



Norfolk Southern Corporation  
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May 26, 2020

Mayor Stuart K. Patrick  
Glen Ridge Borough  
825 Bloomfield Avenue  
Glen Ridge, NJ 07028

RE: Norfolk Southern Railway Company - Abandonment – in Hudson and Essex  
Counties, New Jersey, AB-290 (Sub-No. 408X)

Dear Mayor Patrick:

Norfolk Southern Railway Company ("NSR") is proposing the abandonment of approximately 8.6 miles of rail line between Milepost WD 2.9 in Jersey City, New Jersey and Milepost WD 11.5 in Montclair, New Jersey ("Line").

Enclosed is a Combined Environmental and Historic Report ("Report") which describes the proposed abandonment and other pertinent information. A map of the proposed abandonment can be found in **Appendix A** of this report. **Appendix B** of this report lists the various agencies receiving it. **Appendix C** of this report lists the various agency responses. **Appendix D** of this report provides information regarding the bridges on the Line.

The railroad does not anticipate adverse environmental impacts; however, if you identify any adverse environmental effects, please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in the Report and sent to the Surface Transportation Board ("STB").

This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the STB's Environmental Review process, please contact the Office of Environmental Analysis (OEA) by telephone at (202) 245-0245 or by mail to:

Surface Transportation Board  
395 E Street, S.W., Room 1106  
Washington DC 20423-0001

Please refer to the above Docket when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, NSR must receive your comments within three weeks. Please provide information to Laura Hoag by email or by mail at:

Laura Hoag  
Strategic Planning – 12<sup>th</sup> Floor  
Norfolk Southern Corporation  
3 Commercial Place  
Norfolk, VA 23510  
(757) 823-5267  
[Laura.Hoag@nscorp.com](mailto:Laura.Hoag@nscorp.com)

Best regards,



Laura E. Hoag

Attachment

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**AB-290 (Sub. No. 408X)**

**NORFOLK SOUTHERN RAILWAY COMPANY  
– PROPOSED ABANDONMENT EXEMPTION –  
IN HUDSON AND ESSEX COUNTIES, NEW JERSEY**

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**Combined Environmental and Historic Report**

Norfolk Southern Railway Company (“NSR”) submits this Combined Environmental and Historic Report (“E&HR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with NSR’s proposed abandonment of an approximately 8.6-mile long rail line, extending from Milepost WD 2.9 in the City of Jersey City to Milepost WD 11.5 in the Township of Montclair (the “Line”), in Hudson and Essex Counties, New Jersey.

**May 26, 2020**

## **ENVIRONMENTAL REPORT**

### **49 CFR 1105.7(e)(1)**

#### **Proposed Action and Alternatives**

*Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.*

RESPONSE: NSR proposes to abandon its common carrier obligation over an approximately 8.6-mile-long rail line extending from Milepost WD 2.9 in Jersey City, New Jersey to Milepost WD 11.5 in the Township of Montclair, in Hudson and Essex Counties, New Jersey in order to sell the property to Open Space Institute Land Trust, Inc. (“OSI”) for public use.<sup>1</sup> There are sixteen (16) structures (bridges) on the Line.

NSR has served no customers on the Line since it acquired the property from Conrail in 1999. A portion of the Line between Milepost WD 2.2 in Jersey City, New Jersey, and Milepost WD 8.4 in Newark, NJ (6.2 miles referred to herein as “Discontinued Segment”), was discontinued at the STB in 2005.<sup>2</sup> No traffic has traversed the Discontinued Segment, since 2002, when New Jersey Transit canceled commuter rail passenger service over the Discontinued Segment. No traffic has traversed the remaining segment of the Line from Milepost WD 8.4 to Milepost WD 11.5 (“Regulatorily Active Segment”), since 2009, when the Regulatorily Active Segment served as an overhead route to access one customer located on the Newark Industrial Track. The Newark Industrial Track was discontinued at the STB in 2005.<sup>3</sup>

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<sup>1</sup> OSI is pursuing trails on behalf of Hudson and Essex Counties, New Jersey, who will eventually assume legal and financial responsibility for the trail to be developed over the Line.

<sup>2</sup> Norfolk Southern Railway Company – Discontinuance of Service Exemption – Between Newark and Kearny, NJ, in Essex and Hudson Counties, NJ, STB Docket No. AB-290 (Sub-No. 242X) (STB served Jan. 18, 2005).

<sup>3</sup> Id.



Following abandonment, NSR will convey the right of way to OSI with the Line's rail, track materials, and bridges intact. In the future, OSI in partnership with Hudson and Essex Counties, New Jersey plans to redevelop the Line, create greenways, and provide for alternative modal access to points located along the Line. OSI or Hudson and Essex Counties, New Jersey, or its contractor will be responsible for salvaging should it occur in the future.

The alternative to abandonment is to not abandon the Line and NSR retain the Line. This alternative is not satisfactory. NSR would incur opportunity and other holding costs that would need to be covered by non-existent shippers were the Line to be retained.

A map depicting the Line is attached as **Appendix A**. An example of NSR's letter to federal, state and local government agencies along with a list of the consulting agencies that NSR has contacted is attached as **Appendix B**. Comments received as a result of NSR's written requests for feedback can be found in **Appendix C**. A bridge list is attached as **Appendix D**.

#### **49 CFR 1105.7(e)(2) Transportation system.**

*Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.*

RESPONSE: Effects of the proposed action on regional or local transportation systems and patterns would be negligible. There has been no NSR rail freight or passenger traffic originating or terminating on either the Regulatorily Active or Discontinued Segment of the Line for over a decade.

