

PROJECT PROGRAMMATIC AGREEMENT
AMONG
THE UNITED STATES COAST GUARD,
NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
AND NEW JERSEY TURNPIKE AUTHORITY
REGARDING THE
NEWARK BAY-HUDSON COUNTY EXTENSION IMPROVEMENTS PROGRAM,
INTERCHANGES 14 TO 14A/NEWARK BAY BRIDGE REPLACEMENT
AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND
BAYONNE & JERSEY CITY,
HUDSON COUNTY, NEW JERSEY

WHEREAS, the New Jersey Turnpike Authority (“Authority”) proposes a project to reconstruct the portion of the Newark Bay-Hudson County Extension (“NB-HCE”) between Interchanges 14 and 14A to improve the long-term integrity of structures, including that of the Newark Bay Bridge (also known as the Vincent R. Casciano Memorial Bridge) over Newark Bay (“Newark Bay Bridge”), in the City of Newark, Essex County and the City of Bayonne and City of Jersey City, Hudson County, New Jersey (“Project”); and

WHEREAS, the Project involves the replacement of the existing four-lane, multi-span structure (i.e., the Newark Bay Bridge) with a new four-lane westbound structure in a parallel alignment north of the existing alignment, and a new eastbound, four-lane multi-span structure in the same approximate alignment as the existing structure (i.e., the Newark Bay Bridge), as well as roadway realignment and improvements on the NB-HCE east and westbound between Interchanges 14 and 14A, and various drainage and stormwater improvements; and

WHEREAS, the United States Coast Guard (“USCG”), with jurisdiction over the navigable waterways of the United States, is the lead Federal agency responsible for making a Federal bridge permit decision approving the location and plans for the proposed replacement of the Newark Bay Bridge, pursuant to The General Bridge Act of 1946, as amended (33 U.S.C. § 525-533); and

WHEREAS, the USCG has determined that the Project constitutes an undertaking under Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306101 *et seq*) (“NHPA”), as amended and re-codified, and its implementing regulations at 36 CFR Part 800 (hereinafter collectively referred to as “Section 106”); and

WHEREAS, pursuant to 36 CFR § 800.4, the USCG in consultation with the New Jersey Historic Preservation Officer (“NJHPO”) identified the Area of Potential Effects (“APE”) for the Project, and determined that the APE will be the areas where potential effects on historic properties caused by the Project may occur (see Attachments 1 and 2); and

WHEREAS, a Phase I Archaeological Survey and Intensive-level Historic Architectural Survey Report and a Supplemental Phase I Archaeological Survey and Geotechnical Boring Review prepared for the Project (Richard Grubb & Associates, Inc. 2023a, 2023b) identified the following seven (7) historic

properties listed in or eligible for listing in the National Register of Historic Places (“NRHP”) within the APE:

1. Newark and Elizabeth Branch of the Central Railroad of New Jersey Historic District (SHPO Opinion: 8/30/2000)
2. Pennsylvania Railroad New York Bay Branch Historic District (SHPO Opinion: 12/18/2019)
3. Lehigh Valley Railroad Historic District (SHPO Opinion 3/15/2002)
4. Morris Canal historic property (NJR: 11/26/1973 NR: 10/1/1974; SHPO Opinion: 5/27/2004)
5. Newark Bay Bridge (SHPO Opinion: 5/22/2023)
6. Port Authority Administration Building (SHPO Opinion: 5/22/2023); and
7. Site 28-Hd-45 (Jersey Eagle archaeological site) (a.k.a. the Jersey Eagle Site; SHPO Opinion: 5/17/2013); and

WHEREAS, in a letter dated February 5, 2025, the USCG indicated to the NJHPO that the subject Newark Bay Bridge is an element of the Eisenhower Interstate Highway System, specifically I-78. Therefore, pursuant to the Advisory Council on Historic Preservation’s (“ACHP”) notice published in the Federal Register (05-4739; 70 FR 11928) outlining an *Exemption Regarding Historic Preservation Review Process for Effects to the Interstate Highway System* that relieves federal agencies from Section 106’s requirement to consider the effects of their undertakings on elements of the Interstate Highway System, the USCG is not required to assess the Project’s effects to the Newark Bay Bridge under Section 106; and

WHEREAS, in a review letter dated January 9, 2024, the NJHPO determined that archaeological monitoring and an associated archaeological monitoring protocol are necessary to record and mitigate project-related adverse effects to the following areas:

1. Morris Canal historic property at the east and west proposed abutments of Structure No. N3.24R carrying the NB-HCE over Avenue C;
2. At proposed Piers 13-15, a portion of proposed Pier 17, and the eastern abutment for proposed Structure No. N3.73R (Southeast Viaduct); and
3. Adjacent to the identified footprint of the Jersey Eagle Site historic property at Basin HUC3-F (if the excavation for the basin outfall pipe trench adjacent to the historic property extends below a depth of 2.3 feet below current ground surface); and

WHEREAS, in a review letter dated January 9, 2024, the NJHPO determined that Phase IB archaeological survey is necessary for proposed Basin HUC2-I on the former Marist High School property in the City of Bayonne to determine the presence or absence of archaeological resources in the proposed basin footprint. Following this survey, the NJHPO determined it is also necessary to conduct both a Phase II archaeological survey to evaluate the NRHP-eligibility of identified archaeological resources, if present, at the basin, and Phase III archaeological data recovery or archaeological monitoring to mitigate project-related adverse effects to identified archaeological historic properties in the basin footprint if avoidance through project redesign is not feasible; and

WHEREAS, in a review letter dated January 9, 2024, the NJHPO agreed that an avoidance and protection plan would be appropriate to ensure protection of Marist High School Site (28-Hd-55) on Block 13, Lot 1 in the City of Bayonne during construction, that no further archaeological survey at the site

would be warranted if appropriate avoidance and protection measures were put in place, that an avoidance and protection plan for NJHPO review and approval is required to detail project-related avoidance measures, and that such avoidance measures must be specified on Final Design plans; and

WHEREAS, an Archaeological Monitoring Protocol, dated April 30, 2024, was submitted to the NJHPO that outlines the documentation tasks that will be conducted to record elements of the Morris Canal historic property at the east and west proposed abutments of Structure No. N3.24R carrying the NB-HCE over Avenue C; to record the Morris Canal historic property at proposed Piers 13-15, a portion of Pier 17, and the eastern abutment for Structure No. N3.73R (Southeast Viaduct); and to record elements of the Jersey Eagle Site for stormwater management basin HUC3-F if the excavation for the outfall pipe trench extends below a depth of 2.3 feet below ground surface adjacent to the Jersey Eagle Site (Richard Grubb & Associates, Inc. 2024). The protocol also included an unanticipated discovery of human remains protocol; and

WHEREAS, the USCG issued a Public Notice on May 9, 2024 and specified that a Programmatic Agreement (“PA”) would be developed to resolve adverse effects and conclude the Section 106 process pursuant to 36 C.F.R. § 800.14; and

WHEREAS, in a review letter to the Authority, dated May 28, 2024, the NJHPO accepted the Archaeological Monitoring Protocol, dated April 30, 2024; and

WHEREAS, in a review letter to the USCG, dated June 13, 2024, the NJHPO concurred that additional consultation is necessary in the development of a PA with any consulting parties that may wish to participate and to identify any additional mitigation measures that may be necessary; and

WHEREAS, the USCG has invited the City of Newark, City of Newark Landmarks and Historic Preservation Commission, City of Bayonne, City of Bayonne Historic Preservation Commission, City of Jersey City, City of Jersey City Historic Preservation Commission, the Hudson County Executive, Hudson County Open Space, Recreation and Historic Preservation, Essex County Executive, Essex County Department of Parks, Recreation, and Cultural Affairs, Newark Historical Society, Bayonne Historical Society, Preservation New Jersey, New Jersey Historical Society, Society for Industrial Archaeology, Archaeological Society of New Jersey, Canal Society of New Jersey, Hudson County Genealogical & Historical Society, Hudson County Office of Cultural & Heritage Affairs/Tourism Development, and the Jersey City Landmarks Conservancy to be consulting parties regarding the effects of the Project on historic properties (see Attachment 3); and

WHEREAS, the USCG has invited the Delaware Nation; the Shawnee Tribe of Oklahoma; the Shawnee Tribe; the Stockbridge Munsee Community; and the Delaware Tribe of Indians to consult on historic properties that may have religious and cultural significance, and the Shawnee Tribe responded in an email dated January 10, 2025, in which it specified that the Project is out of the Tribal Nation’s area of interest (see Attachment 3); and

WHEREAS, the USCG held a virtual Section 106 meeting on December 10, 2024, for all the aforementioned entities invited as consulting parties on the Project, which was attended by representatives of the New Jersey Historic Preservation Office, Stockbridge Munsee Community, City of Bayonne Historic Preservation Commission, USCG, United States Army Corps of Engineers (“USACE”), the

Authority, and the Authority's consultants (see Attachment 4); and

WHEREAS, during the December 10, 2024 virtual meeting, the Stockbridge Munsee Community verbally specified that it would like to be apprised of future work plans and various components of additional archaeological survey tasks associated with the Project, requested that its Inadvertent Discovery Protocol ("IDP") be adopted as part of the Project's requisite policies, and that the IDP is included as Attachment 5; and

WHEREAS, through consultation with the NJHPO and other consulting parties, the USCG has considered alternatives to avoid or minimize potential adverse effects to identified historic properties, and has determined that the proposed Project is the only feasible and prudent alternative; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), the USCG has notified the ACHP of its adverse effect determination with specified documentation, by e106 submission on February 6, 2025, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii) in an email dated March 12, 2025; and

WHEREAS, the USCG has consulted with the Authority regarding the effects of the Project on historic properties and the Authority has agreed to sign this PA as an invited signatory; and

WHEREAS, the USCG in consultation with the NJHPO and the Authority has determined that the development of a PA, in accordance with 36 CFR § 800.14(b)(1)(ii), is warranted because effects of the undertaking on archaeological resources are not fully known; and

WHEREAS, the Authority, as the Project owner and sponsor, has the responsibility to implement the stipulations listed herein, as determined appropriate and warranted; and

WHEREAS, the USCG, as the federal authority issuing the permit for the Project, has the responsibility to provide oversight of the Authority's implementation of the stipulations listed herein, except where the USCG shall have the responsibility to directly undertake government-to-government consultation with Federally recognized Native American Tribal Nations;

NOW, THEREFORE, the USCG, NJHPO, and Authority agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the undertaking on historic properties.

STIPULATIONS

The Authority, on behalf of the USCG, shall ensure that the following measures are carried out:

I. ONGOING CONSULTATION WITH NATIVE AMERICAN TRIBES

Federally recognized Native American Tribal Nations previously identified as consulting parties that have not declined to participate in consultation will be offered an opportunity to provide comments on archaeological survey reports, archaeological monitoring protocols, alternative analyses, avoidance and protection plans, and associated work plans that will or may be prepared as part of this PA. The USCG shall ensure that on-going consultation with Federally recognized Native American Tribal Nations is conducted to identify and express any concerns about historic properties of religious or cultural significance. Tribal consultation shall continue, as warranted, throughout the life of the Project, regardless of whether such tribes have chosen to consult or respond to USCG's initiation of consultation for this PA.

II. IDENTIFICATION AND EVALUATION OF ARCHAEOLOGICAL HISTORIC PROPERTIES

- A. The Authority shall ensure that a Phase IB archaeological survey is undertaken within proposed Basin HUC2-I on the former Marist High School property in the City of Bayonne, Hudson County, New Jersey, to determine the presence or absence of archaeological resources. Due to the potential for extensive imported fill within the proposed basin footprint, the Phase IB archaeological survey will be facilitated by the use of mechanically excavated trenches to enable hand excavation of shovel test pits within buried, intact soils, if present. If buried natural soils with the potential to contain cultural material are present beyond a depth of 5 feet below grade, a backhoe will be utilized to recover soil samples that will be passed through 1/4-inch wire mesh cloth to facilitate recovery of cultural material, if present. A Phase IB archaeological survey report that complies with the NJHPO reporting and survey standards shall be completed. The USCG shall distribute the Phase IB archaeological survey report to the NJHPO and consulting parties, including Federally recognized Native American Tribal Nations, as necessary, for review and comment within 30 days of completion.
- B. In the event intact archaeological resources are identified during the Phase IB archaeological survey, a Phase II archaeological survey may be determined necessary within archaeological site boundaries developed in consultation with the NJHPO and any consulting parties that may wish to participate. The methodology employed for a Phase II archaeological survey will be detailed in a Phase II archaeological survey work plan to be reviewed and approved by USCG, Authority, and NJHPO prior to the commencement of any Phase II archaeological survey fieldwork. The USCG shall distribute the work plan to consulting parties, including Federally recognized Native American Tribal Nations, as warranted. The Phase II archaeological survey will evaluate the NRHP eligibility of identified archaeological sites found in the footprint of proposed Basin HUC2-I on the former Marist High School property to enable an assessment on the Project's potential to affect identified archaeological properties. A Phase II archaeological survey report shall be

completed that conforms to the reporting and survey standards of the NJHPO. The USCG shall distribute the Phase II archaeological survey report to consulting parties, including Federally recognized Native American Tribal Nations, as warranted.

- C. The USCG and the Authority shall consult with the NJHPO regarding the need, where appropriate, to prepare recovered archaeological assemblages for curation and storage in a facility that meets 36 C.F.R. Part 79 guidelines.

III. ALTERNATIVES ANALYSIS

In order to determine if impacts to newly identified archaeological historic properties can be minimized or avoided prior to the implementation of treatment measures outlined in Section IV, the Authority will prepare an Alternatives Analysis that considers and outlines the feasibility of different design alternatives. The design alternatives will be considered and proposed to determine the feasibility and rationale of each alternative to simultaneously meet or not meet the Project need and avoid or minimize impacts to newly identified archaeological historic properties. The design alternatives will include a no-build alternative, a build-as-designed alternative, and an alternative that minimizes or avoids impacts to newly identified archaeological historic properties. The Alternatives Analysis will be prepared to follow the NJHPO's guidelines for such documents. The USCG and the Authority will provide the draft Alternatives Analysis to the NJHPO, identified Tribal Nation consulting parties, and other identified consulting parties for review and comment. Upon receipt of consulting party comments, the USCG and the Authority will submit a final Alternatives Analysis to the NJHPO, identified Tribal Nation consulting parties, and other identified consulting parties. If, through consultation, it is determined that there is no feasible Project alternative to avoid impacts to newly identified archaeological historic properties, treatment measures for archaeological historic properties as described in Section IV may be deemed appropriate.

IV. TREATMENT MEASURES FOR ARCHAEOLOGICAL HISTORIC PROPERTIES

Following consultation with the NJHPO, the Authority shall ensure that project-related adverse effects the Project may have on an identified archaeological historic property in proposed Basin HUC2-I on the former Marist High School property are appropriately mitigated through a Phase III archaeological data recovery effort prior to construction and/or through archaeological monitoring during construction.

