Director
52 Park Pl
Newark, NJ 07102

Hudson Riverkeeper
Alex Matthiessen, Executive Director
P.O. Box 130
Garrison, NY 10524

Hoboken Historical Museum
Bob Foster, Director
1301 Hudson St
Hoboken, NJ 07030

Jersey City Landmarks Conservancy
Justin Frohwirth, President
P.O. Box 68
Jersey City, NJ 07303-0068

Weehawken Historical Society
212 Dodd Street
Weehawken, NJ 07087

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

From: "Castelli, Amishi (FRA)" <Amishi.Castelli@dot.gov>
Date: Jun 9, 2016 10:49 AM
Subject: RE: Hudson Tunnel Project-Section 106 initiation
To: "Bonney Hartley" <Bonney.Hartley@mohican-nsn.gov>
Cc: "jcowing@akrf.com" <jcowing@akrf.com>, "RPalladino@njtransit.com" <RPalladino@njtransit.com>

Thank you for the response Bonney – we will continue to keep the Stockbridge-Munsee Mohican Tribe as a consulting party and will provide you information about the extent of ground disturbance when we have it- probably preliminary information in the fall of this year, and more details re: impacts of ground disturbance in spring/summer next year.

Thanks again, and hope all is going well with you! Best, Amishi

From: Bonney Hartley [mailto:Bonney.Hartley@mohican-nsn.gov]
Sent: Tuesday, June 07, 2016 11:27 AM
To: Castelli, Amishi (FRA)
Subject: RE: Hudson Tunnel Project-Section 106 initiation

Dear Amishi,

Thank you for the invitation to consult on the Hudson Tunnel Project. I don't think a consultation meeting is necessary at this time. Our comment is as follows:

- The additional information I would like to request is for more information on the extent of new ground disturbance proposed by the project (i.e. where the project plans to construct outside of the existing ROW into undisturbed soils). If there are any areas that would involve new ground disturbance, we would like to know if cultural resource surveys are planned to assess the likelihood of encountering buried cultural materials.

Thank you,
Bonney

Bonney Hartley

Tribal Historic Preservation Officer
Stockbridge-Munsee Mohican Tribal Historic Preservation
New York Office
65 1st Street
Troy, NY 12180

[\(518\) 244-3164](tel:5182443164)

Bonney.Hartley@mohican-nsn.gov

www.mohican-nsn.gov

Physical Address: 37 1st Street

From: Castelli, Amishi (FRA) [<mailto:Amishi.Castelli@dot.gov>]
Sent: Thursday, May 12, 2016 9:47 PM
To: Sherry White; Bonney Hartley
Cc: RPalladino@njtransit.com; JColangelo-bryan@njtransit.com; Reyes-Alicea, Rebecca (FRA); Johnsen, Michael (FRA); jcowing@akrf.com; Shick, Laura (FRA)
Subject: Hudson Tunnel Project-Section 106 initiation

Good evening,

On behalf of Laura Shick of the Federal Railroad Administration (FRA), I am transmitting the attached letter to initiate Government-to-Government consultation pursuant to Section 106 of the National Historic Preservation Act of 1966 for the Hudson Tunnel Project. Within the attached letter, you will find more information about the project.

The attached letter also gives details about the scoping period currently being conducted. There is a scoping document available on the project website (www.hudsonstunnelproject.com). Please note that the FRA and NJ TRANSIT will hold two public scoping meetings on May 17th in New York City, and May 19th in Union City, NJ.

Please contact me to schedule a consultation meeting, and feel free to reach out with any questions about the project. We look forward to working with you!

Best regards,
Amishi

Amishi Castelli, Ph.D.
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)

One Bowling Green, Suite 429
New York, NY 10004-1415
[617-431-0416](tel:617-431-0416)

From: Castelli, Amishi (FRA) [mailto:Amishi.Castelli@dot.gov]
Sent: Monday, June 06, 2016 11:46 AM
To: Temple University Archaeology
Cc: 'RPalladino@njtransit.com'; jcowing@akrf.com; Reyes-Alicea, Rebecca (FRA); JColangelo-bryan@njtransit.com
Subject: RE: Hudson Tunnel Project

Thanks Susan. We will get you materials shortly, and be in touch re: further coordination. -
Amishi

From: Temple University Archaeology [mailto:temple@delawaretribe.org]
Sent: Monday, June 06, 2016 11:10 AM
To: Castelli, Amishi (FRA)
Subject: Hudson Tunnel Project

Hi, Amishi.

The Delaware Tribe would like to enter into consultation for this project. I am unable to attend either of the meeting dates but would appreciate receiving the materials being presented.

Thank you,
Susan Bachor
Delaware Tribe Historic Preservation Representative
P.O. Box 64
Pocono Lake, PA 18347
temple@delawaretribe.org

***Please note that effective immediately our address has changed.**

This electronic message contains information from the Delaware Tribe of Indians that may be confidential, privileged or proprietary in nature. The information is intended solely for the specific use of the individual or entity to which this is addressed. If you are not the intended recipient of this message, you are notified that any use, distribution, copying, or disclosure of this communication is strictly prohibited. If you received this message in error, please notify the sender then delete this message.



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

June 8, 2016

Ms. Amishi Castelli, Ph.D.
Environmental Protection Specialist
U.S Department of Transportation, Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: FRA
Hudson Tunnel Project
16PR03710

Dear Ms. Castelli:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

We have reviewed your memoranda initiating consultation and inviting our agency's participation, and also the attached list of potential consulting parties, that were submitted to our office on May 27th, 2016. Based upon our review, we offer the following comment:

1. We confirm our agency's role as a participating agency on the Project
2. Please add the Unkechaug Nation (State recognized) to the list of Potential Consulting Parties. Their contact information is as follows:

Chief Harry Wallace
207 Poospansk Lane
Mastic, NY 11950
(631)281-4143, ext. 100
hwat1@aol.com

We look forward to reviewing your next submission for this project. If additional information and correspondence is required regarding this project it should be provided via our Cultural Resource Information System (CRIS) at www.nysparks.com/shpo/online-tools/

If you have any questions, I can be reached at (518) 268-2182.

Sincerely,

A handwritten signature in black ink that reads "Olivia Brazee". The signature is written in a cursive style with a large initial "O" and a long, sweeping underline.

Olivia Brazee
Historic Preservation Technical Specialist
olivia.brazee@parks.ny.gov

via e-mail only

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 12, 2016

Ms. Ruth Pierpont
Deputy Commissioner, Historic Preservation
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

**Re: Hudson Tunnel Project, Hudson County, NJ, and New York County, NY
Initiation of Section 106 Consultation**

Dear Ms. Pierpont:

By way of this letter, the U.S. Department of Transportation's Federal Railroad Administration (FRA) is initiating consultation with your office pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. § 306108) and its implementing regulations (36 CFR 800) (Section 106) for the Hudson Tunnel Project (Project). FRA and the New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Project, pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). Consistent with Section 11503 of the Fixing America's Surface Transportation Act of 2015 (FAST Act), the EIS will also be prepared in accordance with 23 U.S.C. 139. FRA and NJ TRANSIT intend to coordinate the Section 106 process with the NEPA process for the Project.

The Project is intended to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The Project is located along the New Jersey- and National Register-eligible Pennsylvania Railroad New York to Philadelphia Historic District (Northeast Corridor, Pennsylvania to New York) and includes the North River Tunnel, also New Jersey- and National Register-eligible.

The Notice of Intent announcing the preparation of an EIS, initiation of the scoping period, and the initiation of the Section 106 process for the Hudson Tunnel Project was published in the Federal Register on May 2, 2016. The scoping period will end on May 31st.

Project Background

The existing NEC Hudson River rail tunnel beneath the Hudson River is known as the North River Tunnel. **Figure 1**, attached, illustrates the location of the North River Tunnel and its approach tracks. This tunnel is

used by Amtrak for intercity passenger rail service and by NJ TRANSIT for commuter rail service. As shown in the figure, the approach to the existing tunnel begins east of NJ TRANSIT's Frank R. Lautenberg Station in Secaucus, New Jersey (which is 5 miles east of Amtrak and NJ TRANSIT's Newark Penn Station). East of the Secaucus station, the NEC has two tracks that approach the tunnel on a raised embankment through the towns of Secaucus and North Bergen, New Jersey. The existing NEC tracks enter a tunnel portal in North Bergen, passing beneath Union City and Weehawken, New Jersey and the Hudson River before emerging within the Penn Station New York (PSNY) rail complex in New York City. The tunnel has two separate tubes, each accommodating a single track for electrically powered trains, and extends approximately 2.5 miles from the tunnel portal in North Bergen to PSNY. The new tunnel would be located close to, and south of, the existing NEC tracks and existing tunnel.

Superstorm Sandy in October 2012 damaged the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. The damage caused by Superstorm Sandy is compounded by the tunnel's age and the intensity of its current use (operating at capacity to meet current demands), resulting in frequent delays due to component failures within the tunnel. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

Statement of Undertaking

The Project, which is also the undertaking for purposes of Section 106, consists of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel's tracks would connect with the NEC to (in New York) the existing rail complex at PSNY.

The purpose of the Project is to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to support reliable service by providing redundant capacity under the Hudson River for Amtrak and NJ TRANSIT NEC trains between New Jersey and the existing PSNY. These improvements must be achieved while maintaining uninterrupted commuter and intercity rail service and by optimizing the use of existing infrastructure.

To perform the needed rehabilitation in the existing North River Tunnel, each of the tunnel's two tubes will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday train service. Removing one tube in the existing North River Tunnel from operation without new capacity in place would reduce weekday service to volumes well below the current maximum capacity of 24 peak direction trains per hour. Therefore, the Project includes construction of two new rail tubes beneath the Hudson River that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation.