**49 CFR 1105.7(e)(3) Land use.**

*(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.*

RESPONSE: An outline of future land use plans has been requested from the City of Jersey City, the Town of Secaucus, the Town of Kearny, the City of Newark, the Town of Belleville, the Town of Bloomfield, the Borough of Glen Ridge, and the Town of Montclair, all of which were asked to comment on the consistency of the proposed abandonment of the Line with existing land use plans.

*(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.*

RESPONSE: NSR does not believe the abandonment will have any adverse impact on prime agricultural land as the Line to be abandoned is located in municipalities. However, a copy of this E&HR has been mailed to The United States Department of Agriculture Natural Resources Conservation Service ("USDA NRCS") for its information and to provide USDA NRCS an opportunity to comment.

*(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by Sec. 1105.9.*

RESPONSE: NSR does not believe the abandonment will have any adverse impact on land or water uses within designated coastal zones. However, a copy of the E&HR was mailed to the New Jersey Department of Environmental Protection ("NJDEP"), Coastal Management Program ("NJCMP") for its information, and to provide NJCMP an opportunity to comment.

*(iv) If the proposed action is an abandonment state whether or not the right of way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.*

RESPONSE: NSR has a mix of fee simple ownership and easements to the right of way underlying the Line proposed for abandonment; thus, NSR may have a corridor available for

redeployment for alternative public use(s). In fact, NSR has undertaken this abandonment because it intends to convey the property to OSI, which in partnership with Hudson and Essex Counties, New Jersey will redevelop the Line, create greenways, and provide for alternative modal access to points located along the Line. The Line does not contain any federally granted right of way.

**49 CFR 1105.7(e)(4) Energy.**

*(i) Describe the effect of the proposed action on transportation of energy resources.*

RESPONSE: Development and transportation of energy resources will not be affected by the abandonment. There has been no rail freight or passenger traffic originating or terminating on the Line in over a decade.

*(ii) Describe the effect of the proposed action on recyclable commodities.*

RESPONSE: Movement or recovery of recyclable commodities will not be affected by the abandonment. There has been no rail freight or passenger traffic originating or terminating on the Line in over a decade.

*(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.*

RESPONSE: The proposed action involves the abandonment of a rail line that has been inactive for over a decade, and as such, will not result in an increase or decrease in overall energy efficiency.

*(iv) If the proposed action will cause diversions from rail to motor carriage of more than:*

*(A) 1,000 rail carloads a year; or*

*(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.*

RESPONSE: The diversion of traffic to motor carriers will not exceed the thresholds set forth in 49 CFR §1105.7(e)(4) as no diversions will occur as there has not been traffic over the Line in over a decade. Accordingly, there is no need to produce data on diverted traffic or to

quantify the net change in energy consumption.

**49 CFR 1105.7(e)(5) Air.**

*(i) If the proposed action will result in either:*

- (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or*
- (B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or*
- (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.*

RESPONSE: The above thresholds will not be exceeded.

*(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:*

- (A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,*
- (B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or*
- (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.*

RESPONSE: The above thresholds will not be exceeded.

*(iii) If transportation of ozone depleting materials (such as nitrogen oxide and Freon®) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.*

RESPONSE: Not applicable.

**49 CFR 1105.7(e)(6) Noise.**

*If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:*

- (i) An incremental increase in noise levels of three decibels Ldn or more; or*
- (ii) An increase to a noise level of 65 decibels Ldn or greater.*

*If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.*

RESPONSE: The above thresholds will not be exceeded.

**49 CFR 1105.7(e)(7) Safety.**

*(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).*

RESPONSE: Abandonment of the Line will have no adverse impact on public health and safety.

*(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.*

RESPONSE: Not applicable.

*(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right of way, identify the location of those sites and the types of hazardous materials involved.*

RESPONSE: NSR has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right of way or in areas adjacent to the Line.

**49 CFR 1105.7(e)(8) Biological Resources.**

*(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.*

RESPONSE: No construction or removal activities will occur in or around the right of way to achieve this abandonment, and as such NSR does not believe the abandonment will have any adverse impact on surrounding habitats and species. However, a copy of this E&HR has been mailed to the U.S. Fish and Wildlife Service ("USFWS") to ascertain any impacts to surrounding habitats and species.



*(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.*

RESPONSE: The Line does not pass through state parks or forests, national parks or forests, or wildlife sanctuaries. As such, no adverse effects on wildlife sanctuaries, national parks or forests, or state parks or forests are anticipated. Regardless, NSR requested input from the National Park Service.

**49 CFR 1105.7(e)(9) Water.**

*(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.*

RESPONSE: NSR does not intend to remove or alter the contour of the roadbed underlying the Line to be abandoned by way of excavation or other ground-disturbance activity. Accordingly, no soils will be disturbed as a result of the proposed abandonment, and no storm water mitigation measures including but not limited to a National Pollutant Discharge Elimination System permit, will be required. There are no plans to undertake in-stream work or dredge and/or use any fill materials in connection with the proposed abandonment, so the proposed abandonment will not result in water quality impacts. NSR currently provides no rail service over the Line and has not done so for more than a decade.

Consultation has been requested from the NJDEP and the United States Environmental Protection Agency (“EPA”) Region 2.

*(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.*

RESPONSE: NSR does not plan to remove or alter the roadbed underlying the Line, or undertaking in-stream work or dredging or using any fill materials. The geometry of the roadbed will not be altered and no in-stream work is contemplated. No discernible effects on either 100-

year flood plains or adjacent wetlands are expected in connection with the proposed abandonment. Consequently, NSR does not believe a Section 404 permit will be required in connection with the proposed abandonment. Consultation was requested from the U.S. Army Corps of Engineers, New York District (“USACE”).