In the event Phase III archaeological data recovery is determined to be the most appropriate means to mitigate project-related adverse effects to newly identified archaeological historic properties at proposed Basin HUC2-I on the former Marist High School property, the Authority shall ensure that a Phase III archaeological data recovery work plan is prepared, submitted to, and approved by the NJHPO prior to the commencement of Phase III archaeological data recovery fieldwork. The work plan for the Phase III will outline the fieldwork and analysis methodology, research questions, curation procedures, reporting means, and public outreach that will be followed during a Phase III archaeological data recovery. The Phase III work plan may include provisions for archaeological monitoring, as appropriate. The USCG shall distribute the work plan to consulting parties, including Federally recognized Native American

Tribal Nations, as warranted. A Phase III archaeological data recovery report shall be completed that conforms to the reporting and survey standards of the NJHPO. The USCG shall distribute the Phase III archaeological survey report to consulting parties, including Federally recognized Native American Tribal Nations, as warranted. The Authority shall provide the NJHPO and USCG with monthly email summary updates from the start of Phase III fieldwork to the completion of all Phase III tasks. Following the completion of Phase III fieldwork, the Authority shall ensure that a management summary letter is prepared for submission to the NJHPO that details the fieldwork completed and cultural features identified with appended data demonstrating how the Phase III fieldwork has satisfied the research design. The letter will request that the archaeological site footprint be released for construction following approval from the NJHPO and identified Tribal Nation consulting parties. The letter will also outline a timeline for all outstanding data recovery elements (i.e., report, artifact curation, and public outreach) that will be conducted in a specified timeframe or a timeframe that is amenable to the NJHPO and USCG based on the complexity of the archeological historic property. All recovered artifacts will be prepared for curation and storage in a facility that meets 36 C.F.R. Part 79 guidelines.

V. ARCHAEOLOGICAL MONITORING

The Authority shall ensure that the NJHPO-approved Archaeological Monitoring Protocol will be adhered to document archaeological deposits and features associated with the Morris Canal historic property at the east and west proposed abutments of Structure No. N3.24R carrying the NB-HCE over Avenue C; to record elements of the Morris Canal historic property at proposed Piers 13-15, a portion of proposed Pier 17, and the eastern abutment for proposed Structure No. N3.73R (Southeast Viaduct); and archaeological resources associated with the Jersey Eagle Site historic property, if present, at Basin HUC3-F (if the excavation for the basin outfall pipe trench adjacent to the historic property extends below a depth of 2.3 feet below current ground surface). The Authority shall also ensure that the provisions for unanticipated discovery of human remains outlined in the Archaeological Monitoring Protocol will be followed in the event human remains are identified. The Authority shall ensure that the archaeological monitoring report is submitted to the NJHPO within 45 days of the completion of all archaeological monitoring fieldwork tasks.

In the event it is determined appropriate to mitigate adverse effects to newly identified archaeological historic properties and/or archaeological resources during construction through a process of archaeological monitoring in specific locations, the Authority shall ensure that an archaeological monitoring protocol be prepared that meets the NJHPO's standards. The monitoring protocol will outline the specific locations that require monitoring during construction, describe the methods of archaeological resource/historic property documentation, provide a list of Project contacts, and detail the methodology for artifact analysis, artifact curation, and reporting. The archaeologist to conduct on-site archaeological monitoring must meet 36 C.F.R. Part 61 standards for archaeology. The location of archaeological monitoring will be displayed on Final Design construction plans with notations referencing the relevant archaeological monitoring protocol, the need for archaeological monitoring in specific locations, and that an archaeological monitor must be given at least three (3) business days advance notice prior to being required on site. The USCG shall distribute the

monitoring protocol to consulting parties, including Federally recognized Native American Tribal Nations, as warranted.

On-site archaeological monitoring will occur during the construction phase and will adhere to the NJHPO-approved archaeological monitoring protocol. As determined appropriate through consultation between the USCG and the NJHPO, recovered artifacts will be prepared for curation and storage in a facility that meets 36 C.F.R. Part 79 guidelines.

In the event it is determined that construction has already occurred in an area requiring archaeological monitoring before such monitoring can be undertaken, the USCG will be notified per 36 C.F.R. Part 800.15(j) and the NJHPO shall be notified within 24 hours of each occurrence.

VI. AVOIDANCE AND PROTECTION MEASURES

In the event newly identified archaeological resources and/or archaeological historic properties are identified within the Project footprint that will be avoided or that adverse effects will be minimized through a redesign, the USCG and the Authority shall ensure that an Avoidance and Protection Plan or Minimization Plan is submitted to the NJHPO and identified Tribal Nation consulting parties for review and comment. Upon approval of the Final Avoidance and Protection Plan or Minimization Plan, as the case may be, the Authority shall ensure that the avoidance or minimization elements and/or engineering controls are documented on relevant Final Design construction plan sheets and notes pages. The NJHPO may request that photographic documentation be submitted that documents installation of the avoidance measures and conditions before, during, and after construction.

The Authority shall also ensure an Avoidance and Protection Plan is prepared for NJHPO review and approval that details project-related avoidance measures at the Marist High School Site (28-Hd-55) on Block 13, Lot 1 in the City of Bayonne, Hudson County, New Jersey. Such measures shall protect the footprint of the Marist High School Site (28-Hd-55) from disturbance during construction activities through emplaced engineering controls. The engineering controls determined to be appropriate to enable archaeological resource protection will be detailed on relevant Final Design construction plan sheets that display the site location and in the construction plan notes pages to ensure that the Construction Manager understands that no mechanical excavation and/or use of machinery can occur within the site limits. The NJHPO may request that photographic documentation be submitted that documents installation of the avoidance measures and conditions before, during, and after construction.

ADMINISTRATIVE CONDITIONS

VII. ROLES AND RESPONSIBILITIES

USCG: As a signatory and the lead federal agency, the USCG has authority to execute, amend, and/or terminate this PA. The primary responsibility of the USCG pursuant to 36 C.F.R. § 800.2 (a) (2) is to ensure that the provisions of this PA are carried out. The USCG will conduct government-to-government consultation with Consulting Tribes and participate in the resolution of disputes. The USCG will oversee the Authority's implementation of the stipulations contained herein, as determined appropriate and as warranted, except in such cases where government-to-government consultation is necessary to be conducted by the USCG with Federally recognized Native American Tribal Nations.

NJHPO: As a signatory with responsibility for regulatory review and compliance, the NJHPO has the authority to execute, amend, and/or terminate this PA. The NJHPO is also responsible for providing formal review and comment for actions requiring the same as part of this PA.

Authority: As an invited signatory, the Authority has the authority to amend and/or terminate this PA and shall ensure that specified stipulations and procedures for which it has assumed responsibility are carried out in accordance with this PA. The Authority has the responsibility to implement the stipulations contained herein, as determined appropriate and as warranted, on behalf of the USCG, except in such cases where government-to-government consultation is necessary to be conducted by the USCG with Federally recognized Native American Tribal Nations.

VIII. PROFESSIONAL QUALIFICATIONS STANDARDS

The Authority, on behalf of the USCG, will ensure that all work prescribed by this PA is carried out by or under the direct supervision of a person or persons meeting or exceeding the Secretary of the Interior's Professional Qualifications Standards [48 FR 44738-44739] in Archaeology, History, or Architectural History, as appropriate.

IX. UNANTICIPATED DISCOVERIES

All unanticipated historic and pre-contact period archaeological discoveries resulting from Project activities made anywhere on the Project site will be treated in accordance with the regulations set forth at 36 CFR § 800.11 and CFR § 800.13. In the event that unanticipated discoveries of historic period non-Native American archaeological resources are made during execution of the Project, the Authority will cease construction in the area of the discovery and the USCG shall notify the NJHPO. In the event that unanticipated discoveries of Native American archaeological resources are made during executions of the Project, the Authority will cease construction in the area of the discovery and the USCG shall notify all Tribal representatives and the NJHPO. Consultation will be conducted by the USCG with all identified Tribal Nation consulting parties that have an interest in the undertaking to seek comments on appropriate measures that may be required. The Stockbridge Munsee Community's IDP and the Native American Graves Protection and Repatriation Act

("NAGPRA") of 1990 rules set forth at 25 U.S.C. § 3001 *et seq* and the implementing regulations at 43 CFR Part 10 will be followed (see Attachment 5). Construction will not resume until such time as the significance, treatment, and disposition of said discoveries can be determined in consultation with consulting parties. Irrespective of USCG actions, nothing in this paragraph shall or is intended to limit the Authority from directly notifying the NJHPO to coordinate response activities in cases of unanticipated historic and pre-contact discoveries.

X. TREATMENT OF HUMAN REMAINS

- A. If human remains are encountered during construction, the Authority shall require the contractor to immediately halt subsurface disturbance in that portion of the construction area and 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.
- B. The Authority shall immediately notify the police department with jurisdiction 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, and the remains are not of Native American origin, the Authority shall develop a research design/treatment plan consistent with all relevant laws, procedures, policies, and guidelines of the NJHPO, and applicable provisions of the New Jersey Cemetery Act of 2003 set forth at N.J.S.A. § 45:27-1 *et seq*. The Authority shall submit the design and plan to the NJHPO for review and approval.
- D. In the event the human remains encountered could be of Native American origin, whether from the pre-contact or historic period, the USCG shall immediately notify and consult with the appropriate Federally recognized Native American Tribal Nations and with the NJHPO to determine the treatment plan for the Native American human remains and any associated funerary objects that complies with NAGPRA of 1990, set forth at 25 U.S.C. § 3001 *et seq* and the implementing regulations at 43 CFR Part 10. Irrespective of USCG actions, nothing in this paragraph shall or is intended to limit the Authority from directly notifying the NJHPO to coordinate response activities in the event human remains are encountered.
- E. The Authority shall ensure the contractor shall not proceed with work in the affected area until the USCG, in consultation with the NJHPO and Federally recognized Native American Tribal Nations, as appropriate, determines the appropriate research design/treatment plan or other recommended mitigation measures are completed. However, work outside the area may continue.

XI. EMERGENCY SITUATIONS

Should an emergency situation occur that represents an imminent threat to public health or safety, or creates a hazardous condition and has the potential to affect historic properties, the Authority shall contact the police department with jurisdiction, as needed, as soon as possible

and notify the signatories within twenty-four (24) hours of the condition which 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 shall include provisions for continuing consultation with the NJHPO and consulting parties to identify ways to avoid, minimize, or mitigate potential adverse effects to historic properties, pursuant to 36 C.F.R. Part 800.12.

The signatories shall have seven (7) days to review and comment on the plan(s) for further action. If USCG and the NJHPO do not object to the plan within the review period, then the Authority shall implement the proposed plan(s).

Where possible, the Authority shall ensure that emergency responses 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 Administrative Condition VIII.

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

XII. CHANGES IN PROJECT AREA/SCOPE

In the event that the Authority modifies the geographic boundaries of the proposed Project area, the scope of the proposed Project, or makes significant changes to the Project design, the following measures will be implemented in consultation with the signatories:

1. The Authority, in consultation with the USCG, NJHPO, and any consulting parties that wish to participate, will assess and revise the Project APE, as needed, to incorporate any additional areas that have the potential to affect historic resources.
2. The Authority, in consultation with the USCG, NJHPO, and any consulting parties that wish to participate, will carry out additional investigations deemed necessary to identify historic architectural and archaeological properties that may be affected.
3. The Authority, in consultation with the USCG, NJHPO, and any consulting parties that wish to participate, will assess the Project's potential effects on any new historic properties and develop through consultation, prudent and feasible measures to avoid, minimize, or mitigate adverse effects on these properties.
4. The Authority, in consultation with the USCG and NJHPO, will ensure the preparation of appropriate reports and documents, notify Section 106 consulting parties, including Federally recognized Native American Tribal Nations, of any changes in the Project's effects on historic properties, and provide an opportunity to review and comment.
5. If a change in Project scope results in potential effects to historic properties not addressed in this PA, USCG shall consult with all signatories to amend this PA in accordance with Administrative Condition XIV.

XIII. DISPUTE RESOLUTION

Should any signatory of this PA object at any time to any actions proposed or the manner in which the terms of this PA are implemented, the USCG shall consult with such party and the Authority to resolve the objection. If the USCG determines that such objection cannot be resolved, then the USCG shall proceed as follows:

1. Forward all documentation relevant to the dispute, including the USCG's proposed resolution, to the ACHP. The ACHP shall advise the USCG on resolving the dispute within forty-five (45) days of receiving the USCG's documentation. The USCG shall consider the ACHP's advice and respond in writing with the USCG's final decision and copy the signatories to this PA.
2. If the ACHP does not provide its advice regarding the dispute within the forty-five (45)-day period, the USCG may make a decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the USCG shall prepare a written response that considers any timely comments regarding the dispute from the signatories and provide them and the ACHP with a copy of such written response.
3. 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.

XIV. AMENDMENTS

Any signatory to this PA may request, in writing, that it be amended, whereupon the signatories will consult to consider such amendment. This PA may be amended only upon written concurrence of all signatories of this PA. The amendment will be effective on the date a copy signed by all the signatories is filed with the ACHP.

XV. TERMINATION

If any signatory to this PA determines that the terms shall not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Administrative Condition XIV above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the PA upon written notification to the other signatories.

Should the agreement be terminated, then, prior to work continuing on the undertaking, the USCG shall either (a) execute a new agreement document pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. USCG shall notify the signatories and other consulting parties as to the course of action it shall pursue.

XVI. CONFLICT OF LAW AND ENTIRETY OF AGREEMENT

Nothing in this agreement is intended to conflict with current law or regulation or the directives of the USCG or Department of Homeland Security or the participating agencies. If a term of this agreement is inconsistent with such authority, that term shall be invalid. The remaining terms and conditions shall remain in full force and effect. This agreement supersedes all prior negotiations, representations, and agreements, whether written or oral on the subject between the signatories to this PA.

XVII. REPORTING

The Authority shall provide the USCG and NJHPO a written review of the Project annually, to monitor progress of the implementation of the terms of this PA. If the stipulations have not been implemented within the duration stated in Administrative Condition XVIII, the parties to this agreement shall review the PA to determine whether revisions are needed. If revisions are needed, the parties to this PA shall consult in accordance with Administrative Condition XIV above.

XVIII. DURATION

This PA will expire if its terms are not carried out within fifteen (15) years from the date of its execution by the last signatory to execute the PA, or upon Project completion, whichever comes first. If within 15 years, the proposed Project is not completed, or its stipulations are not met, the signatories will consult to determine if this PA will be amended, extended, or terminated. Prior to such time, the USCG through the Authority may consult with other signatories to reconsider the terms of the PA and amend it in accordance with Administrative Condition XIV above.

EXECUTION of this PA by the USCG, NJHPO, and Authority, and the implementation of its terms is evidence that the USCG has taken into account the effects of the undertaking on historic properties and has afforded the ACHP an opportunity to comment.

References

Richard Grubb & Associates, Inc.

- 2023a Phase I Archaeological Survey and Intensive-level Historic Architectural Survey, Interchange 14 to 14A: New Jersey Turnpike Newark Bay-Hudson County Extension Bridge Replacements and Capacity Enhancements Program, Cities of Bayonne and Jersey City, Hudson County, and Newark, Essex County, New Jersey. April 2023. On file at the New Jersey Historic Preservation Office, Trenton, New Jersey.

- 2023b Draft Supplemental Phase I Archaeological Survey and Geotechnical Boring Review, Interchange 14 to 14A: New Jersey Turnpike Newark Bay-Hudson County Extension Bridge Replacements and Capacity Enhancements Program, Cities of Bayonne and Jersey City, Hudson County, New Jersey. November 2023. On file at the New Jersey Historic Preservation Office, Trenton, New Jersey.

- 2024 Archaeological Monitoring Protocol, Newark Bay- Hudson County Extension Interchange 14 to 14A/ Newark Bay Bridge Replacement and Associated Improvements, Cities of Bayonne and Jersey City, Hudson County, New Jersey. November 2023. On file at the New Jersey Historic Preservation Office, Trenton, New Jersey.