Identification of Consulting Parties

Section 106 requires that FRA consult with the New York State Historic Preservation Office (NYSHPO) and New Jersey Historic Preservation Office (NJHPO) to identify parties to participate in the Section 106 process ("consulting parties"). Consulting parties may include local governments, Federally recognized Indian tribes,

and individuals and organizations with a demonstrated interest in the undertaking due to the nature of their legal or economic relation to the undertaking or affected historic properties, or their concern with the undertaking's effects on historic properties. FRA and NJ TRANSIT have identified entities that may be invited to participate in the Section 106 process for the undertaking as consulting parties, in addition to the NYSHPO and NJHPO. In accordance with 36 C.F.R. §800.3, FRA is providing the attached preliminary list of invited consulting parties for your review (see **Attachment**).

If you have any questions or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com. FRA looks forward to working with you on this important rail transportation project.

Sincerely,





Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



 Existing North River Tunnel
 Existing Northeast Corridor

0 5,000 FEET



Hudson Tunnel Project
Section 106 Consultation – Potential Consulting Parties

New Jersey Historic Preservation Officer

Kate Marcopul
Acting Administrator for Historic Preservation Office / Deputy SHPO
New Jersey Historic Preservation Office
New Jersey Department of Environmental Protection
Mail Code 501-04B
P.O. Box 420
Trenton, NJ 08625-0420

New York State Historic Preservation Officer

Ruth L. Pierpont
Deputy Commissioner for Historic Preservation / Deputy SHPO
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188

Amtrak

Johnette Davies
Senior Historic Preservation Specialist
Amtrak
30th Street Station
2955 Market Street, Mailbox 55
Philadelphia, PA 19104

Port Authority of New York and New Jersey

Steven Plate
Chief of Major Capital Projects
Port Authority of New York and New Jersey
115 Broadway, 10th Floor
New York, NY 10006

Advisory Council on Historic Preservation (to be invited)

Charlene Dwin Vaughn
Assistant Director, Federal Permitting, Licensing, and Assistance Section
401 F Street NW, Suite 308
Washington, DC 20001

FEDERALLY RECOGNIZED NATIVE AMERICAN TRIBES**Delaware Nation**

Nekole Alligood, Tribal Historic Preservation Officer
Jason Ross, Section 106 Manager
Delaware Nation
ATTN: Cultural Preservation Department
P.O. Box 825
31064 State Hwy 281
Anadarko, OK 73005

Delaware Tribe

Blair Fink and Susan Bachor, Historic Preservation Representatives
Delaware Tribe Historic Preservation Office
P.O. Box 64
Pocono Lake, PA 18347

Delaware Tribe of Indians, Oklahoma

Chester Brooks, Chief
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
170 N.E. Barbara
Bartlesville, OK 74006

Stockbridge-Munsee Community of Mohican Indians of Wisconsin

Sherry White, Tribal Historic Preservation Officer
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
W13447 Camp 14 Road
Bowler, WI 54416

Bonney Hartley, Tribal Historic Preservation Officer – New York Office
Stockbridge-Munsee Community of Mohican Indians
65 1st Street
Troy, NY 12180

Shinnecock Indian Nation

Daniel S. Collins, Sr., Chairperson and Marguerite A. Smith, Esq., Office of Tribal
Trustees/Legal
Shinnecock Indian Nation
Shinnecock Indian Nation Tribal Office
P.O. Box 5006
Southampton, NY 11969-5006

OTHER NATIVE AMERICAN TRIBES

Eastern Delaware Nation

Corrine Remington, Secretary
Eastern Delaware Nation
corrine.remington@yahoo.com

Eastern Lenape Nation of Pennsylvania

Doris Pieschel, Secretary
Eastern Lenape Nation of Pennsylvania
21 Cedar Land
Mountville, PA 17554

Nanticoke Leni-Lenape Indians of New Jersey (State Recognized, NJ)

Mark Gould, Tribal Chairperson
Nanticoke Leni-Lenape Indians of New Jersey
P.O. Box 544
Bridgeton, NJ 08302

**REPRESENTATIVES OF LOCAL GOVERNMENTS
WHERE THE UNDERTAKING MAY TAKE PLACE**

New York City

New York City Landmarks Preservation Commission

Meenakshi Srinivasan, Chair
New York City Landmarks Preservation Commission
Municipal Building
1 Centre Street, 9th Floor, North
New York, NY 10007

Hoboken, NJ

Hoboken Mayor's Office

Dawn Zimmer
Mayor of Hoboken
94 Washington Street
Hoboken, NJ 07030

Hoboken Historic Preservation Commission

Dennis English, Chairperson
Hoboken Historic Preservation Commission
Hoboken City Hall
94 Washington Street
Hoboken, NJ 07030

Jersey City, NJ

Jersey City Mayor's Office

Steven M. Fulop
Mayor of Jersey City
280 Grove Street
Jersey City, NJ 07302

Jersey City Historic Preservation Commission

Robert Cotter, PP, FAICP, Director, Division of City Planning
Jersey City Historic Preservation Commission
30 Montgomery Street
14th Floor, Suite 1400
Jersey City, NJ 07302

North Bergen, NJ

North Bergen Mayor's Office

Nicolas Sacco
Mayor of North Bergen
4233 John F. Kennedy Blvd., Room 100
North Bergen, NJ 07047

Secaucus, NJ

Secaucus Mayor's Office

Michael J. Gonnelli
Mayor of Secaucus
Municipal Government Center
1203 Paterson Plank Rd., 2nd Floor
Secaucus, NJ 07094

Union City, NJ

Union City Mayor's Office

Brian Stack
Mayor of Union City
3715 Palisade Avenue, 3rd Floor
Union City, NJ 07087

Union City Landmarks Commission

David Spatz
Union City Landmarks Commission
3715 Palisade Avenue
Union City, NJ 07087

Weehawken, NJ

Weehawken Mayor's Office

Richard F. Turner
Mayor of Weehawken
400 Park Avenue
Weehawken, NJ 07087

Weehawken Historical Commission

Weehawken Public Library
49 Hauxhurst Avenue
Weehawken, NJ 07086

OTHER AFFECTED PARTIES

Hudson River Park Trust

Noreen Doyle
Executive Vice President
Hudson River Park Trust
Pier 40, 2nd Floor
353 West Street
New York, NY 10014

OTHER ARCHAEOLOGICAL AND HISTORIC RESOURCE INTEREST GROUPS

Archaeology Interest Groups

Archaeological Society of New Jersey

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

Society for Industrial Archeology

Jim Mackin, President
Roebling Chapter
Society for Industrial Archeology
370 Riverside Drive, Apt. 2B
New York, NY 10025

Professional Archaeologists of New York City (PANYC)

c/o S. Spritzer
P.O. Box 1503
Murray Hill Station
New York, NY 10156-1503

Railroad History Interest Groups

Anthracite Railroads Historical Society

Walter Hoffmann, President
Anthracite Railroads Historical Society
P.O. Box 519
Lansdale, PA 19446

Erie Lackawanna Historical Society

Michael J. Connor, President
c/o David Start, Membership Chairman
Erie Lackawanna Historical Society
22 Ice Plant Road
Lafayette, NJ 07848-2403

National Railway Historical Society, Inc.

John E. Barth, President
National Railway Historical Society, Inc.
North Jersey Chapter
54 Poplar St
Closter, NJ 07624-1036

Railway & Locomotive Historical Society

Tommy Meehan, Chairman
New York Chapter
Railway & Locomotive Historical Society
42 Portland Pl, Fl 2
Yonkers NY 10703-2206

Pennsylvania Railroad Technical & Historical Society

Steve Staffieri, President
Pennsylvania Railroad Technical & Historical Society
Philadelphia Chapter
P.O. Box 356
Merion Station, PA 19066-9998

Tri-State Railway Historical Society, Inc.

Michael Del Vecchio, President
Tri-State Railway Historical Society, Inc.
P.O. Box 1217
Morristown, NJ 07962

United Railroad Historical Society of New Jersey

Larry Gross, President
United Railroad Historical Society of New Jersey
104 Morris Ave
Boonton Township, NJ 07005

National Railway Historical Society

Mr. Richard Wilson, President
Jersey Central Chapter
National Railway Historical Society
PO Box 700
Clark, NJ 07066



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 12, 2016

Ms. Kate Marcopul
Acting Administrator for Historic Preservation Office
New Jersey Historic Preservation Office
501 East State Street
Mail Code 501-04B PO Box 420
Trenton, NJ 08625

**Re: Hudson Tunnel Project, Hudson County, NJ, and New York County, NY
Initiation of Section 106 Consultation**

Dear Ms. Marcopul:

By way of this letter, the U.S. Department of Transportation's Federal Railroad Administration (FRA) is initiating consultation with your office pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. § 306108) and its implementing regulations (36 CFR 800) (Section 106) for the Hudson Tunnel Project (Project). FRA and the New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Project, pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). Consistent with Section 11503 of the Fixing America's Surface Transportation Act of 2015 (FAST Act), the EIS will also be prepared in accordance with 23 U.S.C. 139. FRA and NJ TRANSIT intend to coordinate the Section 106 process with the NEPA process for the Project.

The Project is intended to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The Project is located along the New Jersey- and National Register-eligible Pennsylvania Railroad New York to Philadelphia Historic District (Northeast Corridor, Pennsylvania to New York) and includes the North River Tunnel, also New Jersey- and National Register-eligible.

The Notice of Intent announcing the preparation of an EIS, initiation of the scoping period, and the initiation of the Section 106 process for the Hudson Tunnel Project was published in the Federal Register on May 2, 2016. The scoping period will end on May 31st.