*(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.*

RESPONSE: No salvage of the Line, bridges, and related track material is proposed in connection with the proposed abandonment. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water permitting including a National Pollutant Discharge Elimination System permit, will be required. NSR anticipates that the abandonment will not affect water quality and that additional permitting under Section 402 will not be required. Nevertheless, NSR has requested input from the EPA Region 2 and the NJDEP.

#### **49 CFR 1105.7(e)(10) Proposed Mitigation.**

*Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.*

RESPONSE: Abandonment of the Line is not expected to produce adverse environmental impacts for the reasons set forth above. NSR will convey the right of way to OSI with the Line’s rail and related track material intact.

## **HISTORIC REPORT**

### **49 CFR 1105.8(d)**

#### **PROPOSED ACTION AND ALTERNATIVES**

NSR proposes to abandon its common carrier obligation over an approximately 8.6-mile rail line extending from Milepost WD 2.9 in the City of Jersey City to Milepost WD 11.5 in Montclair, in Hudson and Essex counties, New Jersey in order to sell the property to OSI for public use. NSR serves no customers on the Line. No traffic has traversed the Discontinued Segment of the Line from Milepost WD 2.2 to Milepost WD 8.4 since 2002. No traffic has traversed the Regulatorily Active Segment of the Line Milepost WD 8.4 to Milepost 11.5 in over a decade.

Following abandonment, NSR will convey the right of way to OSI with the Line's rail and related track material intact. NSR does not intend to remove, modify, or dismantle the 16 structures (bridges) on the Line. In the future, OSI in partnership with Hudson and Essex Counties, New Jersey plans to redevelop the Line, create greenways, and provide for alternative modal access to points located along the Line. OSI or Hudson and Essex Counties, New Jersey, or its contractor will be responsible for salvaging should it occur in the future.

The alternative to abandonment is to not abandon the Line and for NSR to retain the Line. This alternative is not satisfactory. NSR would continue to incur opportunity and other holding costs that would need to be covered by non-existent shippers were the Line to be retained. A map depicting the Line is attached in **Appendix A**.

### **ADDITIONAL INFORMATION**

- (1) **U.S.G.S. Topographic Map** – A map was furnished to the New Jersey Historic Preservation Office.
- (2) **Written Description Of Right Of Way** – The right of way width ranges from 25 feet to 200 feet along the main track centerline. Pursuant to Board policy, the railroad's right of way being abandoned will constitute the Area of Potential Effect (“APE”) for this undertaking.
- (3) **Photographs** – Photographs of the sixteen (16) structures (bridges) on the Line were furnished to the New Jersey Historic Preservation Office.
- (4) **Date Of Construction Of Structures** – A bridge list is attached as Appendix D.
- (5) **History Of Operations And Changes Contemplated**<sup>4</sup> – The Line that is the subject of this proposed abandonment consists of approximately 8.6 miles of rail line extending from Milepost WD 2.9 in Jersey City to Milepost WD 11.5 in Montclair, in Hudson and Essex Counties, New Jersey.

Based on research,<sup>5</sup> the Line was chartered in 1867 as the Montclair Railway Company (“MR”) to construct a short commuter railroad between the Village of Montclair and the Hudson River, with authorization to build branch lines and extensions into the townships of Caldwell and Wayne (New Jersey State Legislature 1867:301). Montclair resident and incorporator Julius H. Pratt conceived of the new route in 1866 as an alternative to the unpopular Morris and Essex Railroad, the village’s only other operating carrier (Whittemore 1894: 46-47). Pratt’s venture quickly attracted the attention of the New York and Oswego Midland Railroad (“NY&OM”) and

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<sup>4</sup> A bibliography for the historical information set forth in §5 is provided as Appendix E.

<sup>5</sup> NSR commissioned Richard Grubb & Associates, Inc (“RGA”) to assist with and augment its review of the Line’s history and preparation of the E&HR. This section was drafted from NSR and RGA’s combined research.

its ally, the New Jersey Midland Railway (“NJM”), which together sought to build a new route from the Great Lakes to the Port of New York (Whittemore 1894:47; Helmer 1959:8, 13). The proposed MR route offered the NY&OM a more direct—albeit expensive—shortcut compared to the NJM’s circuitous right-of-way. Under agreement with the NY&OM and the NJM, MR would build its line west from Jersey City to the State Line at Greenwood Lake, and the NY&OM would connect by extending its line east via a tunnel from Middletown, New York. The NY&OM would then lease MR through its control of the NJM (Cunningham 1997:236; Whittemore 1894:47-48; Helmer 1959:27).

Construction was funded in part with bonds secured by the communities through which the railroad passed. Disagreement within Bloomfield led to the formation of the independent Township of Montclair, which supported MR (Whittemore 1894:46). With additional bonds endorsed and guaranteed by the NY&OM, work on MR commenced, and by September 1872 MR was able to run its first passenger excursion train between Bloomfield and the railroad’s branch at Ringwood near Greenwood Lake (*Saturday Gazette* 1872:2). During construction, an additional branch was added from a connection in northern Newark to East Orange (the Watchung Railway) (New Jersey State Board of Assessors 1890:92). Significant expenditures included roadbed building across the Jersey Meadows, construction of two moveable bridges over the Hackensack and Passaic Rivers, and digging of the “Kearny Cut,” a deep excavation through solid rock at the eastern approach to the Passaic River bridge (Whittemore 1894:48).