**APPROVAL AND SIGNATURE PAGE FOR PROGRAMMATIC AGREEMENT
AMONG
THE UNITED STATES COAST GUARD,
NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
AND NEW JERSEY TURNPIKE AUTHORITY
REGARDING THE
NEWARK BAY-HUDSON COUNTY EXTENSION IMPROVEMENTS PROGRAM,
INTERCHANGES 14 TO 14A/NEWARK BAY BRIDGE REPLACEMENT
AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE & JERSEY CITY,
HUDSON COUNTY, NEW JERSEY**

SIGNATORY

UNITED STATES COAST GUARD

By: Michael
M.E. Platt
Rear Admiral, United States Coast Guard
Commander, First Coast Guard District

Date: APRIL 16, 2025

**APPROVAL AND SIGNATURE PAGE FOR PROGRAMMATIC AGREEMENT
AMONG
THE UNITED STATES COAST GUARD,
NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
AND NEW JERSEY TURNPIKE AUTHORITY
REGARDING THE
NEWARK BAY-HUDSON COUNTY EXTENSION IMPROVEMENTS PROGRAM,
INTERCHANGES 14 TO 14A/NEWARK BAY BRIDGE REPLACEMENT
AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE & JERSEY CITY,
HUDSON COUNTY, NEW JERSEY**

SIGNATORY

NEW JERSEY HISTORIC PRESERVATION OFFICER


By: Katherine J. Marcopul
Dr. Katherine J. Marcopul
Deputy State Historic Preservation Officer

Date: 4/25/2025

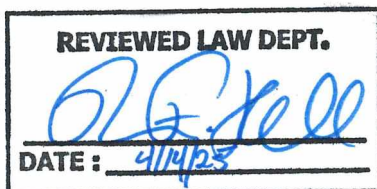
**APPROVAL AND SIGNATURE PAGE FOR PROGRAMMATIC AGREEMENT
AMONG
THE UNITED STATES COAST GUARD,
NEW JERSEY STATE HISTORIC PRESERVATION OFFICER,
AND NEW JERSEY TURNPIKE AUTHORITY
REGARDING THE
NEWARK BAY-HUDSON COUNTY EXTENSION IMPROVEMENTS PROGRAM,
INTERCHANGES 14 TO 14A/NEWARK BAY BRIDGE REPLACEMENT
AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE & JERSEY CITY,
HUDSON COUNTY, NEW JERSEY**

INVITED SIGNATORY

NEW JERSEY TURNPIKE AUTHORITY

By: 
James D. Carone
Executive Director

Date: 4/14/2025



ATTACHMENT 1: SECTION 106 CONSULTATION DOCUMENTATION

- *USGS Public Notice (May 9, 2024)*
- *NJHPO response letter (June 13, 2024)*
- *USCG Section 106 Consultation Letter to NJHPO, with URL link to attachments including Phase I archaeological survey and Intensive-level historic architectural survey, Draft supplemental Phase I archaeological survey and geotechnical boring review, and Archaeological monitoring protocol (November 13, 2024; <https://www.njta.com/section-106>)*
- *NJHPO response letter (January 15, 2025)*
- *USGS Continued Consultation Letter to NJHPO (February 5, 2025)*
- *ACHP response letter (March 12, 2025)*



09 MAY 2024

PUBLIC NOTICE D01-209-2024

PROPOSED REPLACEMENT OF THE NEWARK BAY-HUDSON COUNTY EXTENSION BETWEEN INTERCHANGES 14 AND 14A (EXTENSION) INCLUDING THE VINCENT R. CASCIANO MEMORIAL, NEWARK BAY BRIDGE (NBB) ACROSS NEWARK BAY, MILE 3.8, BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE, HUDSON COUNTY, NEW JERSEY

All interested parties are notified that a U.S. Coast Guard (USCG) bridge permit application, and a draft National Environmental Policy Act (NEPA) Environmental Assessment from the New Jersey Turnpike Authority (NJTA) have been received by the Commander, First Coast Guard District, for approval of the enclosed plans to replace a bridge over a navigable waterway of the United States.

Further, the Department of the Army (USACE) has received an application from the NJTA for a Section 408 permission for certain work at or near the Newark Bay Channel Federal Navigation Project, as described in this public notice and shown on attached plans. The purpose of this public notice is to elicit comments from the public, government, and marine community regarding the proposed action.

WATERWAY AND LOCATION: The proposed replacement of the bridge would be constructed over the Newark Bay, mile 3.8, between Newark, Essex County and Bayonne, Hudson County, New Jersey. More specifically, the western terminus of the proposed action is Interchange 14 in Newark where the Extension intersects with the NJ Turnpike (I-95) mainline roadway, Interstate Route 78 and U.S. Routes 1 and 9. The eastern terminus of the proposed action is Interchange 14A in Jersey City and Bayonne where the Extension intersects with NJ Routes 440 and 185 and local streets.

CHARACTER OF THE WORK: The NJTA proposes to replace all roadway bridges and viaducts, including the NBB, while widening the roadway between Interchanges 14 and 14A from the existing two-way traffic lanes in each direction to carry four travel lanes in each direction. Specifically, the existing NBB will be replaced with two compliant bridges with one bridge carrying four travel lanes in the eastbound direction and the other bridge carrying four travel lanes in the westbound direction. One of the replacement bridges will be constructed off-line immediately to the north and carry westbound roadway traffic. The other replacement bridge will be replaced on approximately the same alignment as the existing NBB and will carry eastbound roadway traffic.

The proposed project will improve the navigational clearances of the Newark Bay Bridge, improve sea level resiliency, improve the long-term integrity of the Extension's structures, and improve the safety of commuter and marine traffic. The horizontal navigational clearance of 550feet and vertical clearance of 135feet Mean High Water (MHW) remain unchanged.

The NJTA has agreed to remove the existing piers 2-feet below the mudline, except that existing piers W1 & E1 will remain for integration with the fender design. The northwest corner of pier E1 will be dredged to the limit of the USACE maintained Newark Bay North Reach navigational channel to a depth of 2-feet below the authorized channel depth of 35-feet MLLW. The approximate volume of concrete to be removed is 20-cubic yards and 1.75-linear feet of 7 steel piers. All proposed foundations would be drilled shafts. A temporary bridge will not be required for this project.

MINIMUM NAVIGATIONAL CLEARANCES:

The proposed replacement bridge will have clearances as described in the table below. These clearances are no change from current clearances over this section of the waterway at or near this mile. Vertical clearance is from low member elevation to mean high water (MHW).

EXISTING CLEARANCES UNCHANGED FOR PROPOSED PROJECT	
Horizontal Clearances:	Vertical Clearance:
Navigational Channel: 500-feet Between Fenders: 611.65-feet	135-feet MHW 132.6-feet MLW
NAVD1988	

ENVIRONMENTAL CONSIDERATIONS: The USCG is the lead federal agency for satisfying the requirements of the National Environmental Policy Act (NEPA) as amended. The USCG has tentatively determined that the proposed action will not have a significant impact for purposes of NEPA under the criteria given in the Coast Guard’s NEPA implementation instruction. As a result, the USCG plans to issue a “Finding of No Significant Impact” (FONSI) for the proposed project, unless significant impacts are revealed by this public notification and public information events.

A Draft Environmental Assessment (EA) was issued in February 2024. Environmental documents are posted on-line at https://www.njta.com/capitalprojects/newark_bay_hudson_county. Copies of the Draft EA for comment are additionally available for viewing at the following locations:

Newark Public Library/ 5 Washington Street Newark, New Jersey, 07102

Bayonne Public Library/ Story Court Temporary Branch at 16 W 4th Street, Bayonne, 07002

Jersey City Public Library/ Earl A. Morgan Branch , 1841 John F. Kennedy Boulard, Jersey City 07305

Please visit the program website [Newark Bay Hudson County Extension Improvements Program \(njta.com\)](https://www.njta.com/capitalprojects/newark_bay_hudson_county) for more information and upcoming public informational events.

The proposed replacement bridge is located in a floodplain. The 100-year flood elevation varies between 14-feet and 15-feet within the limits of the NBB. A Water Quality Certificate (WQC) The WQC and Coastal Zone Consistency Determination were issued on April 3, 2024. NJDEP also determined that the proposed bridge replacement meets the requirements of the State’s Flood Hazard Area Control Act Rules.

The USACE’s authority for this project falls under Section 404 of the Clean Water Act, authorized with a Nationwide Permit 15. A Section 408 permit application is pending USACE review.

The NJTA performed a Phase I Archaeological Survey and Intensive Historic Architectural Survey for the proposed bridge project during the environmental review process. The NJTA determined that the proposed project will have adverse impacts to historic architecture and property listed or eligible for listing in the National Register of Historic Places (NRHP) or otherwise of archaeological, historical, or architectural significance. Per Section 106 of the National Historic Preservation Act of 1966, the NJTA, as the Coast Guard’s designated Federal representative, coordinated with the New Jersey Historic Preservation Office (NJHPO). Mitigation measures identified in consultation with the NJHPO and other consulting parties through the development of a Programmatic Agreement will resolve adverse effects and conclude the Section 106 process. Specific information regarding the Area of Potential Effects (APE)

and properties and locations listed in the NRHP in Newark Bay, Morris Canal, City of Bayonne, City of Newark and City of Jersey City are described in the EA.

Informal consultations initiated with the National Oceanic and Atmospheric Administration, Fish and Wildlife Administration and the National Marine Fisheries Service are pending. Detailed information regarding environmental compliance with NEPA is described in the EA regarding applicable Federal laws, including and not limited to: Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Bald and Golden Eagle Act.

SOLICITATION OF COMMENTS: Mariners are requested to comment on the placement of a bridge protective system and other navigational safety issues, including the need for clearance systems and extent of nighttime navigation to determine the need for bridge lighting. Boat owners are requested to provide information about their vessels including type of vessel, length overall, draft, beam, and height from the waterline to the highest fixed point and to appurtenances (e.g., tuna towers, flying bridges, fixed antennas and radar units) and other navigational safety issues.

Interested parties are requested to express their views, in writing, on the proposed bridge project including its possible environmental impacts to include those impacts on minority and/or low-income populations, if any, giving sufficient detail to establish a clear understanding of the reasons for support of, or opposition to, the proposed work. Comments regarding this Public Notice will be received for the record at the address above or by e-mail to SMB-D1Boston-Bridges-PublicNotices@uscg.mil through June 11. All comments of an environmental nature such as those regarding wildlife refuges, waterfowl refuges, public parks, historic sites, wetlands, floodplain issues, air, water quality, etc. will be appropriately considered. Comments regarding matters under the jurisdiction of the USACE will be forwarded to the USACE. It is requested that this information be brought to the attention of any person having an interest who may not have received a copy of this public notice.

Plans of the proposed project, a location map and USACE figures are included in this public notice.

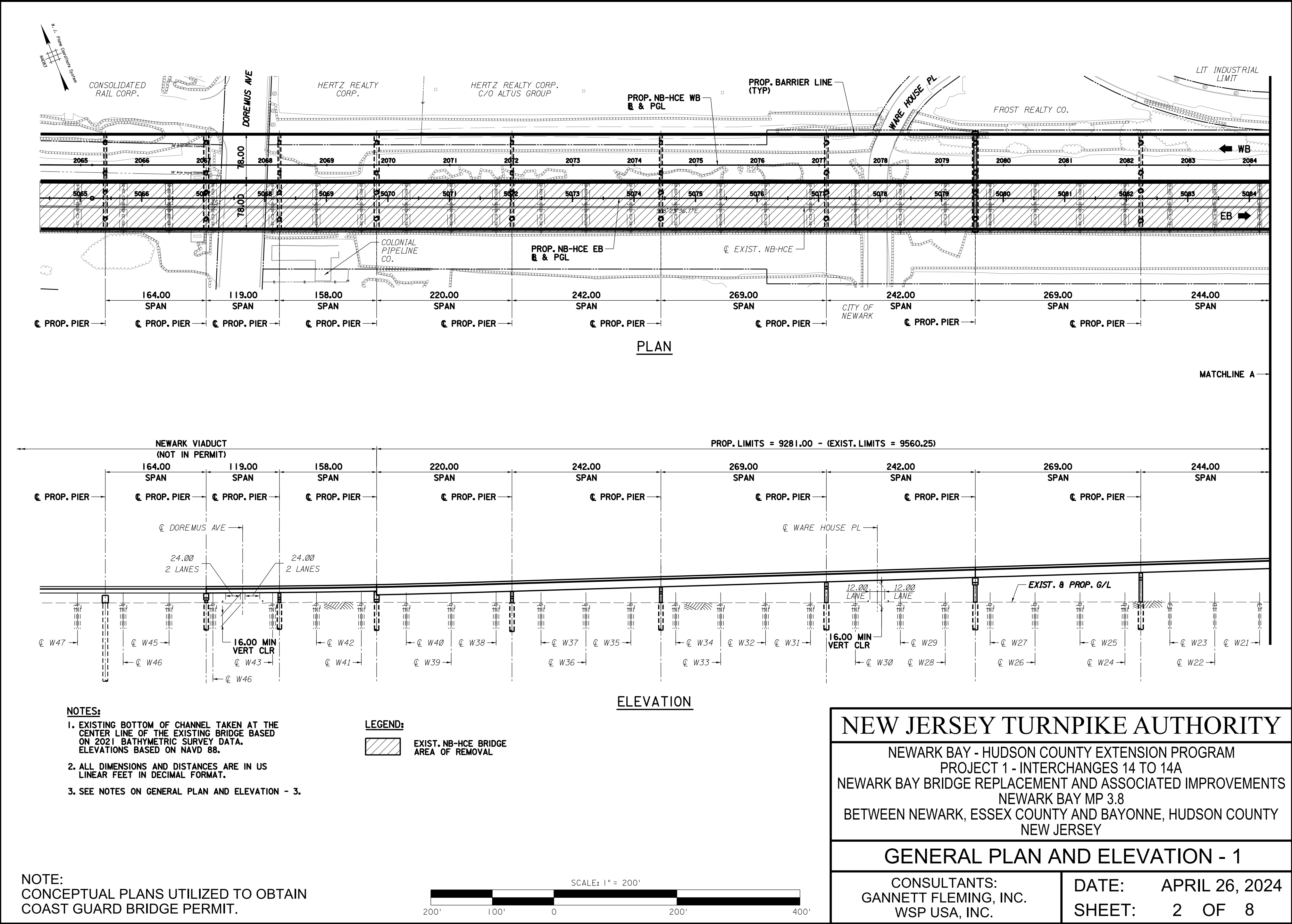
Translated copies of this public notice into Spanish, Portuguese, Polish, Hindi, Tagalog, and Arabic have additionally been posted on the USCG Navigational Center's website.