Project Background

The existing NEC Hudson River rail tunnel beneath the Hudson River is known as the North River Tunnel. **Figure 1**, attached, illustrates the location of the North River Tunnel and its approach tracks. This tunnel is used by Amtrak for intercity passenger rail service and by NJ TRANSIT for commuter rail service. As shown in the figure, the approach to the existing tunnel begins east of NJ TRANSIT's Frank R. Lautenberg Station in Secaucus, New Jersey (which is 5 miles east of Amtrak and NJ TRANSIT's Newark Penn Station). East of the Secaucus station, the NEC has two tracks that approach the tunnel on a raised embankment through the towns of Secaucus and North Bergen, New Jersey. The existing NEC tracks enter a tunnel portal in North Bergen, passing beneath Union City and Weehawken, New Jersey and the Hudson River before emerging within the Penn Station New York (PSNY) rail complex in New York City. The tunnel has two separate tubes, each accommodating a single track for electrically powered trains, and extends approximately 2.5 miles from the tunnel portal in North Bergen to PSNY. The new tunnel would be located close to, and south of, the existing NEC tracks and existing tunnel.

Superstorm Sandy in October 2012 damaged the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. The damage caused by Superstorm Sandy is compounded by the tunnel's age and the intensity of its current use (operating at capacity to meet current demands), resulting in frequent delays due to component failures within the tunnel. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

Statement of Undertaking

The Project, which is also the undertaking for purposes of Section 106, consists of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel's tracks would connect with the NEC to (in New York) the existing rail complex at PSNY.

The purpose of the Project is to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to support reliable service by providing redundant capacity under the Hudson River for Amtrak and NJ TRANSIT NEC trains between New Jersey and the existing PSNY. These improvements must be achieved while maintaining uninterrupted commuter and intercity rail service and by optimizing the use of existing infrastructure.

To perform the needed rehabilitation in the existing North River Tunnel, each of the tunnel's two tubes will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday train service. Removing one tube in the existing North River Tunnel from operation without new capacity in place would reduce weekday service to volumes well below the current maximum capacity of 24 peak direction trains per hour. Therefore, the Project includes construction of two new rail tubes beneath the Hudson River that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation.

Identification of Consulting Parties

Section 106 requires that FRA consult with the New Jersey Historic Preservation Office (NJHPO) and New York State Historic Preservation Office (NYSHPO) to identify parties to participate in the Section 106 process (“consulting parties”). Consulting parties may include local governments, Federally recognized Indian tribes, and individuals and organizations with a demonstrated interest in the undertaking due to the nature of their legal or economic relation to the undertaking or affected historic properties, or their concern with the undertaking’s effects on historic properties. FRA and NJ TRANSIT have identified entities that may be invited to participate in the Section 106 process for the undertaking as consulting parties, in addition to the NJHPO and NYSHPO. In accordance with 36 C.F.R. §800.3, FRA is providing the attached preliminary list of invited consulting parties for your review (see **Attachment**).

If you have any questions or need additional information about this undertaking, please contact Ms. Amishi Castelli, Federal Railroad Administration, at Amishi.Castelli@dot.gov or Dara Callender, NJ TRANSIT, dcallender@njtransit.com. FRA looks forward to working with you on this important rail transportation project.

Sincerely,





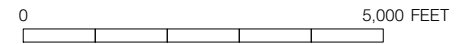
Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



-  Existing North River Tunnel
-  Existing Northeast Corridor





Hudson Tunnel Project
Section 106 Consultation – Potential Consulting Parties

New Jersey Historic Preservation Officer

Kate Marcopul
Acting Administrator for Historic Preservation Office / Deputy SHPO
New Jersey Historic Preservation Office
New Jersey Department of Environmental Protection
Mail Code 501-04B
P.O. Box 420
Trenton, NJ 08625-0420

New York State Historic Preservation Officer

Ruth L. Pierpont
Deputy Commissioner for Historic Preservation / Deputy SHPO
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188

Amtrak

Johnette Davies
Senior Historic Preservation Specialist
Amtrak
30th Street Station
2955 Market Street, Mailbox 55
Philadelphia, PA 19104

Port Authority of New York and New Jersey

Steven Plate
Chief of Major Capital Projects
Port Authority of New York and New Jersey
115 Broadway, 10th Floor
New York, NY 10006

Advisory Council on Historic Preservation (to be invited)

Charlene Dwin Vaughn
Assistant Director, Federal Permitting, Licensing, and Assistance Section
401 F Street NW, Suite 308
Washington, DC 20001

FEDERALLY RECOGNIZED NATIVE AMERICAN TRIBES**Delaware Nation**

Nekole Alligood, Tribal Historic Preservation Officer
Jason Ross, Section 106 Manager
Delaware Nation
ATTN: Cultural Preservation Department
P.O. Box 825
31064 State Hwy 281
Anadarko, OK 73005

Delaware Tribe

Blair Fink and Susan Bachor, Historic Preservation Representatives
Delaware Tribe Historic Preservation Office
P.O. Box 64
Pocono Lake, PA 18347

Delaware Tribe of Indians, Oklahoma

Chester Brooks, Chief
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
170 N.E. Barbara
Bartlesville, OK 74006

Stockbridge-Munsee Community of Mohican Indians of Wisconsin

Sherry White, Tribal Historic Preservation Officer
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
W13447 Camp 14 Road
Bowler, WI 54416

Bonney Hartley, Tribal Historic Preservation Officer – New York Office
Stockbridge-Munsee Community of Mohican Indians
65 1st Street
Troy, NY 12180

Shinnecock Indian Nation

Daniel S. Collins, Sr., Chairperson and Marguerite A. Smith, Esq., Office of Tribal
Trustees/Legal
Shinnecock Indian Nation
Shinnecock Indian Nation Tribal Office
P.O. Box 5006
Southampton, NY 11969-5006

OTHER NATIVE AMERICAN TRIBES

Eastern Delaware Nation

Corrine Remington, Secretary
Eastern Delaware Nation
corrine.remington@yahoo.com

Eastern Lenape Nation of Pennsylvania

Doris Pieschel, Secretary
Eastern Lenape Nation of Pennsylvania
21 Cedar Land
Mountville, PA 17554

Nanticoke Leni-Lenape Indians of New Jersey (State Recognized, NJ)

Mark Gould, Tribal Chairperson
Nanticoke Leni-Lenape Indians of New Jersey
P.O. Box 544
Bridgeton, NJ 08302

**REPRESENTATIVES OF LOCAL GOVERNMENTS
WHERE THE UNDERTAKING MAY TAKE PLACE**

New York City

New York City Landmarks Preservation Commission

Meenakshi Srinivasan, Chair
New York City Landmarks Preservation Commission
Municipal Building
1 Centre Street, 9th Floor, North
New York, NY 10007

Hoboken, NJ

Hoboken Mayor's Office

Dawn Zimmer
Mayor of Hoboken
94 Washington Street
Hoboken, NJ 07030

Hoboken Historic Preservation Commission

Dennis English, Chairperson
Hoboken Historic Preservation Commission
Hoboken City Hall
94 Washington Street
Hoboken, NJ 07030

Jersey City, NJ

Jersey City Mayor's Office

Steven M. Fulop
Mayor of Jersey City
280 Grove Street
Jersey City, NJ 07302

Jersey City Historic Preservation Commission

Robert Cotter, PP, FAICP, Director, Division of City Planning
Jersey City Historic Preservation Commission
30 Montgomery Street
14th Floor, Suite 1400
Jersey City, NJ 07302

North Bergen, NJ

North Bergen Mayor's Office

Nicolas Sacco
Mayor of North Bergen
4233 John F. Kennedy Blvd., Room 100
North Bergen, NJ 07047

Secaucus, NJ

Secaucus Mayor's Office

Michael J. Gonnelli
Mayor of Secaucus
Municipal Government Center
1203 Paterson Plank Rd., 2nd Floor
Secaucus, NJ 07094

Union City, NJ**Union City Mayor's Office**

Brian Stack
Mayor of Union City
3715 Palisade Avenue, 3rd Floor
Union City, NJ 07087

Union City Landmarks Commission

David Spatz
Union City Landmarks Commission
3715 Palisade Avenue
Union City, NJ 07087

Weehawken, NJ**Weehawken Mayor's Office**

Richard F. Turner
Mayor of Weehawken
400 Park Avenue
Weehawken, NJ 07087

Weehawken Historical Commission

Weehawken Public Library
49 Hauxhurst Avenue
Weehawken, NJ 07086

OTHER AFFECTED PARTIES**Hudson River Park Trust**

Noreen Doyle
Executive Vice President
Hudson River Park Trust
Pier 40, 2nd Floor
353 West Street
New York, NY 10014

OTHER ARCHAEOLOGICAL AND HISTORIC RESOURCE INTEREST GROUPS**Archaeology Interest Groups****Archaeological Society of New Jersey**

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

Society for Industrial Archeology

Jim Mackin, President
Roebling Chapter
Society for Industrial Archeology
370 Riverside Drive, Apt. 2B
New York, NY 10025

Professional Archaeologists of New York City (PANYC)

c/o S. Spritzer
P.O. Box 1503
Murray Hill Station
New York, NY 10156-1503

Railroad History Interest Groups

Anthracite Railroads Historical Society

Walter Hoffmann, President
Anthracite Railroads Historical Society
P.O. Box 519
Lansdale, PA 19446

Erie Lackawanna Historical Society

Michael J. Connor, President
c/o David Start, Membership Chairman
Erie Lackawanna Historical Society
22 Ice Plant Road
Lafayette, NJ 07848-2403

National Railway Historical Society, Inc.