MR opened in January 1873, and on January 7, the NY&OM assumed operations (Whittemore 1894:47; Helmer 1959:27-28). The first through train between Oswego and Jersey City ran across MR on July 10, 1873 via a temporary connection between MR and NJM at Pompton Junction (Anderson 1873; Helmer 1959:28). Meanwhile, an omission in the original MR charter



failed to provide for a lease of the road to another company. As the NY&OM and the NJM scrambled to secure legislation and legitimize their leases, the Panic of 1873 and subsequent depression resulted in the financial bankruptcy of many railroads, including the NY&OM-NJM-MR combine (*Saturday Gazette*, 1873:2; New Jersey State Legislature 1873:1017). New Jersey iron magnate and NY&OM debtholder Abram S. Hewitt was appointed receiver (McKinstry 2004:360; Helmer 1959:31). His own mining interests in northern New Jersey were served by MR. Ultimately, the through-route from Oswego to the Hudson River was attained by the NY&OM's successors without building the expensive tunnel, and MR extended north only as far as Hewitt's mines in Ringwood and the ice producing and travel destination of Greenwood Lake (Anderson 1876).

MR underwent multiple foreclosures and reorganizations under its own name and that of the Montclair and Greenwood Lake Railway Company in October 1875 and later as the New York and Greenwood Lake Railway Company ("NY&GL") in November 1878 with stock controlled by the New York, Lake Erie, and Western Railroad (*New York Times* 1878:2; New Jersey State Board of Assessors 1888:76). At that time, the railroad improved the Orange Branch and chartered a branch to Caldwell in 1890 and an extension to Roseland with a connection to the Morristown and Erie in 1891 (*New York Times* 1880:8; New State Board of Assessors 1890: 59; 1891:56).

The New York, Lake Erie, and Western Railroad went into foreclosure in 1895. By charter of the State of New York, it was combined with the New York, Pennsylvania, and Ohio Railroad to form the Erie Railroad ("Erie"), which was organized on November 13, 1895. In 1896, the NY&GL was leased by the Erie Railroad for 999 years. After multiple steps towards merger, Hewitt finally sold the NY&GL to the Erie in 1898, when it became known as the NY&GL Branch. The Line served mainly as a feeder for the Erie's substantial New Jersey commuter business, but

other custom included holiday excursionists, local and express freight, iron and zinc ore shipments, and ice cut from Greenwood Lake (Hungerford 1946:207-208; Westing 1970:333-334; Heritage Studies Inc. 1981:65-66; Cunningham 1997: 237-238). Under Erie management, the line was upgraded during the first decade of the twentieth century with partial double-tracking and construction of a number of new bridges, but the effects of the Great Depression eroded traffic (Sanborn and Parris Map Company 1892:212; Sanborn Map Company 1904:90; DeLeuw Cather & Company, Inc. 1991; Yanosey 2006:18). Passenger service to Greenwood Lake and Ringwood ended in 1939 (Heritage Studies Inc. 1981:66).

Beginning in 1956, the Erie discussed potential consolidation with the Delaware, Lackawanna, and Western Railway ("Lackawanna"), which served many of the same markets as the Erie, including Montclair. A merger agreement was reached in 1959, and the Interstate Commerce Commission authorized the combination in the fall of 1960.<sup>6</sup> The new company would be known as the Erie-Lackawanna Railroad ("EL"), (the hyphen was retained until 1963). Due to intervening labor litigation, the merger was not actually effective until June 1961 (Taber and Taber 1980:145).

Track consolidation between the merged railroads included linking the former Lackawanna's Boonton Branch, a low-grade freight cut-off running between Dover and Jersey City, to the former Erie's NY&GL Branch at a point where the two railroads crossed at Mountain View. The eastern end of the former Lackawanna's Boonton Branch was then connected to the former Erie's Main Line near South Paterson. The piece of the severed Boonton Branch between the two new connections was abandoned to make way for the construction of Interstate 80 through

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<sup>6</sup> Erie Railroad Company Merger, Etc. Delaware, Lackawanna, and Western Railroad Company, 312 I.C.C. 185 (ICC served Sept. 13, 1960).

the Paterson area. The former Erie's NY&GL tracks (the Line) assumed the role of the eastern or "lower" end of the former Lackawanna's Boonton Branch. Thus, under the EL merger, the newly combined route became known as the EL Boonton Line (Yanosey 2006:32).

Like many railroads in the northeast, the EL struggled for most of the 16 years it existed in part due to market forces. EL's financial vulnerabilities led it to seek inclusion in the merger between the Norfolk and Western and Chesapeake and Ohio systems which was announced and filed at the Interstate Commerce Commission but never consummated. As a result, EL was required to be placed under a new holding company of the Norfolk and Western called Dereco, Inc. (Taber and Taber 1980: 147). Service on the branch lines to East Orange and Caldwell was gradually cut back and finally discontinued. The financial condition of the EL continued to decline, however, and the extensive destruction of its physical plant resulting from Hurricane Agnes in 1972 finally resulted in a filing for Chapter 7 bankruptcy on June 26, 1972.

The EL initially sought to reorganize independently and thus resisted joining other bankrupt eastern and Midwestern railroads in reorganization under the aegis of the United States Railway Association pursuant to the Regional Railroad Reorganization Act of 1973 ("3-R Act"). The financial condition of the EL continued to deteriorate, exacerbated by rapidly escalating materials prices, and on January 9, 1975, it advised the Federal government that it wished to become a "railroad in reorganization" under the 3-R Act. Although this request came too late for inclusion in the Preliminary System Plan which was issued on February 26, 1975, the EL was included in the Final System Plan issued by the U.S. Railway Association in July of that year. The Railroad Revitalization and Regulatory Reform Act of 1976 ("4-R Act") placed the Final System Plan into law. EL lines designated for retention, including the Line, thus came under the operation of the newly formed Consolidated Rail Corporation (Conrail) effective April 1, 1976.