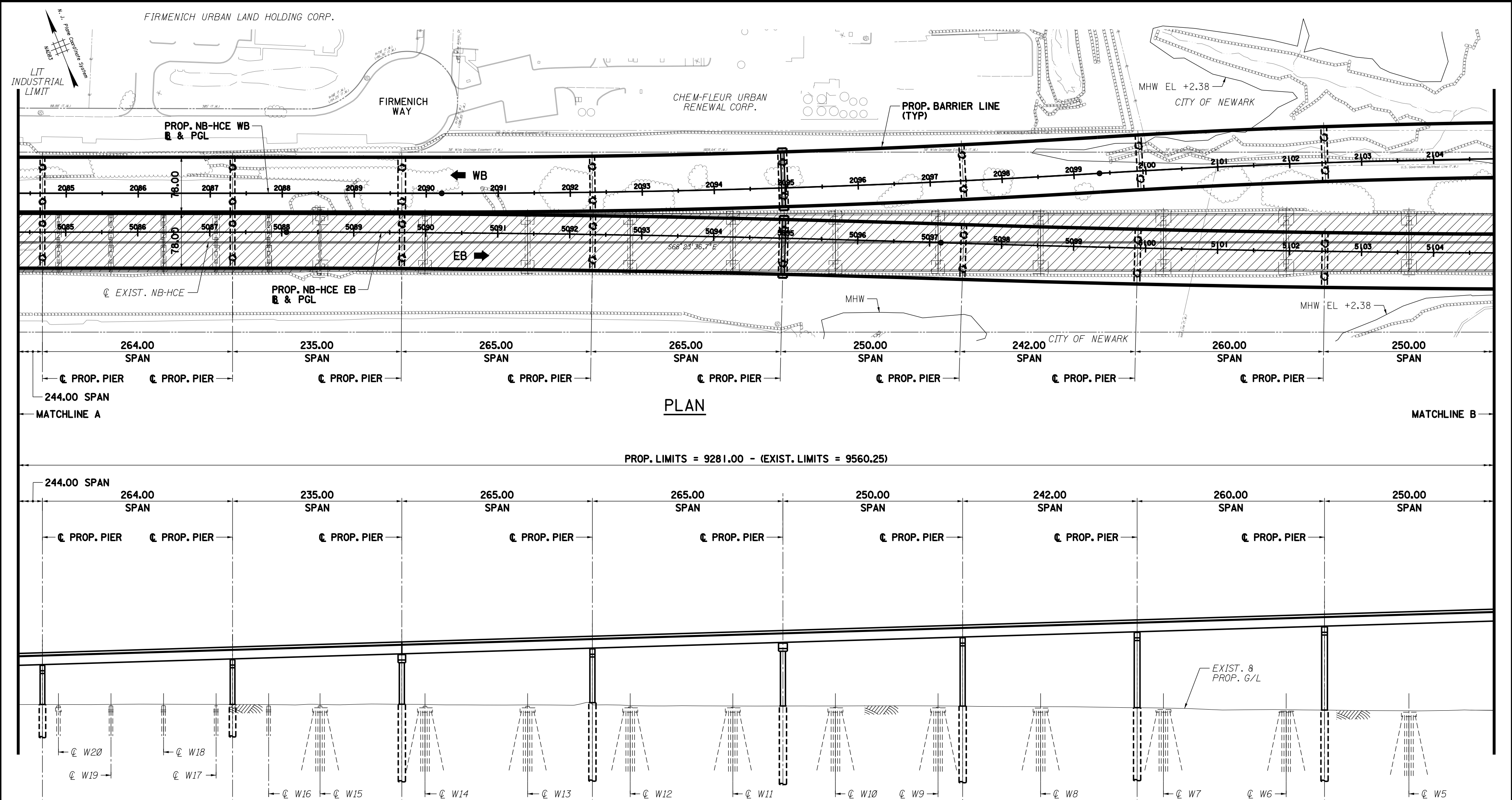
<http://www.navcen.uscg.gov/?pageName=pnBridges&Active=1®ion=1>.

Donna A.
Fisher

Digitally signed by Donna
A. Fisher
Date: 2024.05.07 16:32:44
-04'00'

Donna. A. Fisher
Bridge Program Manager
U.S. Coast Guard
By direction





PLAN

ELEVATION

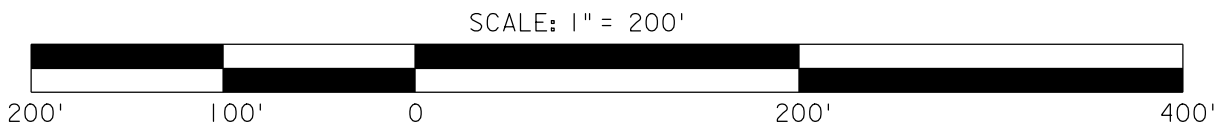
NOTES:

- 1. EXISTING BOTTOM OF CHANNEL TAKEN AT THE CENTER LINE OF THE EXISTING BRIDGE BASED ON 2021 BATHYMETRIC SURVEY DATA. ELEVATIONS BASED ON NAVD 88.
- 2. ALL DIMENSIONS AND DISTANCES ARE IN US LINEAR FEET IN DECIMAL FORMAT.
- 3. SEE NOTES ON GENERAL PLAN AND ELEVATION - 3.

LEGEND:

EXIST. NB-HCE BRIDGE AREA OF REMOVAL

NOTE:
CONCEPTUAL PLANS UTILIZED TO OBTAIN
COAST GUARD BRIDGE PERMIT.



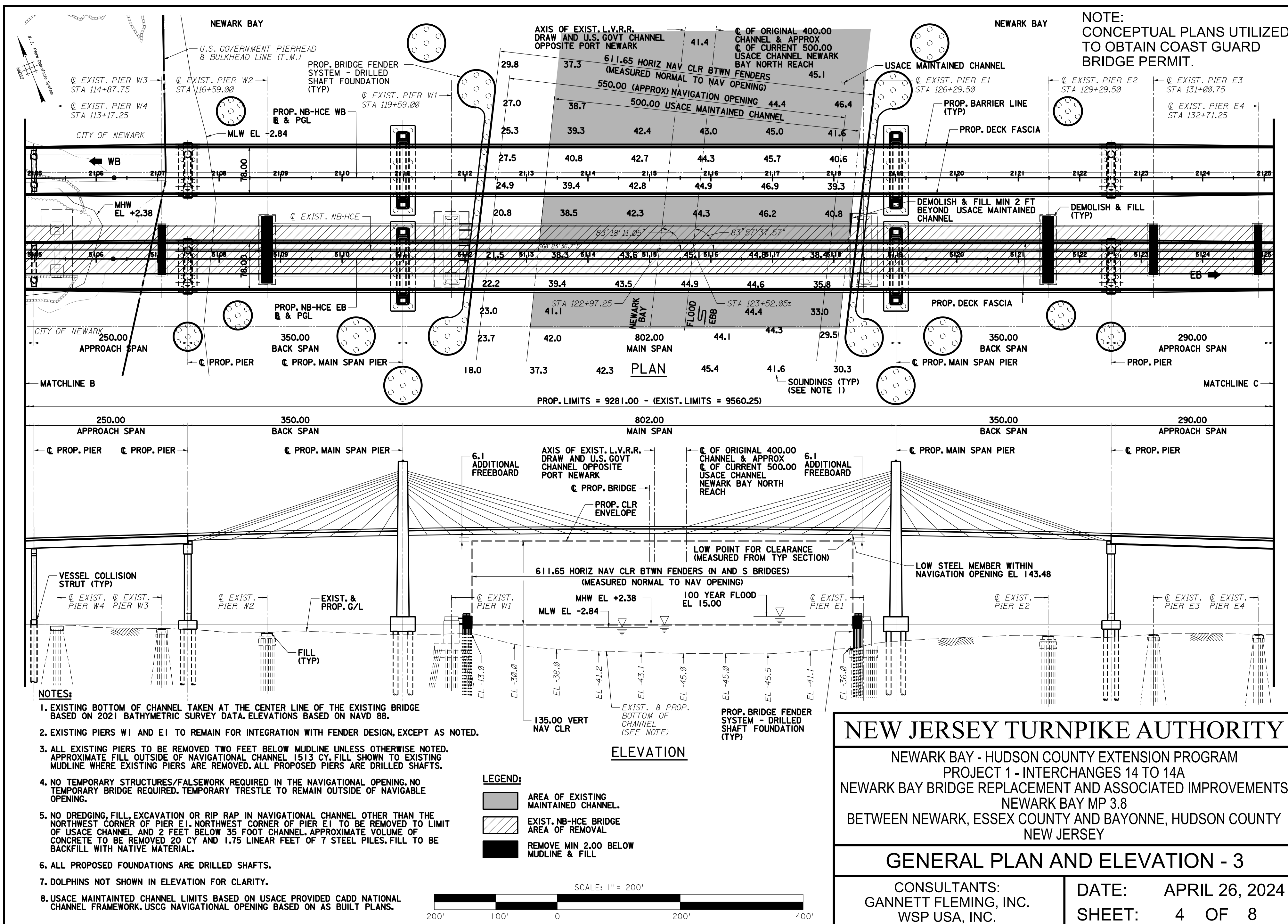
NEW JERSEY TURNPIKE AUTHORITY

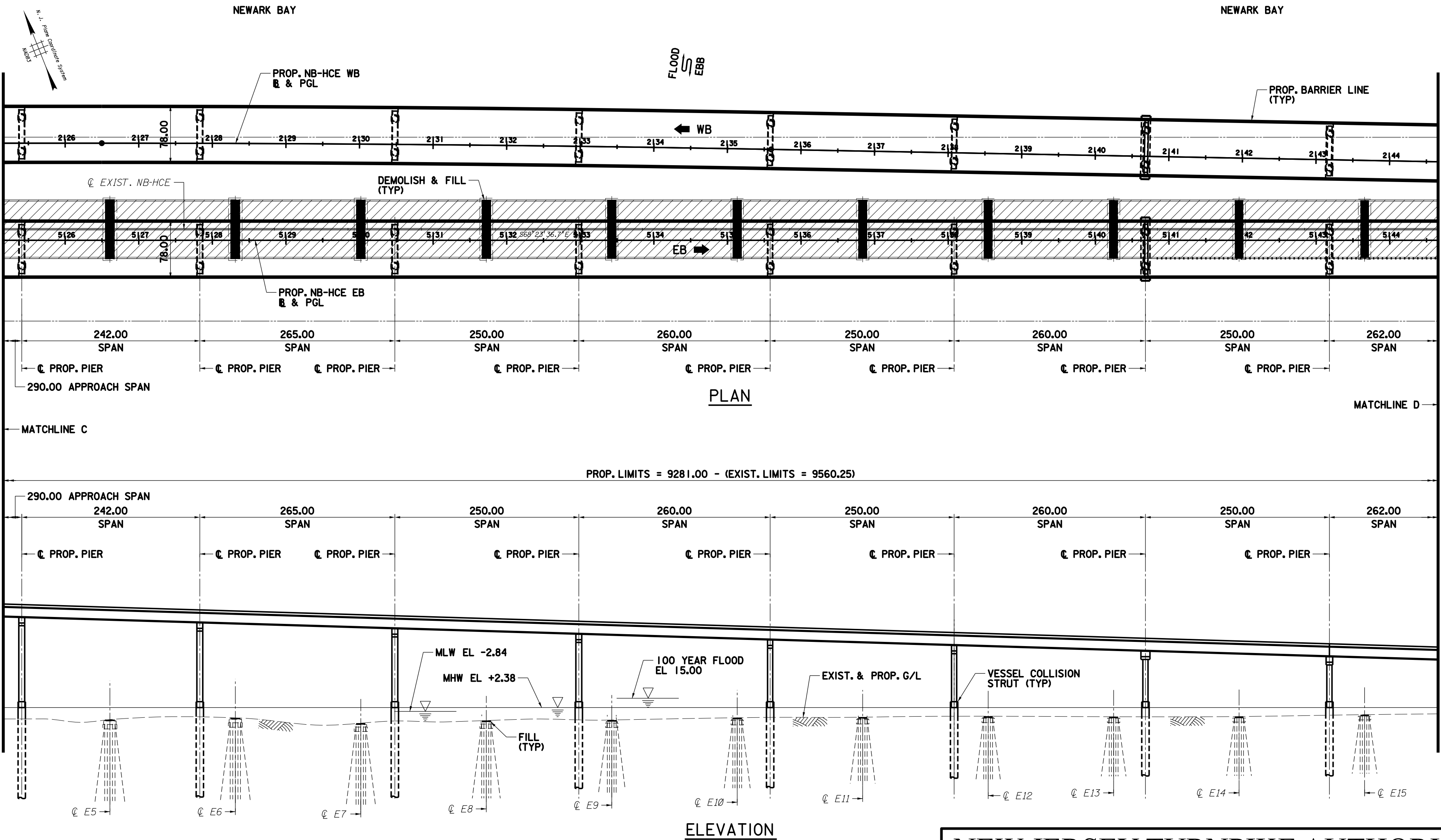
NEWARK BAY - HUDSON COUNTY EXTENSION PROGRAM
PROJECT 1 - INTERCHANGES 14 TO 14A
NEWARK BAY BRIDGE REPLACEMENT AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE, HUDSON COUNTY
NEW JERSEY

GENERAL PLAN AND ELEVATION - 2

CONSULTANTS:
GANNETT FLEMING, INC.
WSP USA, INC.

DATE: APRIL 26, 2024
SHEET: 3 OF 8





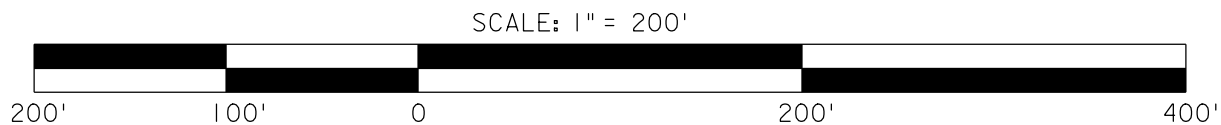
NOTES:

- 1. EXISTING BOTTOM OF CHANNEL TAKEN AT THE CENTER LINE OF THE EXISTING BRIDGE BASED ON 2021 BATHYMETRIC SURVEY DATA. ELEVATIONS BASED ON NAVD 88.
- 2. ALL DIMENSIONS AND DISTANCES ARE IN US LINEAR FEET IN DECIMAL FORMAT.
- 3. SEE NOTES ON GENERAL PLAN AND ELEVATION - 3.

LEGEND:

- EXIST. NB-HCE BRIDGE AREA OF REMOVAL
- REMOVE MIN 2.00 BELOW MUDLINE & FILL

NOTE:
CONCEPTUAL PLANS UTILIZED TO OBTAIN
COAST GUARD BRIDGE PERMIT.



NEW JERSEY TURNPIKE AUTHORITY

NEWARK BAY - HUDSON COUNTY EXTENSION PROGRAM
PROJECT 1 - INTERCHANGES 14 TO 14A
NEWARK BAY BRIDGE REPLACEMENT AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE, HUDSON COUNTY
NEW JERSEY

GENERAL PLAN AND ELEVATION - 4

CONSULTANTS:
GANNETT FLEMING, INC.
WSP USA, INC.

DATE: APRIL 26, 2024
SHEET: 5 OF 8





NEWARK BAY - HUDSON COUNTY EXTENSION PROGRAM
PROJECT 1 - INTERCHANGES 14 TO 14A
NEWARK BAY BRIDGE REPLACEMENT AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE, HUDSON COUNTY
NEW JERSEY

CONSULTANTS:
GANNETT FLEMING, INC.
WSP USA, INC.

DATE:	APRIL 26, 2024
SHEET:	6 OF 8

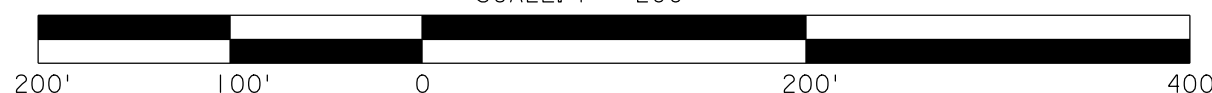
1. EXISTING BOTTOM OF CHANNEL TAKEN AT THE CENTER LINE OF THE EXISTING BRIDGE BASED ON 2021 BATHYMETRIC SURVEY DATA. ELEVATIONS BASED ON NAVD 88.
2. ALL DIMENSIONS AND DISTANCES ARE IN US LINEAR FEET IN DECIMAL FORMAT.
3. SEE NOTES ON GENERAL PLAN AND ELEVATION - 3.