John E. Barth, President
National Railway Historical Society, Inc.
North Jersey Chapter
54 Poplar St
Closter, NJ 07624-1036

Railway & Locomotive Historical Society

Tommy Meehan, Chairman
New York Chapter
Railway & Locomotive Historical Society
42 Portland Pl, Fl 2
Yonkers NY 10703-2206

Pennsylvania Railroad Technical & Historical Society

Steve Staffieri, President
Pennsylvania Railroad Technical & Historical Society
Philadelphia Chapter
P.O. Box 356
Merion Station, PA 19066-9998

Tri-State Railway Historical Society, Inc.

Michael Del Vecchio, President
Tri-State Railway Historical Society, Inc.
P.O. Box 1217
Morristown, NJ 07962

United Railroad Historical Society of New Jersey

Larry Gross, President
United Railroad Historical Society of New Jersey
104 Morris Ave
Boonton Township, NJ 07005

National Railway Historical Society

Mr. Richard Wilson, President
Jersey Central Chapter
National Railway Historical Society
PO Box 700
Clark, NJ 07066



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 12, 2016

Ms. Bonney Hartley, Tribal Historic Preservation Officer – New York Office
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
65 1st Street
Troy, NY 12180

Ms. Sherry White, Tribal Historic Preservation Officer
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
W13447 Camp 14 Road
Bowler, WI 54416

**Re: Government-to-Government Consultation with Native American Tribal Governments
pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii))
for the Hudson Tunnel Project; Hudson County, New Jersey, and New York County, New
York**

Dear Ms. Hartley and Ms. White:

The Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the “Proposed Action”), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). The Proposed Action is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. FRA and NJ TRANSIT will serve as joint lead agencies for the EIS.

The Proposed Action would consist of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel’s tracks would connect with the NEC to (in New York) the existing rail complex at Penn Station New York (PSNY). Please see “Project Background” below for more information on the Proposed Action.

As part of the Hudson Tunnel Project, the FRA will comply with Section 106 of the National Historic Preservation Act (36 CFR Part 800) which requires Federal agencies to consider the effects of their actions on historic properties that are listed in or eligible for listing in the National Register of Historic Places, based on an established consultation process. Participants in Section 106 consultation include FRA, NJ TRANSIT, the New York State Historic Preservation Office (NYSHPO), the New Jersey Historic Preservation Office (NJHPO), Native American tribes, representatives of local governments, and other “Consulting Parties.” FRA,

as the lead Federal agency, is contacting you to begin Government-to-Government consultation on this project. FRA is available for formal Government-to-Government consultation at your request.

Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Proposed Action on significant resources, and resolution of any adverse effects that may result from the Proposed Action.

The FRA would also like to notify you that the scoping period for the Hudson Tunnel Project was initiated with a Notice of Intent in the Federal Register on May 2, 2016. Please note that two scoping meetings will be held on the Proposed Action:

- May 17, 2016 at the Hotel Pennsylvania, Gold Ballroom, 3rd Floor, 401 Seventh Avenue at West 33rd Street, New York, New York 10001.
- May 19, 2016 at Union City High School, 2500 Kennedy Boulevard, Union City, NJ 07087.

Each meeting will consist of an afternoon (3-5 PM) and evening (6-8PM) session, with presentations at 4PM and 7PM. Agency representatives and members of the public will be able to review information about the Hudson Tunnel Project, talk informally with members of the study staff, and formally submit comments to the FRA (to a stenographer or in writing). Additional information about the Hudson Tunnel Project, including the full Scoping Document, is available on the project website: www.hudsonstunnelproject.com.

Project Background

The existing NEC Hudson River rail tunnel beneath the Hudson River is known as the North River Tunnel. **Figure 1**, attached, illustrates the location of the North River Tunnel and its approach tracks. This tunnel is used by Amtrak for intercity passenger rail service and by NJ TRANSIT for commuter rail service. As shown in the figure, the approach to the existing tunnel begins east of NJ TRANSIT's Frank R. Lautenberg Station in Secaucus, New Jersey (which is 5 miles east of Amtrak and NJ TRANSIT's Newark Penn Station). East of the Secaucus station, the NEC has two tracks that approach the tunnel on a raised embankment through the towns of Secaucus and North Bergen, New Jersey. The existing NEC tracks enter a tunnel portal in North Bergen, passing beneath Union City and Weehawken, New Jersey and the Hudson River before emerging within the PSNY rail complex in New York City. The tunnel has two separate tubes, each accommodating a single track for electrically powered trains, and extends approximately 2.5 miles from the tunnel portal in North Bergen to PSNY. The new tunnel would be located close to, and south of, the existing NEC tracks and existing tunnel.

Superstorm Sandy in October 2012 damaged the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm damage and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. The damage caused by Superstorm Sandy is compounded by the tunnel's age and the intensity of its current use (operating at capacity to meet current demands), resulting in frequent delays due to component failures within the tunnel. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

To perform the needed rehabilitation in the existing North River Tunnel, each of the tunnel's two tubes will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday train service. Removing one tube in the existing North River Tunnel from operation without new capacity in place would reduce weekday service to volumes well below the current maximum

capacity of 24 peak direction trains per hour. Therefore, the Proposed Action includes construction of two new rail tubes beneath the Hudson River that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation.

The purpose of the Proposed Action is: to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to support reliable service by providing redundant capacity under the Hudson River for Amtrak and NJ TRANSIT NEC trains between New Jersey and the existing PSNY. These improvements must be achieved while maintaining uninterrupted commuter and intercity rail service and by optimizing the use of existing infrastructure.

In closing, we reiterate our invitation to you to meet with FRA representatives for the purpose of conducting Government-to-Government consultation and sharing information as the Hudson Tunnel Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

If you have any questions regarding this matter or are interested in formal Government-to-Government consultation, please contact Ms. Amishi Castelli of the Federal Railroad Administration at Amishi.Castelli@dot.gov or 617-431-4016.

Sincerely,





Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

cc: Rebecca Reyes-Alicea, Northeast Corridor Joint Program Advisor, USDOT Federal Railroad Administration
Amishi Castelli, Environmental Protection Specialist, USDOT Federal Railroad Administration
Jeremy Colangelo-Bryan, Chief of Planning, NJ TRANSIT Capital Planning
RJ Palladino, AICP, PP, Senior Program Manager, NJ TRANSIT Capital Planning
Dara Callender, P.E., Manager, Environmental Compliance, NJ TRANSIT Environment, Energy and Sustainability Unit



 Existing North River Tunnel
 Existing Northeast Corridor

0 5,000 FEET



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 12, 2016

Ms. Blair Fink and Ms. Susan Bachor, Historic Preservation Representatives
Delaware Tribe Historic Preservation Office
Delaware Tribe
P.O. Box 64
Pocono Lake, PA 18347

Re: Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Hudson Tunnel Project; Hudson County, New Jersey, and New York County, New York

Dear Ms. Fink and Ms. Bachor:

The Federal Railroad Administration (FRA) and New Jersey Transit Corporation (NJ TRANSIT) are preparing an Environmental Impact Statement (EIS) to evaluate the Hudson Tunnel Project (the “Proposed Action”), pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality NEPA implementing regulations (40 C.F.R. 1500-1508), and FRA NEPA procedures (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013). The Proposed Action is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. FRA and NJ TRANSIT will serve as joint lead agencies for the EIS.

The Proposed Action would consist of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River. The project site extends from (in New Jersey) the interlocking east of the Secaucus station where the new tunnel’s tracks would connect with the NEC to (in New York) the existing rail complex at Penn Station New York (PSNY). Please see “Project Background” below for more information on the Proposed Action.

As part of the Hudson Tunnel Project, the FRA will comply with Section 106 of the National Historic Preservation Act (36 CFR Part 800) which requires Federal agencies to consider the effects of their actions on historic properties that are listed in or eligible for listing in the National Register of Historic Places, based on an established consultation process. Participants in Section 106 consultation include FRA, NJ TRANSIT, the New York State Historic Preservation Office (NYSHPO), the New Jersey Historic Preservation Office (NJHPO), Native American tribes, representatives of local governments, and other “Consulting Parties.” FRA, as the lead Federal agency, is contacting you to begin Government-to-Government consultation on this project. FRA is available for formal Government-to-Government consultation at your request.

Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Proposed Action on significant resources, and resolution of any adverse effects that may result from the Proposed Action.

The FRA would also like to notify you that the scoping period for the Hudson Tunnel Project was initiated with a Notice of Intent in the Federal Register on May 2, 2016. Please note that two scoping meetings will be held on the Proposed Action:

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- May 19, 2016 at Union City High School, 2500 Kennedy Boulevard, Union City, NJ 07087.

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Project Background

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Sincerely,





Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

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-  Existing North River Tunnel
-  Existing Northeast Corridor

0 5,000 FEET



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 11, 2016

Mr. Bryan Polite; Daniel S. Collins, Sr.; and Eugene Cuffee, II
Trustees
Shinnecock Indian Nation Tribal Office
PO Box 5006
Southampton, NY 11969-5006

Re: Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Hudson Tunnel Project; Hudson County, New Jersey, and New York County, New York

Dear Sirs:

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As part of the Hudson Tunnel Project, the FRA will comply with Section 106 of the National Historic Preservation Act (36 CFR Part 800) which requires Federal agencies to consider the effects of their actions on historic properties that are listed in or eligible for listing in the National Register of Historic Places, based on an established consultation process. Participants in Section 106 consultation include FRA, NJ TRANSIT, the New York State Historic Preservation Office (NYSHPO), the New Jersey Historic Preservation Office (NJHPO), Native American tribes, representatives of local governments, and other “Consulting Parties.” FRA, as the lead Federal agency, is contacting you to begin Government-to-Government consultation on this project. FRA is available for formal Government-to-Government consultation at your request.

Through consultation, we hope to incorporate into the Section 106 process your concerns regarding resources of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the Proposed Action on significant resources, and resolution of any adverse effects that may result from the Proposed Action.