Norfolk Southern Corporation ("NSC"), parent to Norfolk Southern Railway Company ("NSR"), entered into a Transaction Agreement (the "Conrail Transaction Agreement") among NSC, NSR, CSX Corporation ("CSX"), CSX Transportation, Inc. ("CSXT"), a wholly-owned subsidiary of CSX; Conrail Inc. ("CRR"); Consolidated Rail Corporation ("Conrail"), a wholly-owned subsidiary of CRR, and CRR Holdings LLC, dated June 10, 1997, pursuant to which CSX and NSC indirectly acquired all the outstanding capital stock of CRR. The Board approved the Conrail Transaction Agreement in a decision served July 23, 1998, in STB Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company- Control and Operating Leases/Agreements - Conrail Inc. and Consolidated Rail Corporation. The transaction was closed and became effective June 1, 1999, and with the closure, the Line was transferred to Norfolk Southern.

Passenger service, operated by New Jersey Transit ("NJT"), continued over the Line until 2002 when NJT completed the Montclair Connection. This linked the western portion of the EL Boonton Line with the former Lackawanna's Montclair Branch in Montclair. The existing electrified traction system on the Montclair Branch was upgraded and extended west to Boonton, providing passengers on the EL Boonton Line direct access to New York's Penn Station and eliminating its route through Hoboken Terminal (Smothers 2002:B7). Following the completion of the Montclair Connection, NJT discontinued the service and canceled its lease over the lower 11 miles of the EL Boonton Line between Montclair and Jersey City. Maintenance of the Line, which had been the responsibility of NJT under the lease, also ceased.

In 2004, NJT decided not to reactivate commuter rail service on the discontinued portion of the Line. NJT Executive Director George Warrington concluded that reopening the lower section of the EL Boonton Line, which served 800 riders a day, would be too expensive, requiring



\$26 million in immediate track, signal, bridge, and other repair work, plus another \$46 million in capital spending over 10 years. Warrington added the line would cost \$3 million a year to operate while taking in just \$108,000 in fares. Despite support for reopening expressed at a hearing on the matter, Warrington issued his decision with a statement that, “the economics just don’t work” (Strunsky 2004:2).

Following termination of commuter services, NS filed to discontinue a portion (6.2 miles) of the Boonton Line between Milepost WD 2.2 in Jersey City, NJ, and Milepost WD 8.4 in Newark, NJ in 2005.<sup>7</sup> The Regulatorily Active Segment from Milepost WD 8.4 to Milepost WD 11.5 was used only as an overhead route to customers located on an industrial branch line which has not seen freight traffic since 2009.

Given the absence of traffic on the Line, no major changes are contemplated from the proposed abandonment.

**(6) Summary of Documents In Carrier's Possession That Might Be Useful For Documenting A Structure That Is Found To Be Historic** – While plans may be available for the 16 structures (bridges) on the Line, it is most likely that any such plans are standard plans used for the construction of similar structures on the dates of construction. Regardless, no salvage of the Line, including the bridges is proposed in connection with the proposed abandonment.

**(7) Opinion Regarding Criteria For Listing In The National Register Of Historic Places**  
There are 16 structures located within the APE for this project. Information on the railroad-related historic resources is included in Appendix D - Appendix D: Draft Bridge List (Railroad-related Historic Resources).

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<sup>7</sup> Norfolk Southern Railway Company – Discontinuance of Service Exemption – Between Newark and Kearny, NJ, in Essex and Hudson Counties, NJ, STB Docket No. AB-290 (Sub-No. 242X) (STB served Jan. 18, 2005).



On May 26, 2020, NSR provided the NJDEP Historic Preservation Office with photos of the structures and a copy of the E&HR associated with Notice of Exemption filing AB-290 Sub-No. 408X for the Line for comments.

**(8) Subsurface Ground Conditions That Might Affect Archaeological Recovery**

The railroad is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover, abandonment of the Line will not affect any potential archaeological resources. The subsurface of the right of way was initially disturbed in the construction of the railroad line by grading and filling. No salvage of material from the surface is contemplated at this time.

**(9) Follow-Up Information – Additional information will be provided as appropriate.**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**AB-290 (Sub. No. 408X)**