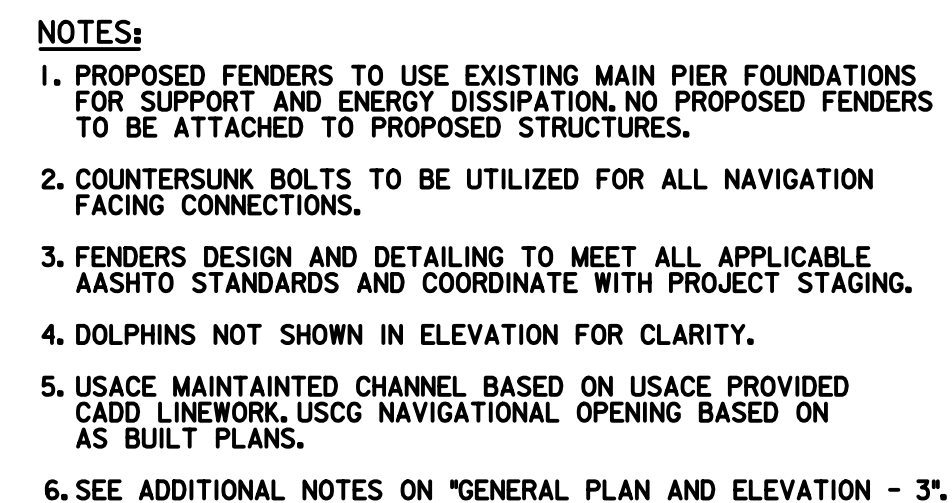
 EXIST. NB-HCE BRIDGE
AREA OF REMOVAL

 REMOVE MIN 2.00 BELOW
MUDLINE & FILL

NOTE:
CONCEPTUAL PLANS UTILIZED TO OBTAIN
COAST GUARD BRIDGE PERMIT.

SCALE: 1" = 200'





PLAN

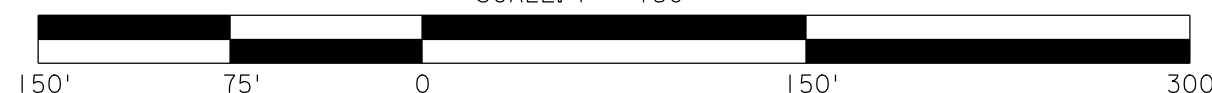


REMOVE 2.00 BELOW
MUDLINE & FILL

NOTE:
CONCEPTUAL PLANS UTILIZED TO OBTAIN
COAST GUARD BRIDGE PERMIT.

ELEVATION

SCALE: 1" = 150'



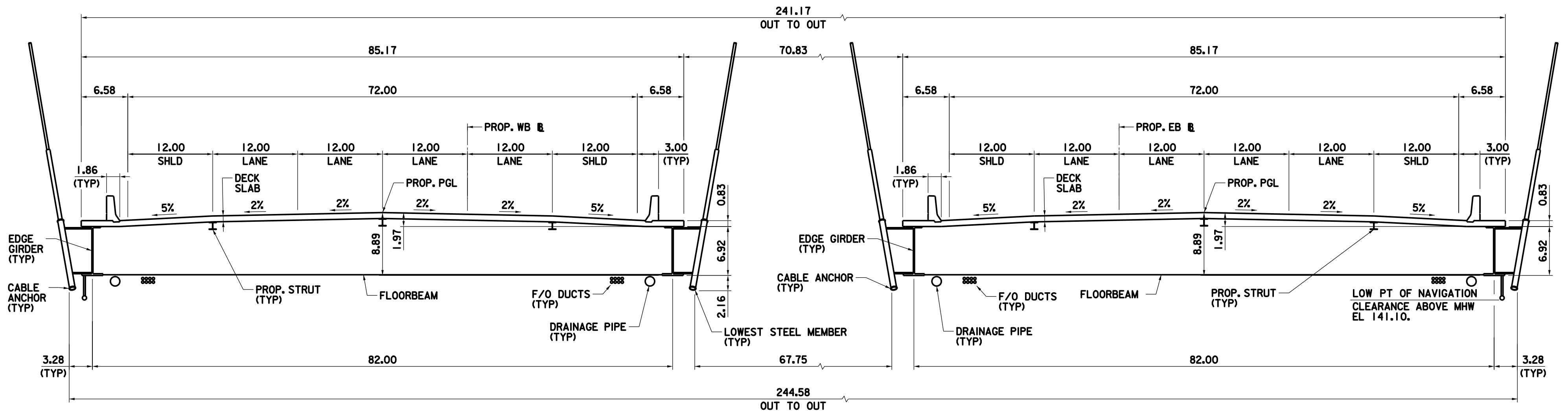
NEW JERSEY TURNPIKE AUTHORITY

NEWARK BAY - HUDSON COUNTY EXTENSION PROGRAM
PROJECT 1 - INTERCHANGES 14 TO 14A
NEWARK BAY BRIDGE REPLACEMENT AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE, HUDSON COUNTY
NEW JERSEY

BRIDGE PROTECTION SYSTEM DETAILS

CONSULTANTS:
GANNETT FLEMING, INC.
WSP USA, INC.

DATE:	APRIL 26, 2024
SHEET:	7 OF 8



WEST BOUND

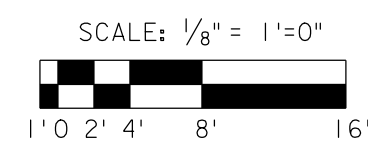
EAST BOUND

TYPICAL SECTION - MAIN SPAN
(LOOKING EAST)
1/8" = 1'-0"

NOTES:

1. ALL DIMENSIONS AND DISTANCES IN US LINEAR FEET IN DECIMAL FORMAT.
2. ALL DIMENSIONS ARE BASED ON PRELIMINARY ANALYSIS. FINAL DIMENSIONS WILL MEET VERTICAL CLEARANCE REQUIREMENTS AS NOTED ON SHEET GENERAL PLAN AND ELEVATION - 3.

NOTE:
CONCEPTUAL PLANS UTILIZED TO OBTAIN
COAST GUARD BRIDGE PERMIT.



NEW JERSEY TURNPIKE AUTHORITY

NEWARK BAY - HUDSON COUNTY EXTENSION PROGRAM
PROJECT 1 - INTERCHANGES 14 TO 14A
NEWARK BAY BRIDGE REPLACEMENT AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE, HUDSON COUNTY
NEW JERSEY

TYPICAL SECTION

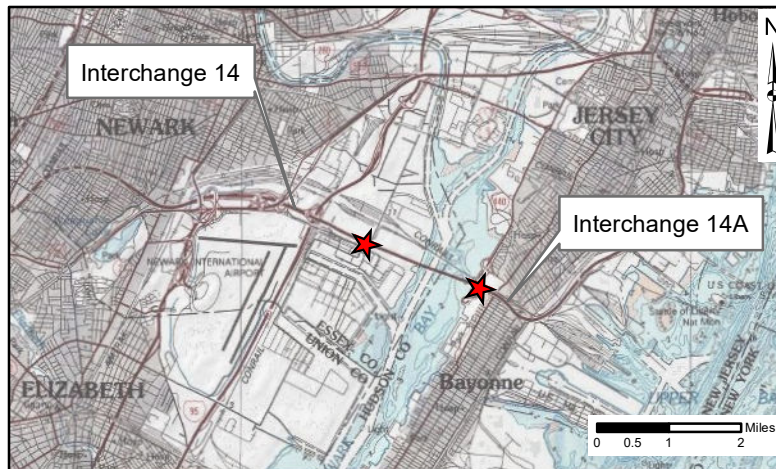
CONSULTANTS:
GANNETT FLEMING, INC.
WSP USA, INC.

DATE: APRIL 26, 2024
SHEET: 8 OF 8

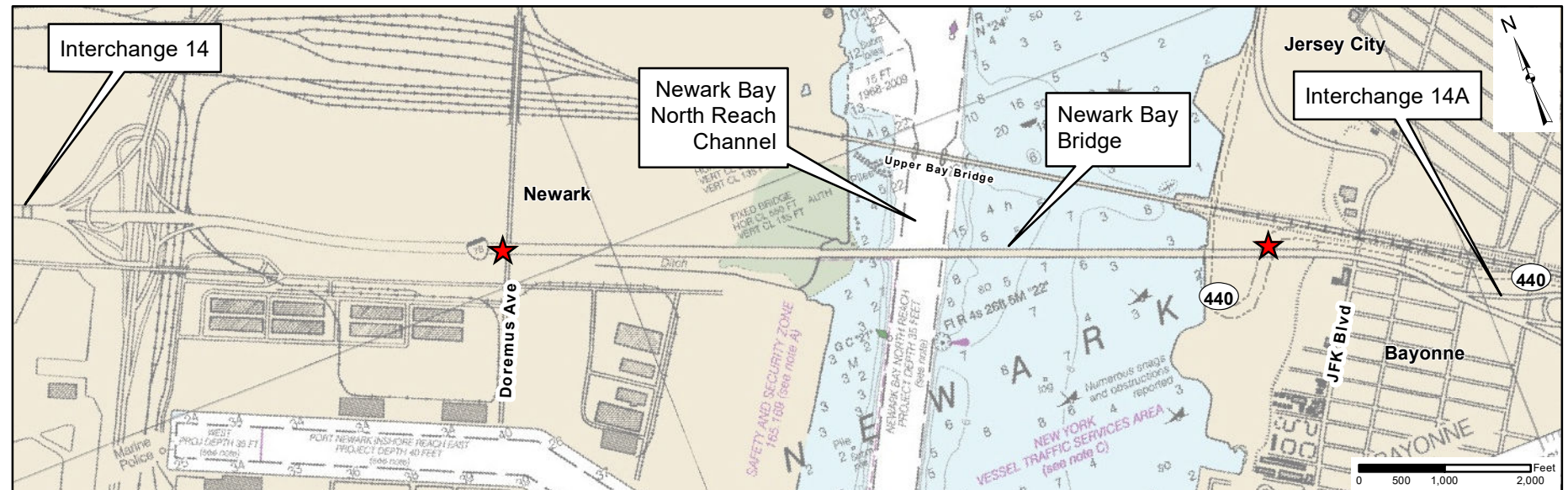
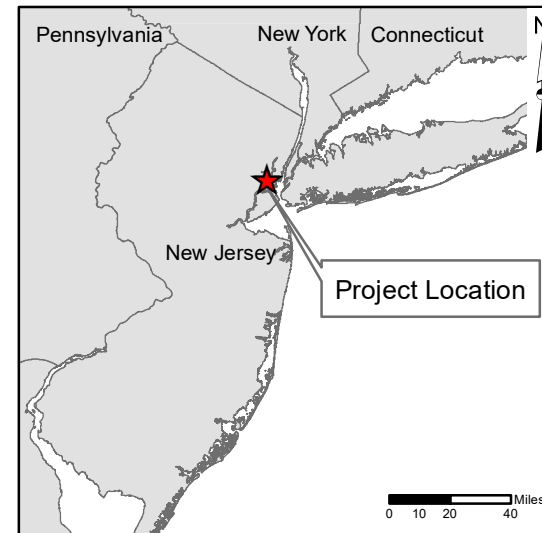
Section 408 Application Plan Set

New Jersey Turnpike Authority Replacement of Vincent R. Casciano Memorial (Newark Bay) Bridge
over Newark Bay North Reach Channel; City of Newark, Essex County, New Jersey

(NAN-2020-00729-WCO Newark Bay Bridge Replacement)



VICINITY MAP



PROJECT SITE MAP

★ Approximate Limits of Newark Bay Bridge

SOURCES:
ESRI, USGS MAP SERVICE. WSP 2022.

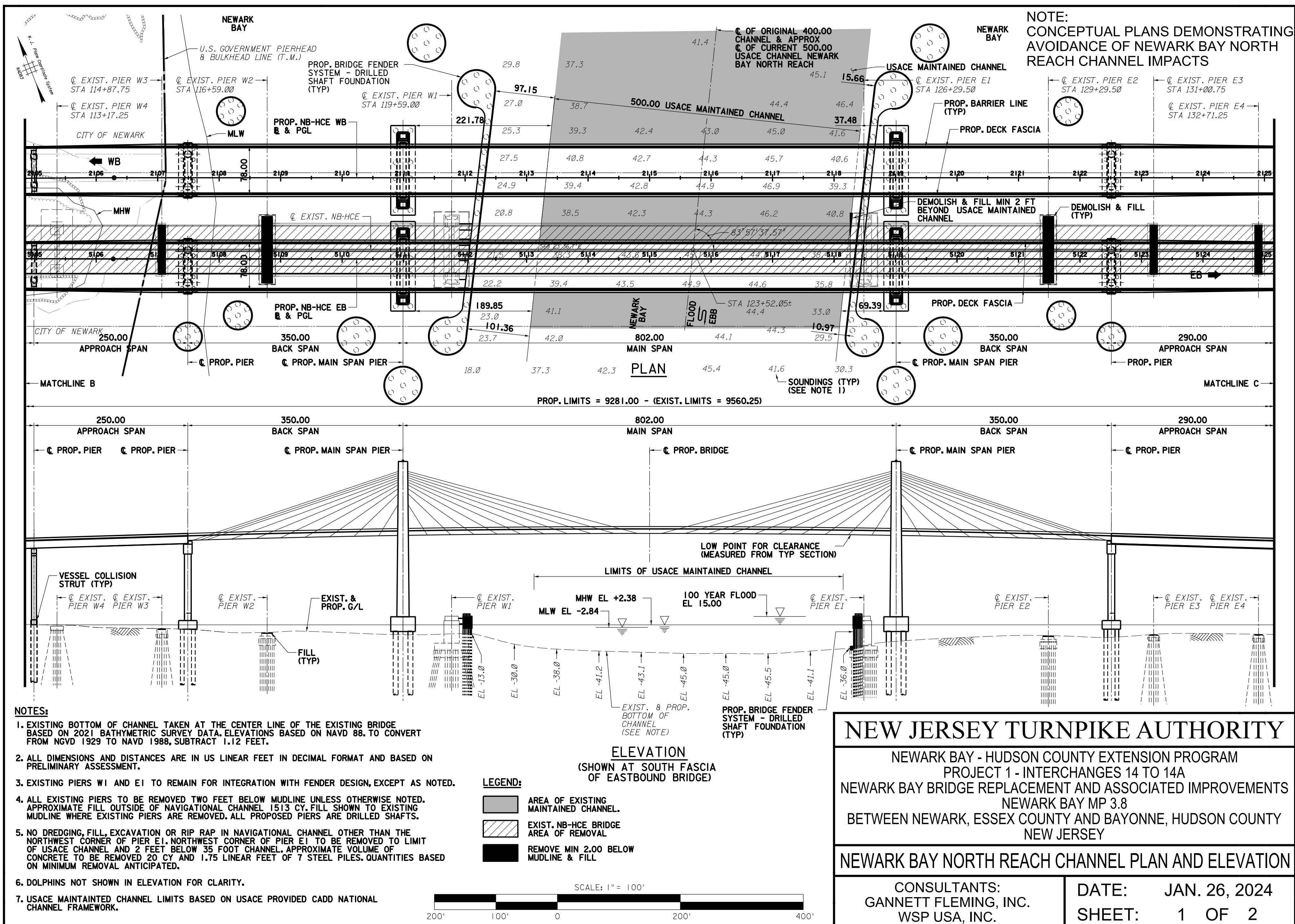
NEW JERSEY TURNPIKE AUTHORITY

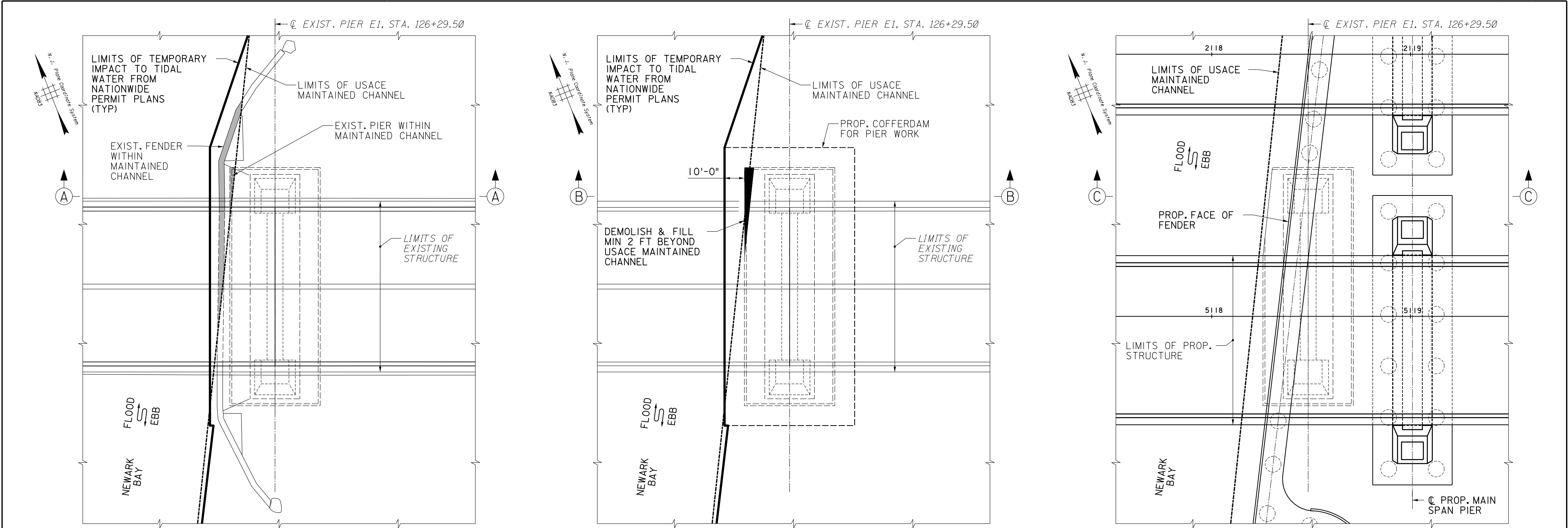
NEWARK BAY-HUDSON COUNTY EXTENSION PROGRAM
PROJECT 1 - INTERCHANGES 14 TO 14A
NEWARK BAY BRIDGE REPLACEMENT AND ASSOCIATED
IMPROVEMENTS (NEWARK BAY MP 3.8) BETWEEN
NEWARK, ESSEX COUNTY AND BAYONNE, HUDSON COUNTY
NEW JERSEY

VICINITY MAP

CONSULTANTS:
GANNETT FLEMING, INC.
WSP USA, INC.