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



Laura Shick
Federal Preservation Officer
U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

Enclosures

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-  Existing Northeast Corridor

0 5,000 FEET



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 11, 2016

Mr. Chester Brooks
Chief
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
5100 Tuxedo Blvd.
Bartlesville, OK 74006

Re: Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Hudson Tunnel Project; Hudson County, New Jersey, and New York County, New York

Dear Mr. Brooks:

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



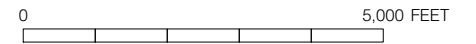
Laura Shick
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U.S. Department of Transportation, Federal Railroad Administration
Environmental & Corridor Planning Division
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Enclosures

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-  Existing North River Tunnel
-  Existing Northeast Corridor





U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE.
Washington, D.C. 20590

May 11, 2016

Ms. Neckole Alligood
Tribal Historic Preservation Officer
Delaware Nation
ATTN: Cultural Preservation Department
PO Box 825
31064 State Hwy 281
Anadarko, OK 73005

Re: Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Hudson Tunnel Project; Hudson County, New Jersey, and New York County, New York

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



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-  Existing North River Tunnel
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FINAL ENVIRONMENTAL IMPACT STATEMENT AND FINAL SECTION 4(f) EVALUATION

APPENDIX 9-3

Area of Potential Effects Memorandum

Hudson Tunnel Project
Section 106 Documentation
Proposed Area of Potential Effects (APE)
December 9, 2016

I Project Overview and Background

The Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) for the Hudson Tunnel Project (the “Project”) in accordance with the National Environmental Policy Act (NEPA). As described in the Notice of Intent (*Federal Register*, May 2, 2016, Vol. 81, No. 84), the Project is intended to preserve the current functionality of the Northeast Corridor’s (NEC) Hudson River rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The Project would consist of construction of a new rail tunnel under the Hudson River connecting to the existing tracks at Penn Station New York (PSNY), including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel (the North River Tunnel) beneath the Hudson River. FRA and NJ TRANSIT are coordinating the NEPA process for the Project with compliance with Section 106 of the National Historic Preservation Act (Section 106).

On October 31, 2016 the FRA and NJ TRANSIT announced that they had identified a Preferred Alternative for the Project. The Project, which is also the undertaking for purposes of Section 106, would include the following major components:

- Two new surface tracks parallel to the south side of the NEC beginning east of Secaucus Junction station in Secaucus, New Jersey;
- A new tunnel with two tracks in two separate tubes beneath the Palisades and continuing east of the Palisades beneath Hoboken, New Jersey, and beneath the Hudson River to Manhattan. In New Jersey, the tunnel would begin at a portal in the western slope of the Palisades near Tonnelle Avenue (US Routes 1 & 9), in North Bergen, New Jersey. The new portal would be approximately 600 feet south of the existing North River Tunnel portal.
- A new tunnel ventilation shaft and fan plant in Hoboken, New Jersey, on land NJ TRANSIT previously acquired for another project, the Access to the Region’s Core (ARC) project. The vent shaft/building would provide fresh air to the tunnels and exhaust smoke during emergencies.
- Two new tracks continuing in Manhattan, New York, beneath Hudson River Park and NYS Route 9A (West Side Highway) to meet the underground right-of-way being preserved by Amtrak through the John D. Caemmerer Yard (Western and Eastern Rail Yards) in Manhattan.
- A new tunnel ventilation shaft and fan plant at Route 9A and West 30th Street in Manhattan.
- A new fan plant beneath the Lerner Building at 450 West 33rd Street in Manhattan, New York.
- Two new tracks running through the right-of-way being preserved through the Western and Eastern Rail Yards, to connect to the existing approach tracks that serve PSNY.

- Track connections to the existing approach tracks that lead into PSNY.
- Rehabilitation of the existing North River Tunnel.

The new tunnel would be constructed predominantly using Tunnel Boring Machine (TBM) technology, with construction staging areas located at the tunnel portal and vent shaft site in New Jersey. The staging area at the tunnel portal in New Jersey would also be used for rehabilitation of the existing tunnel once the new tunnel is complete. A construction staging site would also be located at the vent shaft site in Manhattan. In-water construction activities would be required to modify river bottom soils in order to construct a segment of the tunnel that must be relatively shallow beneath the Hudson River; these activities would occur in a small area of the Hudson River near the Manhattan shoreline.

Once the North River Tunnel rehabilitation is complete, both the old and new tunnel would be in service, providing redundant capacity and increased operational flexibility for Amtrak and NJ TRANSIT.

II Development of the Area of Potential Effects

Section 106 requires Federal agencies to take into account the potential effects of their actions on historic properties. A required step in the Section 106 process is determining the Area of Potential Effects (APE), which is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]). Historic properties are buildings, structures, sites, objects, or districts that are listed in or eligible for listing in the National Register of Historic Places (NRHP). The APE is influenced by the scale and nature of an undertaking.

The proposed APE described herein has been developed by FRA and NJ TRANSIT to account for potential direct and indirect effects of the Project on historic properties, based on the conceptual design for the Project available at this time. One APE is proposed, which has been subdivided to indicate the areas in which the Project could cause potential direct effects and the areas in which the Project could cause potential indirect effects. In general, potential effects on historic properties can include both direct physical effects—subsurface disturbance of buried resources, demolition, alteration, or damage from construction of a resource—and indirect effects, such as the isolation of a historic property from its surrounding environment, or the introduction of visual, audible, or atmospheric (e.g., pollutants) elements that are out of character with a property or that alter its historic setting and context (e.g., contextual effects).¹ Adverse effects can occur if a project would cause a change in the quality of a property that qualifies it for inclusion in the NRHP.

FRA and NJ TRANSIT anticipate that the following types of construction activities and permanent features would be necessary for the Project:

- Construction of a new tunnel under the Palisades in New Jersey, beginning at a portal east of Tonnelle Avenue and continuing under the Hudson River, containing two new tracks in two separate tubes (via TBM)

¹ National Register Bulletin, Defining Boundaries for National Register Properties, prepared by the National Park Service.

- Rehabilitation of the existing passenger rail tunnel under the Hudson River, the North River Tunnel
- Construction of new surface tracks along and connecting to the existing NEC, including a segment of retained fill, segments of embankment, and new viaduct segments
- Construction of an access road for new surface tracks in Secaucus and North Bergen in New Jersey south of the existing NEC, including a temporary access road for use during construction as well as a permanent access road in some locations for use by Amtrak maintenance crews.
- A construction access road to the ventilation shaft site in Hoboken in New Jersey to facilitate truck movements to and from the site. Two potential routes for that access road are being evaluated.
- Cut and cover excavation for a section of the new tunnel between Tonnelle Avenue and Paterson Plank Road in North Bergen, New Jersey and sections of the new tunnel beneath West 30th Street and Tenth Avenue in Manhattan, New York
- Construction staging areas east and west of Tonnelle Avenue in North Bergen, New Jersey and south of West 18th Street in Hoboken, New Jersey and on the block bounded by Eleventh and Twelfth Avenues and West 29th and West 30th Streets in Manhattan, New York
- Ventilation shafts to be constructed at a location south of West 18th Street in Hoboken, New Jersey and on the block bounded by Eleventh and Twelfth Avenues and West 29th and West 30th Streets in Manhattan, New York
- New fan plants at the ventilation shaft sites in Hoboken, New Jersey and Manhattan, New York and a new fan plant beneath and within the Lerner Building in Manhattan, New York
- Ground improvements between the proposed construction staging area and Willow Avenue in Hoboken, New Jersey and between the Hudson River bulkhead and Route 9A/Twelfth Avenue in Manhattan, New York
- Underpinning of structures which includes the Willow Avenue Bridge in Hoboken, New Jersey and the Lerner Building at 450 West 33rd Street in Manhattan, New York
- In-water ground improvement within the Hudson River
- Construction through the Hudson River bulkhead in Manhattan, New York
- Installation of tracks and infrastructure within the right-of-way being preserved through the Western and Eastern Rail Yards in Manhattan, New York

The following two components of the Project do not have the potential to affect historic properties and, therefore, an APE for Direct and Indirect Effects has not been defined for these Project components:

- Deeply Bored Hudson Tunnel: The portions of the new tunnel that would be deeply bored in New Jersey beneath the Palisades, the land area east of the Palisades, and beneath the river to a point just east of the New Jersey/New York State Line in the Hudson River in New York are not included in the APE as construction impacts associated with boring in the bedrock or tunneling in the deep sediments of the Hudson River do not have the potential to affect archaeological and historic resources because:
 - Archaeological and historic resources are not anticipated to be located within the rock or deep soils being bored in these areas.

- Based on analyses conducted as part of a previous project, because of the tunnel's depth (approximately 250 to 300 feet beneath the Palisades, and 80 feet below the land surface in Hoboken, New Jersey between the Palisades and the New Jersey shoreline of the Hudson River), TBM operations and operations of trains within the completed tunnel in these areas would not result in vibration impacts to structures above.²
- Installation of tracks and infrastructure within the right-of-way being preserved through the Western and Eastern Rail Yards in Manhattan: Amtrak is currently constructing an underground right-of-way preservation project that consists of a concrete casing beneath the Eastern and Western Railyards in Manhattan to preserve the right-of-way for trains to reach PSNY from a new Hudson River tunnel. The concrete casing extends through the Western Railyard from West 30th Street to Eleventh Avenue, beneath Eleventh Avenue, and through the Eastern Railyard to Tenth Avenue. The right-of-way preservation project is being completed separately from the Hudson Tunnel Project and has previously been evaluated pursuant to NEPA in Environmental Assessments dated March 2013 and August 2014, both of which included Section 106 review³. The Hudson Tunnel Project would install tracks and equipment within this concrete casing, which does not have the potential to affect historic or archaeological resources.