**NORFOLK SOUTHERN RAILWAY COMPANY  
– PROPOSED ABANDONMENT EXEMPTION –**

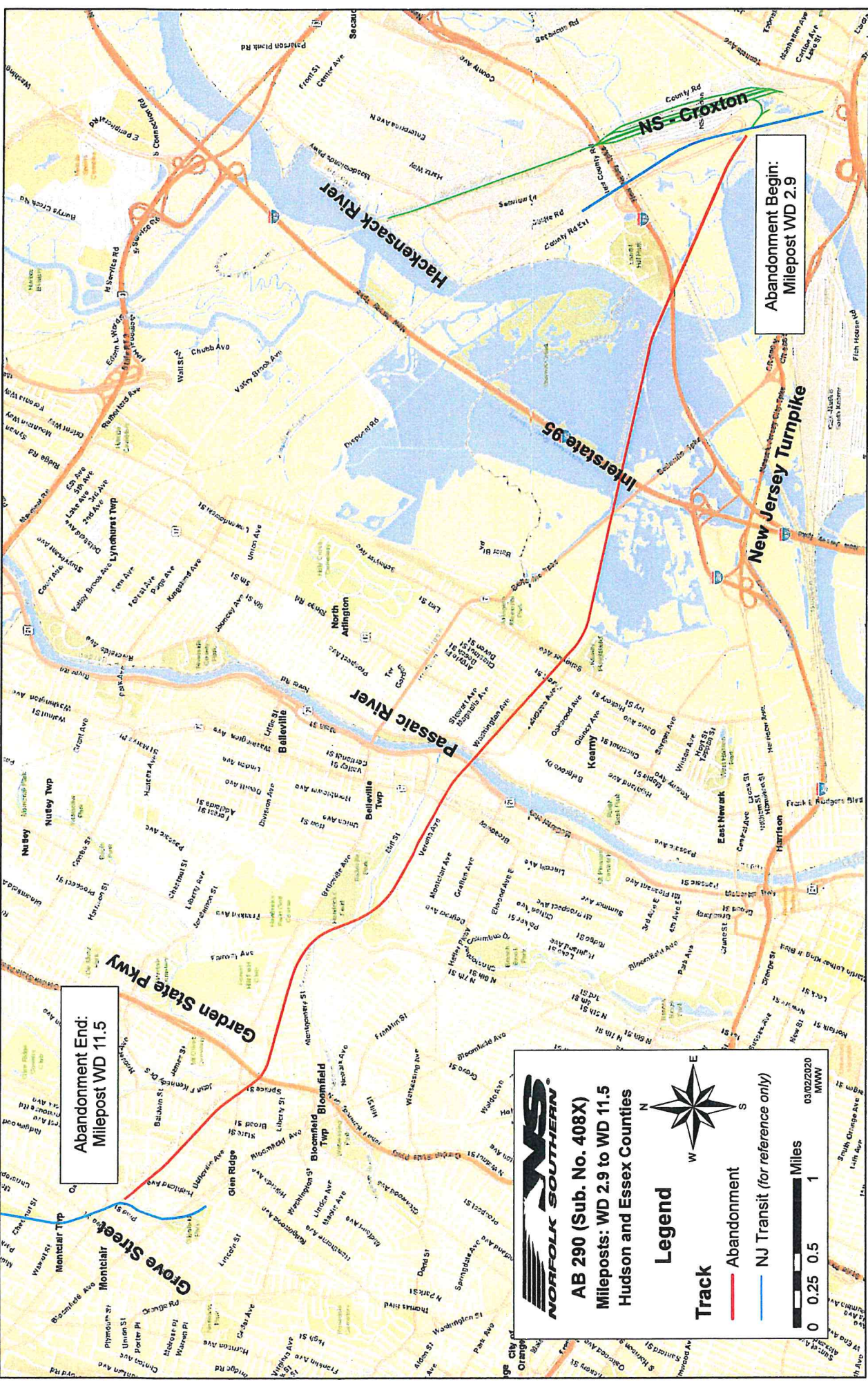
**IN HUDSON AND ESSEX COUNTIES, NEW JERSEY**

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**Combined Environmental and Historic Report**


**APPENDIX A**

**Map**




Abandonment End:  
Milepost WD 11.5

Abandonment Begin:  
Milepost WD 2.9



**NORFOLK SOUTHERN**  
AB 290 (Sub. No. 408X)  
Mileposts: WD 2.9 to WD 11.5  
Hudson and Essex Counties



**Legend**

**Track**

- Abandonment
- NJ Transit (for reference only)

0 0.25 0.5 1 Miles

03/02/2020  
MWW



**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**AB-290 (Sub. No. 408X)**

**NORFOLK SOUTHERN RAILWAY COMPANY  
– PROPOSED ABANDONMENT EXEMPTION –**

**IN HUDSON AND ESSEX COUNTIES, NEW JERSEY**

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**Combined Environmental and Historic Report**

**APPENDIX B**

**Sample Consultation Letter & Recipient List**

May 26, 2020

[ENTITY}

RE: Norfolk Southern Railway Company Abandonment – in Hudson and Essex Counties,  
AB-290 (Sub-No. 408X)

[GREETING]

Norfolk Southern Railway Company (“NSR”) is proposing the abandonment of approximately 8.6 miles of rail line between Milepost WD 2.9 in Jersey City, New Jersey, and Milepost WD 11.5 in Montclair, New Jersey (“Line”).

Enclosed is a Combined Environmental and Historic Report (“Report”) which describes the proposed abandonment and other pertinent information. A map of the proposed abandonment can be found in **Appendix A** of this report. **Appendix B** of this report lists the various agencies receiving it. **Appendix C** of this report lists the various agency responses. **Appendix D** of this report provides information regarding the bridges on the Line.

The railroad does not anticipate adverse environmental impacts; however, if you identify any adverse environmental effects, please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in the Report and sent to the Surface Transportation Board (“STB”).