DATE: DEC. 22, 2023

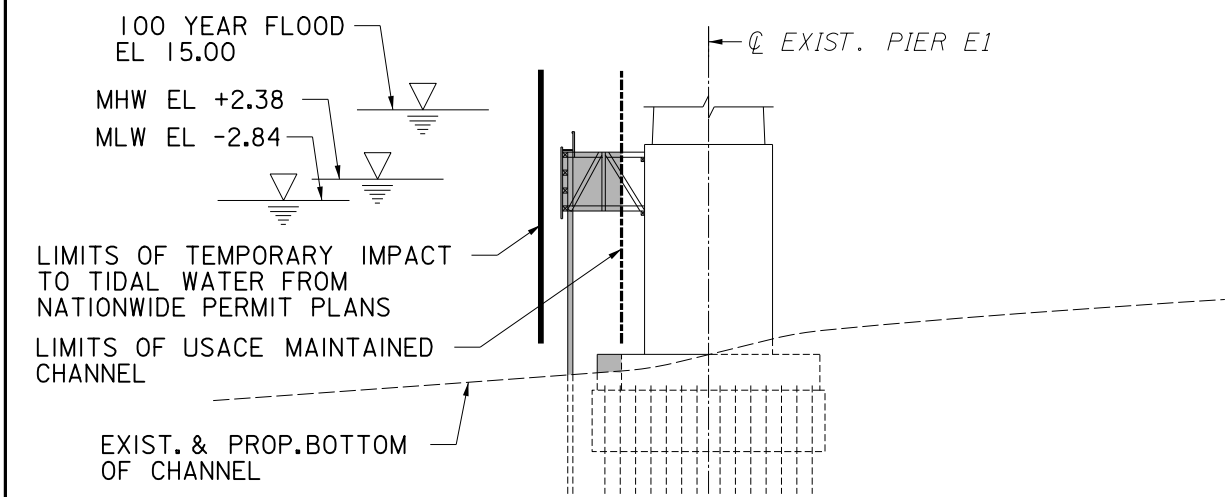




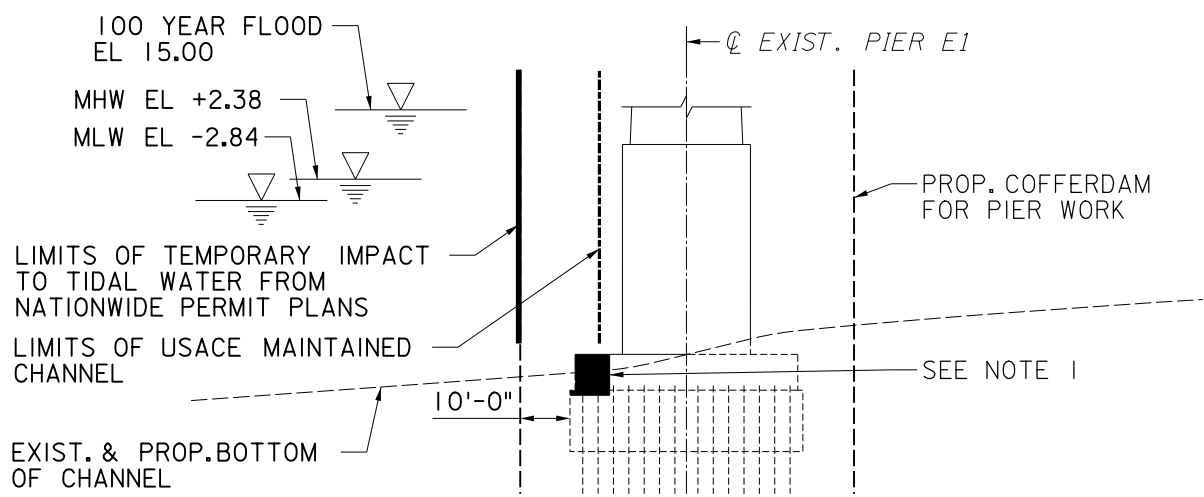
PLAN - FENDER REMOVAL AND EXISTING ENCROACHMENT
(TEMPORARY WORK WITHIN MAINTAINED CHANNEL LIMITS)

PLAN - PIER E1 DEMOLITION
(TEMPORARY WORK WITHIN MAINTAINED CHANNEL LIMITS)

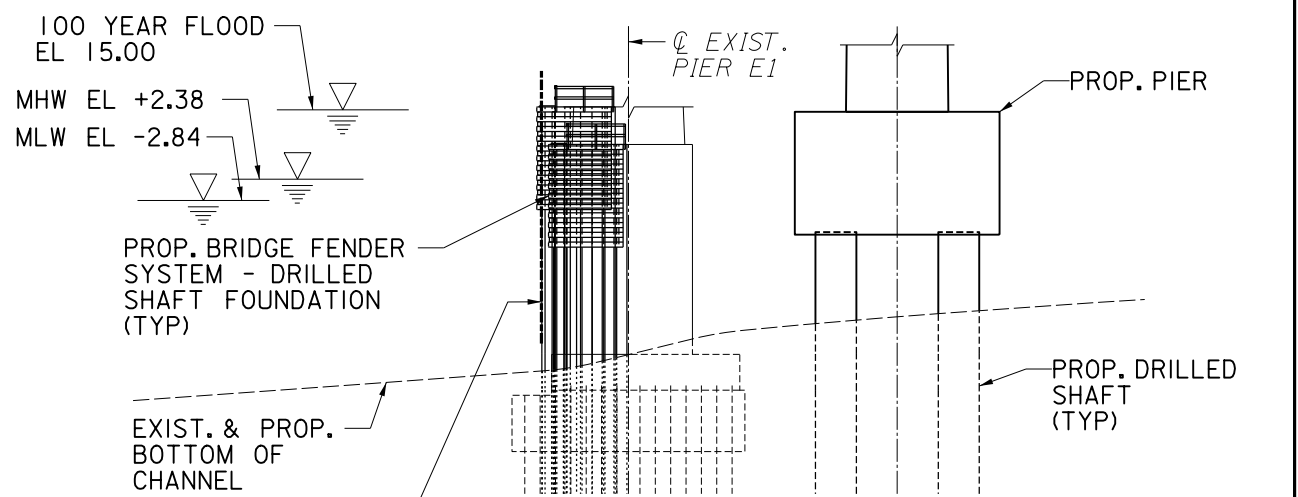
PLAN - PROPOSED CONDITION
(NO PERMANENT FEATURE WITHIN MAINTAINED CHANNEL LIMITS)



SECTION A-A



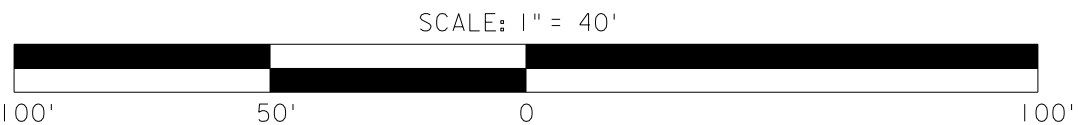
SECTION B-B



SECTION C-C

- NOTES:
1. MINIMUM REMOVAL OF PIER E1 SHOWN. EXISTING FENDER AND PIER TO BE REMOVED TO 2 FEET PAST THE LIMIT OF THE 500 FT USACE MAINTAINED CHANNEL AND 2 FEET BELOW THE 35 FT USACE MAINTAINED CHANNEL.
 2. USACE MAINTAINED CHANNEL LIMITS BASED ON USACE PROVIDED CADD NATIONAL CHANNEL FRAMEWORK.

- LEGEND:
- EXISTING ENCROACHMENT ON MAINTAINED CHANNEL
 - REMOVE MIN 2.00 BELOW MUDLINE & FILL TO EXISTING MUDLINE



NEW JERSEY TURNPIKE AUTHORITY

NEWARK BAY - HUDSON COUNTY EXTENSION PROGRAM
PROJECT 1 - INTERCHANGES 14 TO 14A
NEWARK BAY BRIDGE REPLACEMENT AND ASSOCIATED IMPROVEMENTS
NEWARK BAY MP 3.8
BETWEEN NEWARK, ESSEX COUNTY AND BAYONNE, HUDSON COUNTY
NEW JERSEY

PIER E1 MINIMUM REMOVAL PLAN



CONSULTANTS:
GANNETT FLEMING, INC.
WSP USA, INC.

DATE: JAN. 26, 2024
SHEET: 2 OF 2

NJ Tidelands Claim Boundary - Newark Bay



12/21/2023, 11:37:46 AM

-  County Boundaries
-  CLAIMED



NYC OpenData, New Jersey Office of GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

NYC OpenData, New Jersey Office of GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | NJDEP | NJ Department of Environmental Protection



HPO Project # 21-1041-14,-15
HPO-F2024-037

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
COMMUNITY INVESTMENT AND ECONOMIC REVITALIZATION
HISTORIC PRESERVATION OFFICE

501 East State Street

P.O. Box 420, Mail Code 501-04B

Trenton, New Jersey 08625-0420

Tel. (609) 940-4312 • Fax (609) 984-0578

www.nj.gov/dep

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

SHAWN M. LATOURETTE
Commissioner

June 13, 2024

Donna D. Leoce
First Coast Guard District
Battery Park Building
One South Street
New York, NY 10004-1466
Via email: Donna.D.Leoce@uscg.mil

Dear Ms. Leoce,

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 777698-77739) and as amended on July 6, 2004 (69 FR 40544-40555), I am providing **Continuing Consultation Comments** for the following proposed project:

**Essex County, City of Newark
Hudson County, Cities of Bayonne
NJTA Newark Bay – Hudson County Extension (NB-HCE) Project
PUBLIC NOTICE-D01-209-2024-Newark Bay-Newark Bay Bridge
United States Coast Guard (USCG)**

The United States Coast Guard (USCG) has requested consultation comments on the replacement of the New Jersey Turnpike Authority's (NJTA) replacement of the Vincent R. Casciano Memorial Bridge (Newark Bay Bridge over Newark Bay) as part of the Newark Bay-Hudson County Extension between interchanges 14 and 14A.

The project's area of potential effects (APE) contains the Newark Bay Bridge (SI&A # N020010) which is eligible for inclusion on the New Jersey and National Registers of Historic Places (SHPO Opinion 5/18/2023).

800.14 Federal Agency Program Alternatives

Pursuant to 36 C.F.R. Part 800.14, the USGC has identified that the development of a programmatic agreement (PA) is the appropriate treatment option for resolving the undertaking's *adverse effects* on historic properties. In consequence, the HPO looks forward to additional

consultation developing the PA in consultation with any consulting parties that may wish to participate. Please be aware, a program of mitigation has been developed in consultation with NJTA within the attached NJDEP permit (Permit # 0000-23-0012.2 LUP230001). Consultation with consulting parties pursuant to Section 106 of the National Historic Preservation Act may identify additional mitigation as part of the development for the PA.

Additional Comments

Thank you again for providing this opportunity for review and comment on the potential for this project to affect historic properties. The HPO looks forward to additional consultation developing the PA in consultation with consulting parties and implementing the PA. Please reference the HPO project number **21-1041** 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 **Jennifer Leynes** of my staff at jennifer.leynes@dep.nj.gov regarding historic architecture or **Vincent Maresca** of my staff at vincent.maresca@dep.nj.gov with questions regarding archaeology.

Sincerely,



Katherine J. Marcopul
Deputy State Historic
Preservation Officer

cc (via email): Matthew Resnick, NJDEP-Division of Land Resource Protection
David Pepe, NJDEP-Office of Permit Coordination and Environmental Review
Lisa Navarro, NJTA

Attachment





16593
November 13, 2024

Katherine J. Marcopul, Ph.D.
Administrator and Deputy State Historic Preservation Officer
New Jersey Historic Preservation Office
Department of Environmental Protection
Mail Code 501-04B, PO Box 420
Trenton, NJ 08625-0420

Re: Section 106 Consulting

Proposed Replacement of the Newark Bay – Hudson County Extension between Interchanges 14 and 14A including the Vincent R. Casciano Memorial, Newark Bay Bridge across Newark Bay, Mile 3.8, between Newark, Essex County and Bayonne, Hudson County, New Jersey
HPO Project# 21-1041

Dear Dr. Marcopul:

The New Jersey Turnpike Authority (Authority) proposes to reconstruct the Newark Bay-Hudson County Extension (NB-HCE) between Interchanges 14 and 14A (Extension) including the Vincent R. Casciano Memorial, Newark Bay Bridge (NBB) Across Newark Bay, Mile 3.8 (the "Project"). The Project requires a Bridge Permit from the United States Coast Guard (USCG), approving the location and plans for the proposed replacement bridge. The USCG holds jurisdiction over the navigable waterways of the United States pursuant to The General Bridge Act of 1946, as amended (33 U.S.C. § 525-533). The USCG has assumed the role as the lead federal agency under the National Environmental Policy Act and will also take the lead for National Historic Preservation Act (Section 106) consultation. The purpose of this letter is to initiate formal Section 106 consultation, delineate the Area of Potential Effects (APE), identify consulting parties, and present the results of a Phase I archaeology survey and Intensive-level historic architectural survey report, as well as a Supplemental Phase IA archaeological survey geotechnical boring review. An archaeological monitoring protocol is also provided for your review.

The NBB is approaching the end of its design service life. The NBB has experienced nearly 70 years of fatigue-inducing dynamic live load stresses on steel members, typical of any structure of that age, and it does not meet modern design standards for vehicular live loads or earthquake events. The Project will replace the existing bridge with new structures designed and constructed to accommodate today's heavier truck traffic and seismic design requirements while providing a minimum 100-year service life with a goal of a 150-year service life. Under the proposed Project, a new four-lane westbound bridge is proposed to the north of the existing bridge, while a new four-lane eastbound bridge will be built in the general location of the existing NBB. The proposed cable stayed bridge will provide the clearances shown on page 4 of 8 of the April 25, 2024, plan sheets which are part of the USCG Public Notice. The vertical clearance will be 135' (at mean high water), which is the same as the existing bridge. The horizontal clearance is increased to 611' between the fenders. The horizontal clearance accommodates the existing 550' approved navigation opening and the 500' U.S. Army Corps of Engineers maintained channel.