The proposed APE for the Project components that have the potential to affect historic properties is discussed in greater detail below. The locations of these Project components – where direct effects could occur – and the areas delineated to assess potential indirect effects of the Project on historic properties are depicted in **Figures 1 and 2**.

² Federal Transit Administration - U.S. Department of Transportation and NJ TRANSIT. *Access to the Region's Core in Hudson County, New Jersey and New York County, New York Final Environmental Impact Statement*, October 2008. Table 5.7-1: TBM Vibration Levels of Chapter 5.7, "Construction-Related Noise and Vibration Impacts" of the *Final Environmental Impact Statement* provides the anticipated peak particle velocity (PPV) values (inches per second or "in/sec") for TBM diameter types and the tunneling mediums (which include bedrock, glacial till/dense sand, soft river silt/clay) representative of the potentially affected areas in New Jersey, the Hudson River, and New York for that project. The PPV values in Table 5.7-1 for tunneling via TBM in bedrock at a distance of 200 feet and in glacial till/dense sand and soft river silt/clay at a distance of 82 feet are well below the Federal Transit Administration's vibration damage threshold for "fragile buildings," established at 0.2 inches in/sec and "extremely fragile" buildings, established at 0.12 in/sec (*Transit Noise and Vibration Impact Assessment*, FTA-VA-90-1003-06, May 2006). As shown in Table 5.7-1, a TBM with an 8 meter diameter utilized in bedrock would have a PPV value of 0.0072 in/sec at a distance of 200 feet and a PPV value of 0.015 in/sec and 0.0015 in/sec at a distance of 82 feet in glacial till/dense sand and soft river silt/clay, respectively. The PPV values for the proposed Hudson Tunnel Project would be anticipated to be similar or less, as the Project includes tunneling via TBM beneath the Palisades in bedrock at depths of 250 to 300 feet, and tunneling via TBM through bedrock, glacial till, and silty sands below the land surface between the Palisades and the New Jersey Hudson River shoreline at a depth of 80 feet.

³ National Railroad Passenger Corporation (Amtrak) and Federal Railroad Administration (FRA). *Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York, March 2013 and Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York, August 2014*.

III Description of Project Components and the Proposed Area of Potential Effects

Direct effects may include physical alteration, damage or demolition of an historic property. The area where there is the potential for the Project to cause direct effects includes locations where construction of Project components would occur, with the exception of the two Project components mentioned above—the deeply bored new tunnel and installation of tracks and infrastructure within the right-of-way being preserved through the Western and Eastern Rail Yards.

The proposed APE for Indirect Effects was developed to encompass any potential indirect effects resulting from Project construction activities and permanent features such as noise, vibration, and changes in visual qualities and setting. Indirect effects include the introduction of elements in the setting of a historic property that may alter any of the characteristics that qualify the subject historic property for inclusion in the NRHP in a manner that would diminish the property's historic significance and integrity. Examples of adverse effects that are indirect provided in 36 CFR § 800.5 (a)(2) include, but are not limited to, “change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance,” and the “introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features.” Indirect adverse effects can occur when the introduction of project elements isolates a historic property from components in the resource's setting with which it had a meaningful historical association. Indirect adverse effects can also occur when project elements would change a historic property's setting or overall feeling, through the introduction of noise, traffic, or incompatibly designed built features in its immediate vicinity.

The proposed APE for Indirect Effects takes into account potential construction-related effects, such as noise and vibration, that could occur to proximate historic properties, as well as the visibility of above-grade Project components, including the addition of new tracks and a construction access road along the NEC west of the Palisades in New Jersey, construction of a new tunnel portal in New Jersey, and the construction of fan plants in New Jersey and New York. The proposed APE for Indirect Effects includes the geographic area in which the Project may cause changes in the character of historic properties, if they exist. The proposed APE for Indirect Effects is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking. For the permanent visual components of the Project, the proposed APE encompasses a larger area, to account for potential visual impacts. The delineation of the APE for Indirect Effects takes into consideration topography, vegetation, and other intrusions (such as the existing built environment) that diminish sight lines. Field reconnaissance and information regarding the characteristics of the Project components were utilized to determine the proposed APE for Indirect Effects for the permanent visual components of the Project.

Rehabilitation of North River Tunnel

Work associated with rehabilitation of the existing North River Tunnel is included in the proposed APE for Direct Effects, since the North River Tunnel is a known National Register eligible property. However, as the work is anticipated to occur within the existing tunnel, there would be no potential for the rehabilitation work to affect archaeological resources.

Work associated with rehabilitation of the North River Tunnel would not introduce any permanent visual components of the Project above grade, as work would be undertaken within the existing tunnel. The

proposed APE will include a 100-foot buffer to account for potential construction-related impacts (e.g., construction vibration) in the vicinity of the existing tunnel portal in New Jersey, where materials and construction equipment are anticipated to be transported in and out of the tunnel and where it is also possible that a temporary trestle would be constructed over the NEC to transfer materials and equipment for the tunnel rehabilitation.

Construction of New Surface Tracks Along and Connecting to the Existing NEC

Work areas associated with the construction of the new surface tracks on a segment of retained fill, a segment of embankment, and a new viaduct segment and their connection to the NEC are included in the APE for Direct Effects, as at-grade and subsurface ground disturbance is expected to occur during these activities, which could directly impact archaeological resources if any are present.

The construction of the new surface tracks alongside the existing NEC has the potential to introduce permanent visual components that could result in indirect effects on historic properties. In the area east of Secaucus Road in North Bergen, New Jersey, the existing NEC tracks and associated railroad infrastructure limit the potential for visual impacts to the north and east, as the new tracks would be constructed south of the existing NEC. For this reason, the proposed APE for Indirect Effects in this area is limited to a 100-foot buffer to account for potential construction-related impacts. At Tonnelle Avenue in North Bergen, New Jersey, in the location of a new bridge under which the new tracks would pass, the proposed APE for Indirect Effects has been expanded to account for the visibility of this permanent Project feature (see **Figures 1, 3 and Figure 4, Photograph 2**). Where the proposed tracks join with the existing NEC right-of-way in the vicinity of Secaucus Road and west, there is potential for visibility of the Project on both sides of the NEC.

Access Road for New Surface Tracks

An access road is proposed alongside the new surface tracks in Secaucus and North Bergen, New Jersey, and is included in the proposed APE for Direct Effects because creation of the access road would involve ground disturbance, which could directly impact archaeological resources if any are present (see **Figure 1; Figure 4, Photograph 3; and Figures 5 and 6**).

The access road would have temporary (for construction access) and permanent (for maintenance) sections. Permanent portions of the access road would not be expected to have any greater visibility than the construction of the new surface tracks alongside the NEC, and, therefore, the proposed APE for Indirect Effects falls within the APE for Indirect Effects for the construction of the new surface tracks along and connecting to the NEC, described above.

Cut and Cover Excavation

Cut-and-cover construction is a proven method typically undertaken for shallow tunnels, where a trench is excavated and the tunnel is constructed within the trench. The walls of the trench are typically supported by metal sheeting and cross-beams to prevent collapse. Work in areas where tunnel cut-and-cover activities would occur are included in the proposed APE for Direct Effects as these areas would require ground disturbance which has the potential to directly impact archaeological resources if any are present. These locations include the area of tunnel between Tonnelle Avenue and Paterson Plank Road at the location of the tunnel portal in North Bergen, New Jersey, and at the tunnel alignment as it crosses both

West 30th Street and Tenth Avenue in Manhattan, New York (see **Figures 1 through 3 and Figure 10**). Work in areas where tunnel cut-and-cover activities would occur would not introduce any permanent above-ground visual components. As such, the proposed APE for Indirect Effects for this Project component is limited to a 100-foot buffer to account for potential construction-related impacts.

New Tunnel Portal

The new tunnel would begin at a new tunnel portal in the face of the Palisades in North Bergen, New Jersey, east of Tonnelle Avenue (see **Figures 1, 3 and 9**). The proposed APE for Direct Effects includes the location of the tunnel portal where excavation would occur. The proposed APE for Indirect Effects for this permanent visual component encompasses a 100-foot buffer area that accounts for potential construction-related impacts, and has also been adjusted to include a larger area east of Tonnelle Avenue and north and south of the proposed tunnel portal to account for the potential visibility of the new tunnel portal.

Construction Staging Areas

The construction staging areas in New Jersey and in New York are included in the proposed APE for Direct Effects as at-grade and subsurface ground disturbance would occur in these areas, which could directly impact archaeological resources if any are present. Construction staging areas are anticipated to be located:

- East and west of Tonnelle Avenue in North Bergen in New Jersey (see **Figures 1 and 3; Figure 4, Photograph 2 and Figure 7, Photograph 8**),
- South of West 18th Street in Hoboken, New Jersey (see **Figure 1 and Figure 7, Photograph 9**), and
- On the block bounded by Twelfth and Eleventh Avenues and West 28th and West 29th Streets in Manhattan, New York (see **Figure 2; Figure 10, Photograph 1 and Figure 11, Photograph 3**).

The construction staging areas in New Jersey and New York would not introduce any permanent visual components. Therefore, the proposed APE for Indirect Effects for this Project component is limited to a 100-foot buffer to account for potential construction-related impacts.

Ventilation Shafts and Fan Plants

The APE for Direct Effects includes the sites where ventilation shafts would be constructed, which would include approximately 125-foot-diameter shafts leading from the tunnel to the surface as well as fan plant buildings constructed above the shafts, since at-grade and subsurface ground disturbance would occur, and could directly impact archaeological resources if any are present. In New Jersey, a ventilation shaft and fan plant is proposed on a site south of West 18th Street in Hoboken (where a construction staging area is also proposed) (see **Figure 1 and Figure 7, Photograph 9**). In New York, the ventilation shaft and associated fan plant is proposed on the block bounded by Twelfth and Eleventh Avenues and West 29th and West 30th Streets, where a construction staging area is also proposed (see **Figure 2 and Figure 11, Photograph 3**).