This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the STB's Environmental Review process, please contact the Office of Environmental Analysis (OEA) by telephone at (202) 245-0245 or by mail to:

Surface Transportation Board  
395 E Street, S.W., Room 1106  
Washington DC 20423-0001

Please refer to the above Docket when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, NSR must receive your comments within three weeks. Please provide information to Laura Hoag by email or by mail at:

Laura Hoag  
Strategic Planning – 12<sup>th</sup> Floor



Norfolk Southern Corporation  
3 Commercial Place  
Norfolk, VA 23510  
(757) 823-5267  
[Laura.Hoag@nscorp.com](mailto:Laura.Hoag@nscorp.com)

Best regards,

Laura E. Hoag

Attachment

**RECIPIENT LIST**  
**AB-290 (Sub-No 408X)**

**Proposed Abandonment of Norfolk Southern Railway Company's approximately 8.6 mile rail line segment between Milepost WD 2.9 in Jersey City, NJ and Milepost WD 11.5 in the Township of Montclair (the "Line"), in Hudson and Essex Counties, New Jersey.**

STATE HISTORIC PRESERVATION OFFICE

Ms. Katherine Marcopul  
Administrator & Deputy State Historic Preservation Officer  
Mail Code 501-04B  
State of New Jersey  
Department of Environmental Protection  
Historic Preservation Office  
P. O. Box 420  
Trenton, NJ 08625-0420

STATE DOT

Ms. Nicole Minutoli  
Director  
NJ Department of Transportation  
Multimodal Services  
1035 Parkway Avenue, P.O. Box 600  
Trenton, NJ 08625-0600

US ENVIRONMENTAL PROTECTION AGENCY

US EPA  
William Jefferson Clinton (WJC) Building  
1200 Pennsylvania Ave., NW  
Mail Code 1101-A  
Washington, DC 20460

REGIONAL/STATE EPA

Mr. Dave Kluesner  
US EPA Region 2, Director  
290 Broadway  
New York, New York 10007-1866

Ms. Catherine R. McCabe  
NJ Department of Environmental Protection  
Commissioner  
401 E. State St. - 7th Floor, East Wing  
P.O. Box 402  
Trenton, NJ 08625-0402

CITY/TOWNSHIP

Mayor Robert Jackson  
Montclair Township Municipal Building  
205 Claremont Avenue  
Second Floor  
Montclair, NJ 07042

Mayor Stuart K. Patrick  
Glen Ridge Borough  
825 Bloomfield Avenue  
Glen Ridge, New Jersey 07028

CITY/TOWNSHIP continued

Mayor Michael Venezia  
Bloomfield Township  
1 Municipal Plaza  
2nd Floor Room 209  
Bloomfield, NJ 07003

Mayor Michael Melham  
Township of Belleville  
152 Washington Avenue  
Belleville, NJ, 07109

Mayor Ras J. Baraka  
City of Newark  
City Hall  
920 Broad Street  
Newark, NJ 07102

Mayor Alberto G. Santos  
Town of Kearny, NJ  
Kearny Town Hall  
402 Kearny Ave  
Kearny, NJ 07032

Mayor Michael Gonnelli  
Town of Secaucus  
1203 Paterson Plank Road  
Secaucus, NJ 07094

Mayor Steven M. Fulop  
Jersey City  
280 Grove Street  
Second Floor  
Jersey City, NJ 07302

COUNTY

Mr. Abraham Antun  
Hudson County Administrator  
567 Pavonia Avenue  
Jersey City, NJ 07306

Mr. Robert D. Jackson  
Essex County Administrator  
465 Dr. Martin Luther King, Jr. Boulevard  
Newark, NJ 07102

US ARMY CORPS OF ENGINEERS

Mr. Stephan A. Ryba  
Chief, Regulatory Branch  
NY District US Army Corps of Engineers  
26 Federal Plaza, Room 16-406  
New York, New York 10278-0090

**RECIPIENT LIST continued**  
**AB-290 (Sub-No 408X)**

**Proposed Abandonment of Norfolk Southern Railway Company's approximately 8.6 mile rail line segment between Milepost WD 2.9 in Jersey City, NJ and Milepost WD 11.5 in the Township of Montclair (the "Line"), in Hudson and Essex Counties, New Jersey.**

STATE COASTAL ZONE MANAGEMENT

Ms. Kimberly Springer  
NJDEP Coastal Management Office  
Mail Code 401-07D, P.O. Box 420  
401 East State Street  
Trenton, NJ 08625-0420

FISH AND WILDLIFE SERVICE

Ms. Wendi Weber  
Regional Director – Region 5  
U.S. Fish & Wildlife Service  
Northeast Region  
300 Westgate Center Dr.  
Hadley, MA 01035

Mr. Dave Golden  
Director  
N.J. Division of Fish and Wildlife  
Mail Code 501-03  
P.O. Box 420  
Trenton, NJ 08625-0420

NATIONAL PARK SERVICE

Mr. Stephan Nofield  
National Park Service  
Rivers, Trails, and Conservation Assistance Program  
1849 C. Street NW, Room 1344  
Washington, DC 20240

NATIONAL PARK SERVICE

Ms. Julie Bell  
National Park Service, Northeast Regional Office  
Rivers, Trails, and Conservation Assistance Program  
200 Chestnut St., Third Floor Philadelphia, PA 19106

NATIONAL GEODETIC SURVEY

Communications and Outreach Branch, NOAA, N/NGS12  
National Geodetic Survey, SSMC3 #9340  
1315 East West Highway  
Silver Spring, MD 20910-3282

NATURAL RESOURCES CONSERVATION SERVICE

Mr. Terrell Erickson  
Regional Conservationist – Northeast Region  
USDA Natural Resources Conservation Service  
1400 Independence Ave SW, #5204-S  
Washington, DC 20250

Ms. Carrie Lindig  
State Conservationist  
USDA-NRCS State Office  
220 Davidson Ave 4th Floor  
Somerset, New Jersey 08873

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**AB-290 (Sub. No. 408X)**

**NORFOLK SOUTHERN RAILWAY COMPANY  
– PROPOSED ABANDONMENT EXEMPTION–**

**IN HUDSON AND ESSEX COUNTIES, NEW JERSEY**

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**Combined Environmental and Historic Report**