In support of Section 106 compliance for the Project, Richard Grubb & Associates, Inc. (RGA), an outside cultural resources subconsultant meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology and Architectural History and working on behalf of Gannett Fleming, Inc., the Authority's lead preliminary engineering design consultant, conducted a Phase I archaeological survey and Intensive-level historic architectural survey. As a result of the surveys, it is the USCG's determination that the proposed undertaking will result in an adverse effect to the following three (3) historic properties, per 36 CFR § 800.5(a)(2)(i) of the Section 106 regulations:

- Morris Canal historic property
- Jersey Eagle Site historic property
- Newark Bay Bridge

The determination of adverse effect is still pending for the location of the proposed Stormwater Basin HUC2-I at the former Marist High School property, which will be determined following the completion of a Phase IB archaeological survey for the basin, and subsequent Phase II archaeological survey that may be necessary if archaeological resources are identified at the proposed stormwater basin footprint. The Authority has redesigned a portion of the Project east of the proposed stormwater basin to avoid project-related impacts to the Marist High School Site (28-Hd-55), an identified archaeological resource on the former Marist High School property, and will prepare an avoidance and protection plan associated with the identified archaeological site for formal submission to NJHPO. The Marist High School Site (28-Hd-55) has not undergone NRHP evaluation.

To resolve the Project's adverse effect to historic properties, several mitigation measures are proposed for inclusion in a Programmatic Agreement, which consist of the following:

- Archaeological survey within the proposed Stormwater Basin HUC2-I on the former Marist High School property in the City of Bayonne, Hudson County, New Jersey to determine the presence or absence of archaeological historic properties;
- Preparation of an avoidance and protection plan to implement avoidance measures during construction at the Marist High School Site (28-Hd-55);
- Archaeological monitoring during construction where the Project intersects with the Morris Canal historic property during bridge replacement activities and where the Project abuts the Jersey Eagle Site historic property for the installation of a stormwater outfall pipe associated with Stormwater Basin HUC3-F;
- Documentation of the NBB to the standards of the Historic American Engineering Record (HAER); and
- Development of interpretive signage that details the history and significance of the historic structure.

On May 9, 2024, the USCG issued a Public Notice for the Project as part of the National Environmental Policy Act (NEPA) process and, in so doing, requested comment from the public, government, and marine community regarding the proposed action by providing an electronic link

to a Draft Environmental Assessment (EA) document issued in February 2024. As part of Section 106 compliance, the USCG and its designated Federal representative, the Authority, consulted with the New Jersey Historic Preservation Office (NJHPO) through the submission of a Phase I archaeological survey and Intensive-level historic architectural survey report, a Phase I archaeological survey and geotechnical soil boring review report, an archaeological monitoring protocol, and a draft Programmatic Agreement. In response, the NJHPO issued a letter dated June 13, 2024, with continuing consultation comments. In its letter, the NJHPO specified that it looks forward to additional consultation in developing a Programmatic Agreement in consultation with any consulting parties that may wish to participate. The NJHPO further indicated that a program of mitigation has been developed in consultation with the Authority through the implementation of a New Jersey Department of Environmental Protection (NJDEP) permit (Permit # 0000-23-0012.2 LUP230001) and that consultation with consulting parties pursuant to Section 106 may identify additional mitigation as part of the Programmatic Agreement's development. The USCG has developed a list of consulting parties as carbon copied entities to this letter, which include Federally recognized Tribal Nations, historical and archaeological societies, preservation commissions, and local governments with a direct interest in the Project location.

In addition to the USCG's Public Notice for the Project, the USCG proposes to hold a virtual Consulting Parties meeting to elicit input from participants regarding impacts to historic properties and the proposed mitigation measures. Consulting parties will be provided with the Section 106 Consultation Document and associated attachments, as well as a link to view and download the cultural resources survey reports previously submitted to the NJHPO.

Provided for your review is the attached Section 106 Consultation Document and associated attachments pursuant to 36 CFR § 800.3. Included in the document is a detailed project description, summary of the consultation that has occurred to date with the NJHPO, identification of historic properties, and a determination of effect to historic properties. The Section 106 Consultation Document includes a link to the cultural resources survey reports that have been prepared by RGA.

The USCG looks forward to continuing consultation with your office to identify appropriate archaeological survey and mitigation measures to be stipulated in a Programmatic Agreement and conclude the Section 106 process.

Should you have questions, please contact me at the number and address above or the NJ Turnpike Authority design team Section 106 Liaison Mr. Graham Trelstad at Graham.Trelstad@wsp.com.

Sincerely,

G. P. Hitchen
Bridge Program Manager
U.S. Coast Guard
By Direction

cc: Consulting Parties

United States Army Corps of Engineers
 Delaware Nation, Oklahoma
 Absentee Shawnee Tribe of Oklahoma
 Shawnee Tribe
 Stockbridge Munsee Community
 Delaware Tribe of Indians
 Mayor Ras Baraka, City of Newark
 City of Newark Landmarks and Historic Preservation Commission
 Mayor Jimmy Davis, City of Bayonne
 City of Bayonne Historic Preservation Commission
 Mayor Steven M. Fulop, City of Jersey City
 City of Jersey City Historic Preservation Commission
 Hudson County Executive Craig Guy
 Hudson County Open Space, Recreation and Historic Preservation
 Essex County Executive Joseph N. DiVincenzo, Jr.
 The Essex County Department of Parks, Recreation, and Cultural Affairs
 Newark History Society
 Bayonne Historical Society
 Preservation New Jersey
 New Jersey Historical Society
 Roebling Chapter, Society for Industrial Archaeology
 Archaeological Society of New Jersey
 Canal Society of New Jersey
 Hudson County Genealogical & Historical Society
 Hudson County Office of Cultural & Heritage Affairs/Tourism Development
 Jersey City Landmarks Conservancy, Inc.
 Daniel L. Hesslein, P.E. (NJ Turnpike Authority)
 Lamis T. Malak, P.E. (NJ Turnpike Authority)
 Lisa K. Navarro, P.E. (NJ Turnpike Authority)
 Becky Mazzei (NJDEP)
 Michael A. Morgan, P.E. (Gannett Fleming, Inc.)
 Allee Davis (Richard Grubb & Associates, Inc.)
 Michael J. Gall (Richard Grubb & Associates, Inc.)

Encl.: Section 106 Consultation Document

Attachments 1-4

Attachment 1: Project Location

Attachment 2: Area of Potential Effects with 3/4-mile Viewshed Buffer

Attachment 3: Area of Potential Effects with 500-foot Buffer and Previously Identified
Historic Properties

Attachment 4: List of Consulting Parties

US Coast Guard Request for Section 106 Consultation under the National Historic Preservation Act of 1966

New Jersey Turnpike Authority, Newark Bay Bridge across Newark Bay, Mile 3.8
Newark, Essex County and Bayonne, Hudson County, New Jersey

NJHPO Project# 21-1041

November 8, 2024

Introduction

The New Jersey Turnpike Authority (Authority) proposes to replace the Newark Bay-Hudson County Extension (NB-HCE) between Interchanges 14 and 14A (Extension) including the Vincent R. Casciano Memorial, Newark Bay Bridge (NBB) Across Newark Bay, Mile 3.8, between Newark, Essex County and Bayonne, Hudson County, New Jersey. Attachment 1 depicts the Project location.

The Project requires a Bridge Permit from the United States Coast Guard (USCG), approving the location and plans for the proposed replacement bridge. The USCG holds jurisdiction over the navigable waterways of the United States pursuant to The General Bridge Act of 1946, as amended (33 U.S.C. § 525-533). Because of federal involvement, the undertaking is subject to Section 106 of the National Historic Preservation Act (NHPA), as amended and re-codified (54 United States Code [U.S.C.] § 306108), and its implementing regulations at 36 Code of Federal Regulations (CFR) § 800. The USCG, as lead federal agency for the undertaking, is responsible for ensuring compliance with Section 106, as well as the preparation of an Environmental Assessment (EA) under the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. § 4321 et seq.) and Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR §§ 1500-1508). The USCG will use its findings from the Section 106 process to inform the cultural resources component of NEPA.

The purpose of this document is to initiate formal Section 106 consultation with the Deputy New Jersey Historic Preservation Officer (NJHPO); delineate the Area of Potential Effects (APE); identify consulting parties; and present the results of a Phase I archaeological survey and Intensive-level historic architectural survey report, as well as a Supplemental Phase IA archaeological survey geotechnical boring review report in support of Section 106 compliance. Pursuant to 36 CFR § 800.2(a)(3), Richard Grubb & Associates, Inc. (RGA), an outside cultural resources subconsultant meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology and Architectural History and working on behalf of Gannett Fleming, Inc., the Authority's lead preliminary engineering design consultant, conducted the required surveys.

On May 9, 2024, the USCG issued a Public Notice for the Project pursuant to NEPA with a link to cultural resources survey documents. In a letter dated June 13, 2024 (HPO-F2024-037), the NJHPO acknowledged receipt of the Public Notice and specified that it looks forward to additional consultation with its office in developing a Programmatic Agreement (PA) in consultation with any consulting parties that may wish to participate. The NJHPO specified that, consistent with its obligations under the New Jersey Register of Historic Places Act and its review of an Application for Project Authorization submitted by the Authority, a program of mitigation has been developed within a NJDEP permit and that consultation with consulting parties pursuant to Section 106 of the NHPA may identify additional mitigation as part of the development of the PA.

This link (<https://www.njta.com/section-106>) is provided for your access to and review of the following documents:

1. Phase I Archaeological Survey and Intensive-Level Historic Architectural Survey (April 20, 2023)
2. Draft Supplemental Phase I Archaeological Survey and Geotechnical Boring Review (November 28, 2023)
3. Archaeological Monitoring Protocol (April 30, 2024)

Project Description

The Authority has identified a preferred alternative for the Project to advance to Preliminary Design, which the USCG will assess under Section 106. The preferred alternative will rebuild the NB-HCE from Interchange 14 in Newark to Interchange 14A in Bayonne and Jersey City, as well as the Southeast Viaduct up to approximately Linden Avenue in Jersey City and is divided into seven distinct areas. Project elements include the following:

- Area 1 – Interchange 14 (Milepost [MP] N0.0 to MP N0.9): An interchange configuration that minimizes intrusion into the approach flight path to Newark Liberty International Airport Runway 29L while improving ramp profiling. This includes impacts to ramps and ramp bridges, as well as the bridges over the Turnpike's mainline north-south corridor.
- Area 2 – Newark Viaduct (MP N0.9 to MP N1.2): An alignment realigning the NB-HCE westbound to the north to avoid impacting an existing Colonial Pipeline facility while minimizing right-of-way (ROW) acquisition and allowing a crossover between the existing and proposed NB-HCE viaduct structures to facilitate construction sequencing and enable traffic to be removed from the existing NBB by 2031. This includes replacing the Newark Viaduct with a new, wider structure expanding northward of the existing alignment and carrying four (4) travel lanes in each direction along with shoulders on both sides to facilitate response to incidents and accidents, and to provide space to maintain travel lanes during future maintenance activity.
- Area 3 – West Approach (MP N1.2 to MP N1.7): A horizontal alignment realigning the NB-HCE westbound to the north to avoid staged demolition of the NB-HCE westbound viaduct structure, provide the necessary median gap width to accommodate the long span main span bridge over the Newark Bay, and minimize ROW impacts to the existing chemical facility property to the north. This includes replacement with a wider structure expanding northward of the existing alignment carrying four (4) travel lanes in each direction along with shoulders on both sides.
- Area 4 – Main Span (MP N1.7 to MP N2.0): An alignment realigning the NB-HCE westbound to the north to provide the minimum distance between the existing and proposed bridges to accommodate a long span utilizing a cable-stay design. The proposed cable-stayed bridge will provide the clearances shown on page 4 of 8 of the April 25, 2024, plan sheets which are part of the Coast Guard Public Notice. The vertical clearance is 135' (MHW) which is the same as the existing bridge. The horizontal clearance is increased to 611' between the fenders. The horizontal clearance accommodates the existing 550' approved navigation opening and the 500' U.S. Army Corps of Engineers maintained channel.
- Area 5 – East Approach (MP N2.0 to MP N2.7): An alignment realigning the NB-HCE westbound to the north that transitions gradually from the main span offset to the horizontal curve in Area 6. This includes replacement with a wider structure expanding northward of the existing alignment carrying four (4) travel lanes in each direction along with shoulders on both sides.
- Area 6 – Embankment Section and Interchange 14A Ramps (MP N2.7 to MP N3.4): The realignment improves substandard geometric elements (minimum radius, stopping sight distance, acceleration/deceleration lane length) while minimizing impacts to adjacent residences and avoiding impacting Route 440. The existing connector roadway from John F. Kennedy (JFK) Boulevard to Avenue C and an entrance ramp to Route 440 southbound will be eliminated and replaced with a new ramp directly connecting JFK Boulevard to Route 440 southbound. This includes reconstructing the east at-grade section of the NB-HCE with replacement of the bridges over JFK Boulevard, Avenue C, and Garfield Avenue, and Interchange 14A Ramps WT and TW.
- Area 7 – Southeast Viaduct (MP N3.4 to MP N4.1): An alignment realigning the NB-HCE to the north and Interchange 14A Ramp TE to the south. This includes the replacement of Structure Nos. N3.73 and N3.53D.
- Construction of stormwater detention basins within portions of the NB-HCE existing and new right-of-way, including areas between ramps at Interchange 14 and 14A beneath the Newark Viaduct and east and west

approaches to the Newark Bay Bridge, on the site of the former Marist High School property, and on Block 30306, Lots 2, 4, and 7; Block 30303, Lot TURN; and Block 27401, Lot 29 in the City of Jersey City; and

- Associated utility relocation, grading, and filling.

Previous NJHPO Coordination

To facilitate its planning, the Authority asked the NJHPO for Technical Assistance regarding the possible eligibility of the Newark Bay Bridge for listing in the National Register of Historic Places (NRHP). In correspondence dated August 9, 2021, the Authority submitted an Intensive-level Architectural Survey Form for the bridge recommending the structure not eligible for listing in the NRHP. The NJHPO requested additional information on September 24, 2021 (HPO-I2021-156), which the Authority provided in a subsequent submission dated December 6, 2021. On February 2, 2022 (HPO-B2022-011), the NJHPO responded by disagreeing with the survey form's not eligible recommendation. The NJHPO concluded that the Newark Bay Bridge would meet Criterion C as a well-preserved example of a cantilevered truss bridge of the mid-twentieth century. The boundaries of the historic property would include the bridge in its entirety, and the period of significance would be limited to its year of construction, 1956. In correspondence dated March 14, 2023, the NJTA submitted an Intensive-level Architectural Survey Form for the NB-HCE recommending the roadway not eligible for listing in the NRHP. On April 4, 2023 (HPO-D2023-005), the NJHPO concurred with the survey form's not eligible recommendation as part of Technical Assistance review. Up until this point, the NJHPO comments were informal and did not constitute project review under any state or federal law.