The sites where permanent ventilation shafts and associated fan plants would be constructed are also included in the proposed APE for Indirect Effects as the proposed fan plant buildings could stand up to 65 feet above grade in New Jersey and 150 feet above grade in New York and would constitute permanent

visual components that could affect the context or setting of nearby architectural historic properties, if any are present. For the proposed fan plant building in New Jersey, the proposed APE for Indirect Effects includes buildings south to 16th Street, east to Willow Avenue, and north to West 19th Street, as well as certain properties to the north and west along the ridge of the Palisades that have direct lines of sight to the area below that are not blocked by existing vegetation or other intrusions. For the fan plant building proposed on the block bounded by Twelfth and Eleventh Avenues and West 29th and West 30th Streets in New York, the proposed APE for Indirect Effects includes properties south to West 26th Street, portions of the Western and Eastern Railyards to the north, and properties between Eleventh and Tenth Avenues to the east.

In addition, a fan plant is proposed beneath and within the Lerner Building at 450 West 33rd Street (between Dyer and Tenth Avenues and West 31st and West 33rd Streets) in Manhattan to provide ventilation from the portion of the new tunnel between the proposed Twelfth Avenue ventilation building and PSNY's existing "A" Yard (see **Figure 2 and Figure 10, Photograph 2**). It is anticipated that new horizontal slats (venting louvers) would be installed on a façade of the Lerner Building for intake and exhaust of air from the fan plant. Therefore the proposed APE for this Project component consists of the Lerner Building itself as well as the properties surrounding the building from which the Lerner Building is visible.

Construction Access Road for Ventilation Shaft Site in New Jersey

A construction access road to provide truck access to the Hoboken construction staging site is proposed along the north side of the existing NJ TRANSIT Hudson-Bergen Light Rail (HBLR) in Hoboken, New Jersey (see **Figure 1**). The route would connect the local roadway system to the shaft site using the local roadways of Willow Avenue and Park Avenue and this new access road to be constructed. Trucks would be routed to the staging area via either southbound Park Avenue (adjacent to the Park Avenue viaduct) or southbound Willow Avenue (adjacent to the Willow Avenue viaduct) and would leave the staging area via northbound Willow Avenue (adjacent to the Willow Avenue viaduct). If the southbound Willow Avenue route is used, this would require demolition of the corner of a large building located north of the HBLR on the west side of Willow Avenue. (1714 Willow Avenue). The large building occupies almost a full block; the area that would have to be demolished would be a small one-story extension to the building. The new construction access road is included in the proposed APE for Direct Effects because creation of the access road would involve ground disturbance, which could directly impact archaeological resources if any are present, and because of the potential for demolition of a portion of a standing structure.

The construction access road would not introduce any permanent visual components. The proposed APE for Indirect Effects for this Project component is primarily limited to a 100-foot buffer to account for potential construction-related impacts but also includes the blocks to the north, west, south, and east of the block containing the building extension that may be demolished, to account for visual change associated with the potential demolition.

Ground Improvement

Work at ground improvement locations in New Jersey and New York are included in the proposed APE for Direct Effects as this Project component would include subsurface ground disturbance to stabilize

soils that could directly impact archaeological resources if any are present. In New Jersey, work is anticipated to occur in selected locations along the tunnel route between the construction staging area and Willow Avenue in Hoboken (see **Figure 1 and Figure 8, Photograph 10**). In New York, ground improvements are anticipated along the tunnel route between the Hudson River bulkhead and the eastern edge of Route 9A / Twelfth Avenue (see **Figure 2; Figure 11, Photograph 4 and Figure 12, Photograph 5**).

Work at ground improvement locations consists of construction activities that would not introduce any permanent visual components upon Project completion. As such, the proposed APE for Indirect Effects for this Project component is limited to a 100-foot buffer to account for potential construction-related impacts.

Underpinning of Structures

Underpinning, which consists of the strengthening of the below grade foundations of an existing building or structure, may be required for certain structures in New Jersey and in New York. In Hoboken, New Jersey, underpinning of the Willow Avenue viaduct may be required above the tunnel alignment (see **Figure 1 and Figure 8, Photograph 11**). In New York, underpinning may be required beneath the Lerner Building at 450 West 33rd Street (between Dyer and Tenth Avenues and West 31st and West 33rd Streets) because of changes to track layout beneath the building (see **Figure 2 and Figure 10, Photograph 2**).

Underpinning the foundations of the Willow Avenue Bridge and the Lerner Building would not result in permanent visible components. Therefore, the proposed APE for Indirect Effects for this work is limited to a 100-foot buffer to account for potential construction-related impacts.

In-Water Ground Improvement in the Hudson River in New York

As the new tunnel passes beneath the Hudson River in New York, one segment of the tunnel would require ground improvement to the river bottom because the tunnel would be relatively shallow in this location. This work would result in ground-disturbing activities that could directly impact archaeological resources if any are present.

Work within the Hudson River would not result in permanently visible Project components and, therefore, an APE for Indirect Effects was not delineated for this Project component. The proposed APE for Direct Effects for this Project component consists of the limits of the ground disturbance itself.

Shallowly Bored Hudson Tunnel in the Hudson River in New York

Because the new bored tunnel in the Hudson River would be more shallowly bored in relation to the existing river bottom near the New York shoreline, the proposed APE in the Hudson River will extend from the western side of the area of proposed in-water construction to the western face of the Hudson River bulkhead. Portions of the Hudson River riverbed and buried potentially Holocene-era sediments would be disturbed in this area.

As work within the Hudson River would not result in permanent visible components, an APE for Indirect Effects was not delineated and the proposed APE for Direct Effects for this Project component includes the location of the proposed tunnel work itself.

Construction through the Manhattan Bulkhead in New York

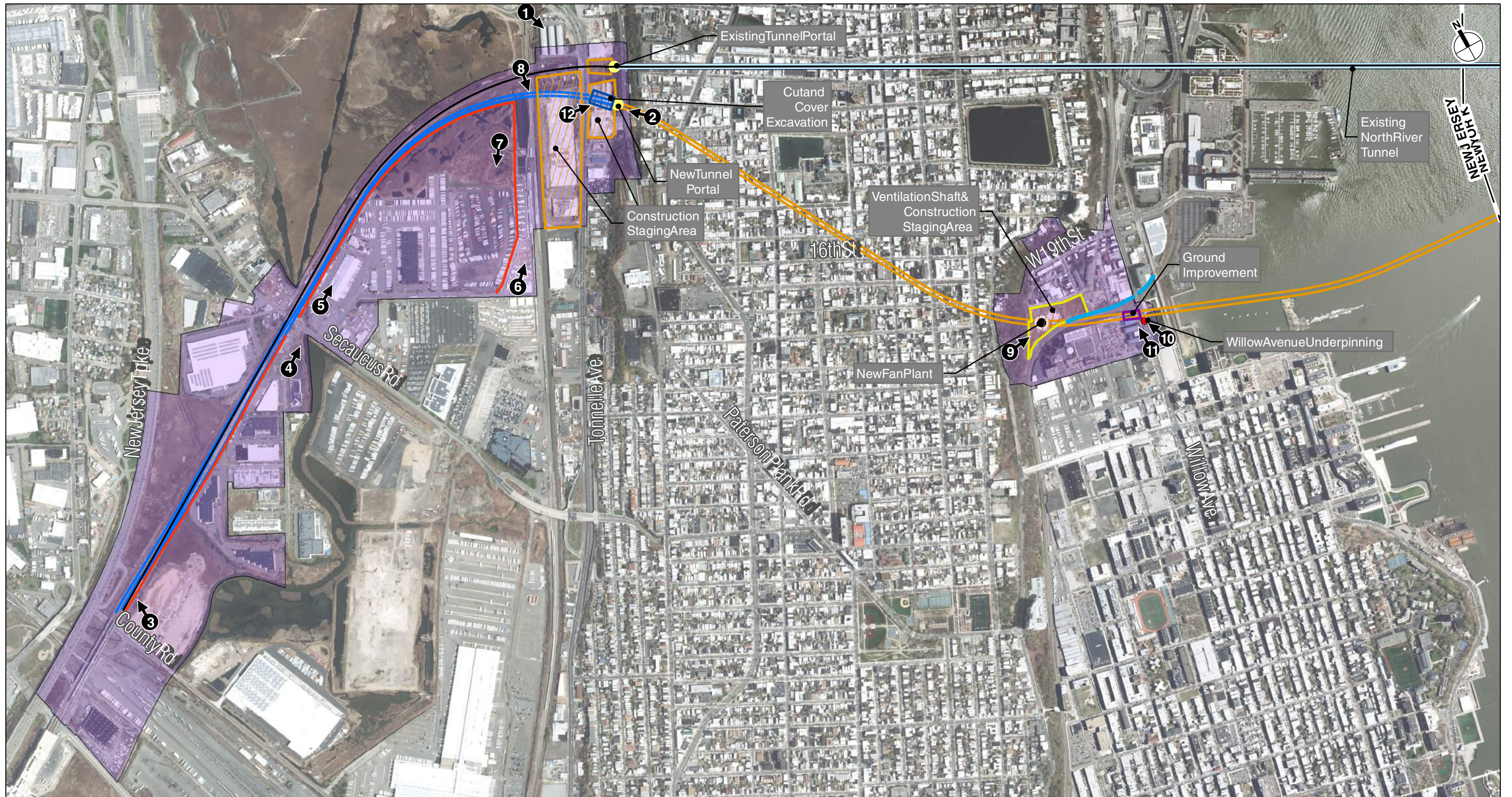
Construction of the new tunnel would require that the TBM pass directly through the pile foundation of the existing National Register-eligible Hudson River bulkhead (see **Figure 2 and Figure 11, Photograph 4**). The location where the TBM will pass through the bulkhead foundation is included in the proposed APE for Direct Effects because the tunneling activity would directly affect this structure. This work would occur entirely underground and would not be visible, and therefore, the proposed APE for Indirect Effects for this Project component is limited to a 100-foot buffer to account for potential construction-related impacts.