**APPENDIX C**

**Agency Comments/Responses**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**AB-290 (Sub. No. 408X)**

**NORFOLK SOUTHERN RAILWAY COMPANY  
– PROPOSED ABANDONMENT EXEMPTION-  
IN HUDSON AND ESSEX COUNTIES, NEW JERSEY**

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**Combined Environmental and Historic Report**

**APPENDIX D**



# Appendix D: Draft Bridge List (Railroad-related Historic Resources)

Item No.	MP No.	Resource Name	Resource Type	Date	Length in feet	Proximity to APE	Municipality	County	NRHP Criteria	Current NRHP Status
01	WD 3.21	NY&GL Branch Timber Trestle Over Penhom Creek	Bridge (Undergrade)	1931	42	Inside	Jersey City; Secaucus Town	Hudson	N/A	Unevaluated
02	WD 4.17	NY&GL Branch Through Truss Swing Span Bridge (DB Draw) over Hackensack River	Bridge (Undergrade)	1889	688	Inside	Secaucus Town; Kearny Town	Hudson	N/A	Identified/ Unevaluated <sup>1</sup>
03	WD 5.63	NY&GL Branch Through Plate Girder Bridge Over Sawmill Creek	Bridge (Undergrade)	1897	26	Inside	Kearny Town	Hudson	N/A	Unevaluated
04	WD 6.41	NY&GL Branch Concrete Span Over Harrison Industrial Track	Bridge (Undergrade)	1926	33	Inside	Kearny Town	Hudson	N/A	Unevaluated
05	WD 7.57	Erie Lackawanna-Greenwood Lake Branch Railroad Deck Plate Girder Swing Span Bridge (WR Draw; Bridge 7.57) over Route 699 and Passaic River	Bridge (Undergrade)	1896	530	Inside	Kearny Town; Newark City	Hudson; Essex	N/A	Identified/ Unevaluated <sup>2</sup>
06	WD 7.74	NY&GL Branch Deck Plate Girder Bridge Over McCarter Highway	Bridge (Undergrade)	1897	66	Inside	Newark City	Essex	N/A	Unevaluated
07	WD 7.88	NY&GL Branch Deck Plate Girder Bridge Over Newark Industrial Track (a.k.a. Erie RR Paterson & Newark Branch)	Bridge (Undergrade)	1897	85	Inside	Newark City	Essex	N/A	Unevaluated
08	WD 7.96	NY&GL Branch Through Plate Girder Over Broadway (Rte. 667)	Bridge (Undergrade)	1897	107	Inside	Newark City	Essex	N/A	Unevaluated
09	WD 8.85	NY&GL Branch Concrete Span Bridge Over Branch Brook Park Dr. & Second River	Bridge (Undergrade)	1932	200	Inside	Newark City; Belleville Twp.	Essex	N/A	Identified/ Unevaluated <sup>3</sup>
10	WD 9.10	NY&GL Branch Concrete Span Bridge Over Franklin Ave. (Rte. 645)	Bridge (Undergrade)	1941	86	Inside	Belleville Twp.	Essex	N/A	Unevaluated

## Appendix D: Draft Bridge List (Railroad-related Historic Resources)

11	WD 10.29	NY&GL Branch Through Plate Girder Bridge Over Garden State Parkway	Bridge (Undergrade)	1954	118	Inside	Bloomfield Twp.	Essex	N/A	Unevaluated
12	WD 10.36	NY&GL Branch Through Plate Girder Bridge Over John F. Kennedy Dr. S. (Rte. 652)	Bridge (Undergrade)	1897	109	Inside	Bloomfield Twp.	Essex	N/A	Unevaluated
13	WD 10.42	NY&GL Branch Deck and Through Plate Girder Bridge Over Spruce St.	Bridge (Undergrade)	1897	89	Inside	Bloomfield Twp.	Essex	N/A	Unevaluated
14	WD 10.47	NY&GL Branch Deck and Through Plate Girder Bridge Over Belleville Ave.	Bridge (Undergrade)	1897	73	Inside	Bloomfield Twp.	Essex	N/A	Unevaluated
15	WD 10.58	NY&GL Branch Deck Plate Girder Bridge Over New St.	Bridge (Undergrade)	1897	80	Inside	Bloomfield Twp.	Essex	N/A	Unevaluated
16	WD 10.69	NY&GL Branch Deck Plate Girder Bridge Over Broad St. (Rte. 509)	Bridge (Undergrade)	1972	87	Inside	Bloomfield Twp.	Essex	N/A	Unevaluated <sup>4</sup>

### Preliminary Bridge List Provided By NSR

Research Compiled by Richard Grubb & Associates, Inc., May 14, 2020 from available records; New Jersey Historic Preservation Office files not accessible due to Covid-19 pandemic.

1. See Saunders 2008.
2. Recommended eligible under Criterion A for Transportation. No SHPO comment to date. See Tetra Tech 2018.
3. Referenced in the Branch Brook Park [Historic District] National Register Nomination (NR: 1/12/1981; (SR: 6/5/1980) but not specifically listed as a contributing element.
4. Resource less than 50 years of age and ordinarily not considered for NRHP evaluation.

APE – Area of Potential Effects

NRHP – National Register of Historic Places

NY&GL – New York and Greenwood Lake Railroad

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**AB-290 (Sub. No. 408X)**

**NORFOLK SOUTHERN RAILWAY COMPANY  
– PROPOSED ABANDONMENT EXEMPTION-  
IN HUDSON AND ESSEX COUNTIES, NEW JERSEY**

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**Combined Environmental and Historic Report**

**APPENDIX E**

§5 Historical Information Bibliography

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