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HPO-12008-258 PROD

(Log # 06-1368)

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**State of New Jersey**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Natural and Historic Resources, Historic Preservation Office

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**JON S. CORZINE**  
Governor

**LISA P. JACKSON**  
Commissioner

September 30, 2008

AB-167  
SUB-1185X

Mr. Vernon A. Williams  
Secretary

Surface Transportation Board

1925 K Street, NW

Washington, D.C. 20423-0001

Attention: Ms. Catherine Glidden, Section on Environmental Analysis

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Office of Proceedings

OCT 1 6 2008

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Public Record

Re Mercer County, Hamilton Township and Robbinsville (formerly Washington) Township  
Route 33 Bridge Replacement over Conrail Robbinsville Industrial Track

Dear Mr. Williams:

The Historic Preservation Office (HPO) is writing to clarify the status of the Section 106 consultation for the replacement of the Route 33 Bridge over the Conrail Robbinsville Industrial Track. Section 106 consultation among the Federal Highway Administration (FHWA), the New Jersey Department of Transportation (NJDOT), and the State Historic Preservation Office for the replacement of the Route 33 Bridge over the Robbinsville Industrial Track (RIT) resulted in a determination that the project would adversely affect the National Register of Historic Places eligible Camden and Amboy Railroad Historic District.

Measures to mitigate the adverse effect of the Route 33 project on the Camden and Amboy Railroad Historic District were developed and included in a Memorandum of Agreement (MOA), pursuant to 36 CFR §800.6, that was fully executed on September 22, 2005 (copy attached). In the MOA, FHWA and NJDOT committed to "maintain the physical, functional, operational and visual integrity of the Camden and Amboy Railroad Historic District." Implementation of the current design, including the removal of rails and ties limited to the Route 33 project area in the plans submitted to the HPO, will maintain the integrity of the historic district and will not preclude the future re-use of the historic corridor for cultural, recreational, and/or transportation purposes. As such, Section 106 consultation for the Route 33 Bridge over the RIT has been completed, and project construction may proceed in accordance with the plans submitted to and reviewed by the HPO. Please note that with the inclusion of the re-grading of the railroad right-of-way beyond the right-of-way of Route 33, at the completion of construction of the NJDOT Route 33 crossing, the Camden and Amboy Railroad Historic District will still

retain the qualities that make it eligible for listing on the National Register of Historic Places

While Section 106 consultation has been completed for the proposed Route 33 Bridge Replacement project over the RIT, Section 106 consultation for the proposed abandonment of the Robbinsville Industrial Track, as proposed by Conrail, is ongoing. Previous HPO and public consultation comments stated that the abandonment of the Robbinsville Industrial Track, as proposed by Conrail, would have an adverse effect upon the National Register eligible Camden and Amboy Railroad Historic District. These comments also requested that the Surface Transportation Board (STB) deny the submitted application for abandonment of this irreplaceable regional historic and transportation asset and retain full regulatory jurisdiction over the railroad right-of-way until consultation among all identified consulting parties thoroughly explored and fully negotiated a no adverse effect alternative pursuant to 36 CFR §800. If additional consultation on the proposed abandonment of the RIT results in an adverse effect finding, the STB will need to explore ways to avoid, minimize, or mitigate the adverse effect, pursuant to 36 CFR 800.6(a).

I thank you for your attention in this matter. We look forward to continuing Section 106 consultation with the STB and the other consulting parties for the proposed action. Please do not hesitate to contact Charles Scott of my staff at (609) 633-2396 with any questions.

Sincerely,



Daniel D. Saunders  
Deputy State Historic  
Preservation Officer and  
Acting Administrator

Cc Amy Cradic – Assistant Commissioner for Natural and Historic Resources  
Robert M. Miller, Acting Assistant Commissioner, NJDOT  
Kathy Harris, ACHP  
John K. Enright, Conrail  
Dominick Critelli, NJDOT  
Richard Roberts, NJ Transit  
John Ward, DVRPC  
Mercer County, County Executive  
Donna Lewis, Mercer County Planning  
Mary Caffrey, Administrator, Township of Robbinsville  
Julie Petix  
Richard Willinger  
Michael E. Allen  
Ron Emrich, Preservation New Jersey

James Riffin  
Sean Simon, C&A Trail Conservancy  
Save Hamilton Open Space  
Bonnie Tillery, NJ Chapter Sierra Club  
John Kilbride, C&ARHG  
Alan Buchan, PRRT&HS  
Nancy Tindall, Windsor Historical Society  
Janet Van Nest, Windsor Historical Society  
Burlington County Planning Office