IV Summary of Project Components and Proposed APE

The Project components and the associated APE for each component are summarized in Table 1, below.

**Table 1
Summary of APE**






Project Component	Location	Direct Effects APE	Indirect Effects APE
Deeply Bored Hudson Tunnel	NJ, NY		
Right-of-Way Being Preserved through the Western and Eastern Railyards	NY		
Rehabilitation of North River Tunnel	NJ, NY	✓	
New Surface Tracks Along NEC	NJ	✓	✓
Access Road for New Surface Tracks	NJ	✓	✓
Cut and Cover Excavation	NJ, NY	✓	✓
New Tunnel Portal	NJ	✓	✓
Construction Staging Areas	NJ, NY	✓	✓
Ventilation Shafts	NJ, NY	✓	✓
Fan Plants	NJ, NY	✓	✓
Construction Access Road for Ventilation Shaft Site	NJ	✓	✓
Ground Improvement	NJ, NY	✓	✓
Underpinning of Structures	NJ, NY	✓	✓
In-Water Ground Improvement	NY	✓	
Shallowly Bored Hudson Tunnel in Hudson River	NY	✓	
Construction Through Manhattan Bulkhead	NY	✓	✓



 PhotoReferenceNo.and ViewDirection(seeFigures3-9)
 ExistingNortheastCorridor
 NewDeeplyBoredTunnel


 AreaofPotentialEffectforIndirectEffects

AreaofPotentialEffectforDirectEffects

 AccessRoadforNewSurfaceTracks
 NewSurfaceTracks
 TunnelPortal
 NewFanPlant
 ExistingNorthRiverTunnel

 VentilationShaft&ConstructionStagingArea
 GroundImprovement
 ConstructionStagingArea
 CutandCoverExcavation

 ConstructionAccessRoadto VentilationShaftSite
 Underpinning

0 1,000 FEET

AreaofPotentialEffects-NewJersey
Figure1

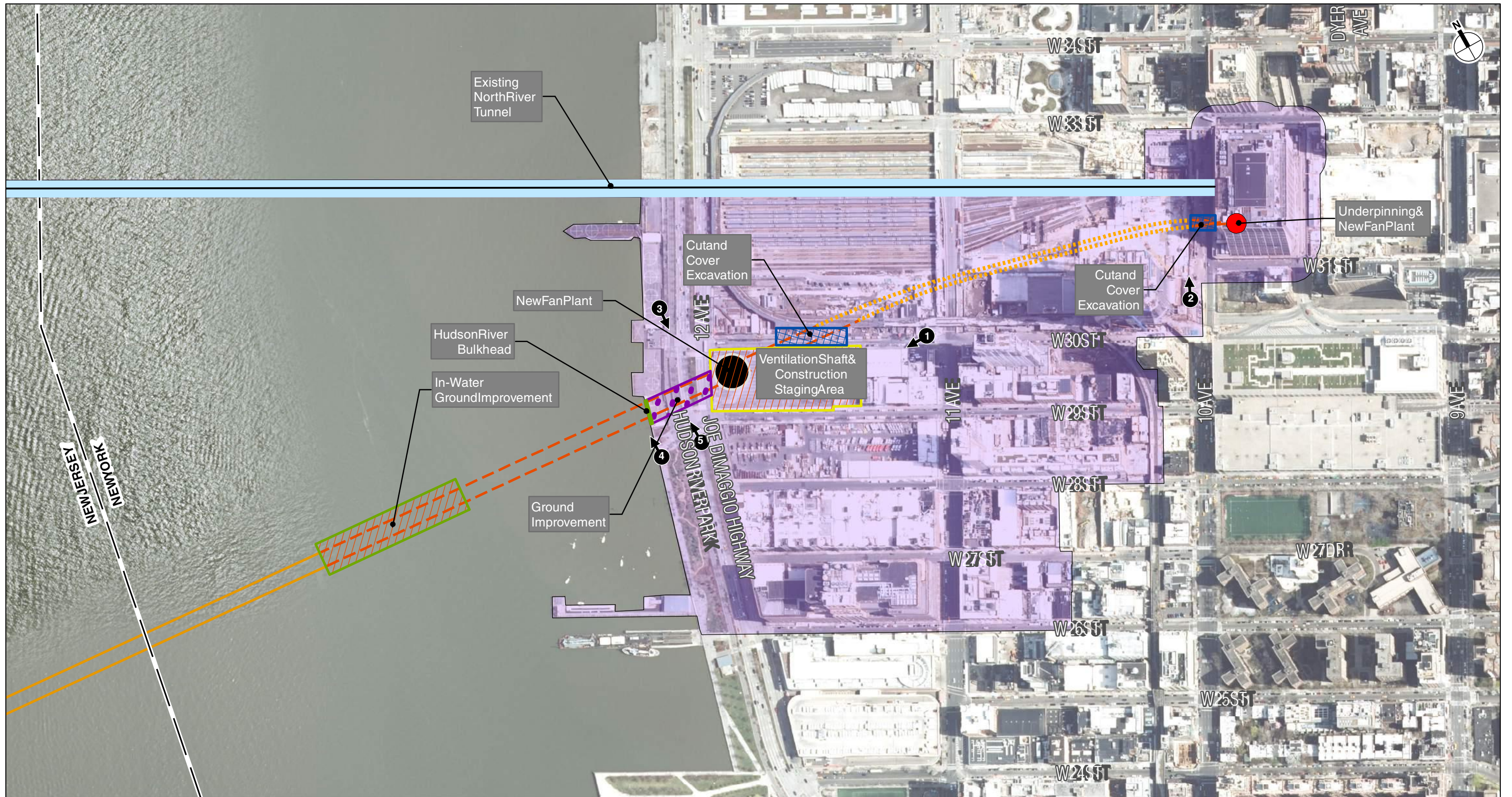


Photo Reference No. and View Direction (see Figures 10-12)
 Existing Northeast Corridor
 Deeply Bored New Tunnel

Right-of-way being preserved through the Western and Eastern Railyards
 Area of Potential Effect for Indirect Effects

Area of Potential Effect for Direct Effects
 New Fan Plant
 Existing North River Tunnel
 Shallowly Constructed New Tunnel

Ventilation Shaft & Construction Staging Area
 Ground Improvement
 Construction Staging Area

In-Water Ground Improvement
 Cut and Cover Excavation
 Underpinning

0 1,000 FEET

Area of Potential Effects-New York
Figure 2

Source: Google Imagery, 2016.



Location: North Bergen, NJ

Aerial view southeast of the existing tunnel portal, Tonnelle Avenue, and proposed locations of the new tunnel portal and construction staging areas.

1

*Location: North Bergen, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View northwest from Paterson Plank Road of the existing NEC, Tonnelle Avenue, and proposed construction staging areas east and west of Tonnelle Avenue.

2

*Location: Secaucus, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View northeast from County Road of the existing NEC and the location of the proposed access road.

3

*Location: Secaucus, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View northeast on Penhorn Avenue, west of Secaucus Road, of the existing NEC and location of a proposed entry to the access road. 4

*Location: North Bergen, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View northeast from Secaucus Road of the existing NEC and location of a proposed entry to the access road. 5

*Location: North Bergen, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: October 28, 2016*



View northeast in the location of the proposed access road, north of 16th Street. **6**

*Location: North Bergen, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: October 28, 2016*



View southwest of the location of the proposed access road within the Hackensack Meadowlands. **7**

*Location: North Bergen, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View southeast of the locations of the proposed construction staging area west of Tonnelle Avenue.

8

*Location: Hoboken, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View east of the location of the ventilation proposed shaft site and construction staging area.

9

*Location: North Bergen, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View northwest of the location of potential ground improvements west of Willow Avenue. **10**

*Location: North Bergen, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View north of the potential underpinning location at the Willow Avenue Bridge. **11**

*Location: North Bergen, NJ
Photographer: Teresa D. Bulger, RGA, Inc.
Date: November 4, 2016*



View northeast of the proposed new tunnel portal location. **12**

Location: Manhattan, NY
Photographer: Claudia Cooney, AKRF, Inc.
Date: October 11, 2016



View southwest on West 30th Street west of Eleventh Avenue, including the block where the proposed ventilation shaft site and construction staging area would be located. **1**

Location: Manhattan, NY
Photographer: Claudia Cooney, AKRF, Inc.
Date: October 11, 2016



View northeast on Tenth Avenue, including the Lerner Building on the east side of Tenth Avenue between West 31st and West 33rd Streets. **2**

*Location: Manhattan, NY
Photographer: Erica Mollon, AKRF, Inc.
Date: November 30, 2016*



View southeast at Twelfth Avenue and West 30th Street of the location of the proposed ventilation shaft site, fan plant, and construction staging area. **3**

*Location: Manhattan, NY
Photographer: Erica Mollon, AKRF, Inc.
Date: November 30, 2016*



View north at the the Hudson River bulkhead in the location where the new tunnel would cross through the bulkhead and where ground improvements would also be needed to construct the tunnel. **4**

*Location: Manhattan, NY
Photographer: Erica Mollon, AKRF, Inc.
Date: November 30, 2016*



View north on Route 9A/Twelfth Avenue towards the location where ground improvements would occur to construct the new tunnel. The location of the proposed ventilation shaft site and fan plant is on the right.

5