In a virtual meeting held May 20, 2022, among the Authority, USCG, NJHPO, Gannett Fleming, Inc., WSP, Inc., and RGA, the Authority requested additional Technical Assistance from the NJHPO for the delineation of the APE for Historic Architectural Resources (APE-Architecture) and survey methodology for the Intensive-level historic architectural survey. The Authority presented the proposed APE-Architecture on a series of maps, which also illustrated the APE for Archaeological Resources (APE-Archaeology), a 500-foot viewshed buffer, previously identified historic properties (i.e., resources that have been previously determined eligible for or listed in the NRHP by the NJHPO), and historic resources that have not yet been formally evaluated by the NJHPO for the NRHP and which would be surveyed as part of the Intensive-level historic architectural survey. During the meeting, Jennifer Leynes of the NJHPO generally agreed with the proposed APE-Architecture and survey methodology; however, Ms. Leynes's comments were informal and did not constitute approval of the proposed APE-Architecture or APE-Archaeology under Section 106. Additional details regarding the delineation of the APE-Architecture and APE-Archaeology and proposed survey methodology are included below.

On May 22, 2023, the New Jersey Department of Environmental Protection's Office of Permitting and Project Navigation (NJDEP) issued comments on the draft New Jersey Executive Order No. 215 Environmental Impact Statement (EO 215 EIS). The draft EO 215 EIS included the Phase I archaeological survey and Intensive-level historic architectural survey report completed by RGA for the proposed undertaking, which is on file with the NJHPO and associated with HPO project number 21-1041. The NJDEP comments included the NJHPO's formal issuance of an Opinion of Eligibility that the Newark Bay Bridge is eligible for listing in the NRHP, which is consistent with NJDEP Division of Land Resource Protection and state regulations and not in response to consultation conducted under Section 106 of the National Historic Preservation Act. In addition to the Newark Bay Bridge, the NJHPO also determined that the Port Authority Administration Building (also known as Building 260) is eligible for listing in the NRHP.

The NJHPO determined that the APE-Archaeology in the City of Newark and in the Newark Bay does not necessitate any further archaeological survey due to an assessed low archaeological sensitivity. The NJHPO stated that the portion of the project footprint in the City of Bayonne and the City of Jersey City is sensitive for pre-Contact period Native American and historic period archaeological resources and requested Phase II archaeological survey at an identified archaeological resource found on Block 13, Lot 1 in the City of Bayonne designated as the Marist High School Site (28-Hd-55), which measures 78 feet by 193 feet in plan. Archaeological monitoring during construction was recommended at the Morris Canal historic property (NJR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 5/27/2004) and at a location adjacent to the Jersey Eagle Site (28-Hd-45 [SHPO Opinion: 5/17/2013]) where a proposed stormwater basin pipe will parallel the site and an existing natural gas pipeline within the site. The NJHPO specified that, where intact buried natural soil layers are present, comparison of the depths of such stratigraphy must be made with the proposed vertical

excavation base depths for project elements, to determine if hand dug or mechanically assisted Phase IB archaeological survey is needed to determine the presence or absence of archaeological resources. The NJHPO required geotechnical data review to also eliminate areas of archaeological sensitivity and rule out areas of potential Phase IB archaeological survey. The NJHPO requested this additional information to determine if archaeological monitoring during construction at the aforementioned two historic properties would be prudent.

A Draft Supplemental Phase I Archaeological Survey and Geotechnical Boring Review report was prepared by RGA on November 28, 2023, and submitted to the NJHPO. The report specified that the Marist High School Site (28-Hd-55), located on the eastern side of the former Marist High School property, will be preserved in place and avoided during construction. A formal avoidance and protection plan will be prepared to document the avoidance engineering controls that will be emplaced during construction to prevent Project-related ground disturbance activities within the site. Therefore, Phase II archaeological survey within the site was not recommended. The supplemental report recommended a Phase IB archaeological survey within proposed stormwater management basin HUC2-I in the City of Bayonne, Hudson County and that archaeological monitoring during construction take place for proposed piers 13-15, a portion of pier 17, and the eastern abutment for Structure No. N3.73R (Southeast Viaduct) and for stormwater management basin HUC3-F if the excavation for the outfall pipe trench extends below a depth of 2.3 feet below ground surface adjacent to the Jersey Eagle Site. On January 9, 2024 (HPO-A2024-048), the NJHPO concurred with the recommendations presented in the Draft Supplemental Phase I Archaeological Survey and Geotechnical Boring Review report and requested the preparation of a technically complete Application for Project Authorization pursuant to the New Jersey Register of Historic Places Act for project elements within the limits of the Morris Canal, inclusive of an NJHPO-approved archaeological Monitoring Protocol. To date, while no historic properties have been identified on the former Marist High School property, the Marist High School Site (28-Hd-55) has been identified east of proposed stormwater management basin HUC2-I. This archaeological resource has not undergone NRHP evaluation and will be avoided by Project impacts through a redesign and avoidance measures will be formally provided to the NJHPO in an Archaeological Avoidance and Protection Plan document. Phase IB archaeological survey will be undertaken at proposed stormwater management basin HUC2-I, once access is granted, to determine the presence or absence of intact archaeological resources. If archaeological resources are identified, a Phase II archaeological survey will be completed to evaluate NRHP eligibility and assess effects on newly identified archaeological historic properties.

On April 3, 2024, the NJDEP issued the following permits to the Authority authorizing the reconstruction of the Newark Bay Bridge: Waterfront Development Individual Upland Permit, Waterfront Development Individual In-Water Permit, Flood Hazard Area Individual Permit, Freshwater Wetlands Individual Permit, and Water Quality Certificate (Permit # 0000-23-0012.2 LUP230001). The authorization included Historic Preservation Special Conditions to mitigate adverse effects to historic properties, among other conditions. Under Section 106, the mitigation measures with which the USCG will comply will be included in a draft Programmatic Agreement that will be subject to review and comment by the NJHPO and consulting parties.

On April 30, 2024, RGA prepared an Archaeological Monitoring Protocol for the Morris Canal historic property and the Jersey Eagle Site, which included an unanticipated discovery of human remains protocol. On May 28, 2024 (HPO-E2024-304), the NJHPO reviewed the submitted Application for Project Authorization under the New Jersey Register of Historic Places Act, which contained the aforementioned Archaeological Monitoring Protocol, and found that the document was technically and professionally complete and sufficient pursuant to New Jersey administrative Code (N.J.A.C.) 7:4-7.1(d), that the Project will not constitute an encroachment upon the Morris Canal under the New Jersey Register of Historic Places Act, and that the Project may proceed as documented pursuant to N.J.A.C. 7:4-7.2(d).

Area of Potential Effects

Under Section 106, the APE is defined in 36 CFR § 800.16(d) as follows: “the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.” Historic properties are defined as cultural resources listed in or eligible for listing in the NRHP.

The APE has been developed to assess the Authority's preliminary preferred alternative for the Project. The APE may change as the Authority progresses through its planning process and as a result of consultation. The APE is based on the proposed work activities and their potential to affect cultural resources, including potential direct and indirect impacts.

APE-Archaeology

The APE-Archaeology comprises the area that would be directly affected by ground disturbances from construction activities. Ground disturbances include, but are not limited to, areas subject to excavation or deep grading, wetlands mitigation sites (i.e., stormwater management basins), construction staging areas, bridge abutment footings, pier footings, or borrow areas opened expressly for the project. It includes the expected limits of disturbance for the proposed reconstruction of the NB-HCE, which includes at the following: Interchange 14 and 14A improvements, Newark Viaduct, Newark Bay Bridge, east at-grade segment, stormwater management areas, temporary and permanent parking areas, and construction staging and laydown areas. Because project plans remain in the early stages of development, and vertical and horizontal areas of direct physical disturbance have not been fully identified, including potential stormwater basins, the APE-Archaeology is likely to change. The horizontal extent of the APE-Archaeology appears in Attachment 2 (labeled as the Project Location).

APE-Architecture

The APE-Architecture includes the area in which the proposed Project may directly or indirectly cause changes in the character or use of historic properties. This includes all locations subject to ground-disturbing activities (consisting of the APE-Archaeology). To account for potential visual or contextual effects, the APE-Architecture extends beyond the actual construction limits to include those properties that may be impacted by visual changes, patterns of use, or may experience a change in historic character associated with the construction of the proposed Project.

As proposed, the Authority's preliminary preferred alternative alignment would expand the NB-HCE's existing footprint to the north, creating a wider structure. The overall height of the new bridge would not change significantly from its current maximum height of 263 feet. The new cable-stayed span clearance over the navigation channel within Newark Bay would be seven feet higher than the current clearance. Visibility from the surrounding area would remain largely unchanged. The density of industrial development, intervening construction, topography, and the optical effects of distance and diminishing perspective limit visibility further. To test visibility, the Authority first prepared a viewshed map using a 3/4-mile buffer (see Attachment 2). This limit corresponds to the Federal Communication Commission's guidance for cellular towers measuring between 200 and 400 feet. Within the 3/4-mile buffer, computer-generated modeling delineated areas of visibility and non-visibility based on the shifting height of the NB-HCE and intervening topography to determine areas in which the undertaking has the potential to be seen from street level. The results indicated broad visibility because of the flat nature of the surrounding landscape. However, visibility was generally low to the horizon with little or no potential to affect historic properties, especially at greater distances. Further analysis using available street views indicated that intervening development and vegetation greatly reduced overall visibility to areas immediately fronting on the roadway, open space, and water. This, together with the negligible expected changes to the existing viewshed, would limit or eliminate nearly all possible impacts to surrounding historic properties, if present. The APE-Architecture was limited to a 500-foot buffer on either side of the project centerline in order to account for visual, atmospheric, or audible effects. Further verification in the field during the historic architectural survey identified any anomalies to ensure full coverage. Generally, resources not likely to fall within the direct line of sight of the Project undertaking were excluded from the APE-Architecture, per field verification. Resources located partially within the viewshed or adjoining a line-of-sight boundary were generally included in the APE-Architecture out of an abundance of caution. The APE-Architecture with the 500-foot buffer and previously identified historic properties within and proximate to the APE-Architecture appear in Attachment 3.

The western portion of the APE-Architecture in Newark includes certain industrial and commercial properties adjacent to the Newark Viaduct and West Approach and south of Interchange 14. To ensure proper coverage, certain portions of the APE-Architecture extend beyond the 500-foot study buffer to encompass the entire parcel limits of adjacent properties. Based on current project plans, the proposed Interchange 14 connector ramps to the east of the Newark Liberty International Airport are within an area of dense transportation infrastructure and will likely be at a similar height as the existing routes around the Port Street overpass. The potential for the proposed undertaking to result in indirect visual impacts on any historic properties west of the New Jersey Turnpike mainline corridor within the Newark

Liberty International Airport complex is negligible and would not introduce new incompatible visual elements within the current setting. As a result, the APE-Architecture was drawn more narrowly in this area, along the west side of the New Jersey Turnpike, and excludes the Newark Liberty International Airport. Over the Newark Bay, the APE-Architecture follows the 500-foot buffer. In the dense urban environment of Bayonne and Jersey City, the southern boundary of the APE-Architecture was more narrowly defined to encompass portions of Sunset Avenue, JFK Boulevard, West 54th through 58th Streets, Avenues B and C, Garfield Avenue, and NB-HCE Interchange 14A. The eastern boundary of the APE-Architecture encompasses parcels flanking the NB-HCE, as well as certain industrial properties south of New Jersey Route 185. In Jersey City, the northern boundary of the APE-Architecture follows a railroad embankment and the existing Hudson-Bergen Light Rail (HBLR) ROW. The railroad corridors coupled with the raised elevation of New Jersey Route 440 and surrounding pockets of dense vegetation provide a visual barrier from the NB-HCE and thereby limit potential visual indirect impacts on adjacent residential neighborhoods and commercial development to the north and west of the highway. The APE-Architecture terminates adjacent to the east of Linden Avenue.

Consultation and Public Involvement

Section 106 requires federal agencies to consider the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings. Please reference the ACHP's *A Citizen's Guide to Section 106 Review* at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf> for more information on the Section 106 process.

In addition to the USCG, the Authority, and the NJHPO, other consulting parties include the United States Army Corps of Engineers, local governments, federally recognized Indian tribes, and invited individuals and organizations with a demonstrated interest in the undertaking. A list of identified consulting parties for your review appears in Attachment 4. The USCG anticipates holding a Consulting Parties meeting to introduce the project, solicit information on resources significant to the community, review the findings of cultural resources studies, and discuss ways to avoid, minimize, and/or mitigate anticipated adverse effects.

Identification of Historic Properties

An examination of the NJDEP's Cultural Resources GIS Online Viewer, LUCY, indicates there are seven historic properties previously listed in or determined eligible for the NRHP within the APE-Archaeology and APE-Architecture:

- Newark and Elizabeth Branch of the Central Railroad of New Jersey Historic District (SHPO Opinion: 8/30/2000)
- Pennsylvania Railroad New York Bay Branch Historic District (SHPO Opinion: 12/18/2019)
- Lehigh Valley Railroad Historic District (SHPO Opinion 3/15/2002)
- Morris Canal historic property (NJR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 5/27/2004)
- Newark Bay Bridge (SHPO Opinion: 5/22/2023)
- Port Authority Administration Building (SHPO Opinion: 5/22/2023)
- Site 28-Hd-45 (Jersey Eagle archaeological Site) (a.k.a. The Jersey Eagle Site; SHPO Opinion: 5/17/2013)

Of these, two are archaeological historic properties previously identified within the APE-Archaeology:

- Site 28-Hd-45 (Jersey Eagle archaeological Site) (a.k.a. The Jersey Eagle Site; SHPO Opinion: 5/17/2013)
- Morris Canal historic property (NJR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 5/27/2004)

As a result of RGA's Phase I archaeological survey and Intensive-level historic architectural survey report completed in April 2023, the 32 previously unevaluated historic architectural resources identified within the APE-Architecture and surveyed at the intensive level were not recommended eligible for listing in the NRHP, with which the NJHPO concurred in the NJDEP's correspondence dated May 22, 2023. As a result of the Phase I archaeological survey in the APE-Archaeology, the Marist High School Site (28-Hd-55) was identified on Block 13, Lot 1 in the City of Bayonne.

The site measures 78 feet by 193 feet in plan and is bounded to the west and south by areas of existing disturbance and deep (greater than 3-foot deep) grade cuts. The northern and eastern sides of the site are bounded by the APE-Archaeology footprint.

Following the NJDEP's May 22, 2023, letter, the Authority redesigned a portion of the project to avoid Project impacts to the Marist High School Site (28-Hd-55), determining that the site can be avoided and protected during project construction and that an avoidance and protection plan will be prepared for formal submission to the NJHPO for review and comment.

A Supplemental Phase I archaeological survey and geotechnical boring review was prepared on November 28, 2023. The survey included a review of 20 soil borings and three mechanical test pits excavated in 2022, as well as a review of 160 soil borings excavated in 1954 for the construction of the NB-HCE and resulted in a revised archaeological sensitivity assessment and recommendations. The data reveals that all proposed basin locations with the exception of HUC2-I on Block 13, Lots 1 and 15 and Block 11, Lot 1 are located within the vertical footprint of recently imported and/or disturbed soils, resulting in a low archaeological sensitivity assessment and a recommendation for no further archaeological survey. Basin HUC2-I may extend to a depth of 10 feet below grade and could impact a buried topsoil located six feet below grade at an elevation of 127.3 feet above mean sea level. The buried topsoil and underlying subsoil have an assessed moderate to high archaeological sensitivity. This proposed basin is situated on land not currently owned by the Authority and is being used as a staging and construction area by the current property owner. In the event the proposed basin is not redesigned with a shallower footprint, Phase IB archaeological survey through mechanical excavation assistance is recommended once Authority assumes control over the property. The Phase IB archaeological survey for stormwater management Basin HUC2-I will occur once Authority has obtained access permission to the property or has acquired the property that encompasses the proposed basin location to determine if archaeological resources are present or absent.

Due to the presence of the buried Morris Canal historic property (NJR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 5/27/2004), archaeological monitoring during construction is recommended for the construction of bridge abutments for the overpass carrying the NB-HCE over Avenue C (Structure N3.24R) in the City of Jersey City that will extend five feet below grade. Based on a review of soil boring logs from 1954, archaeological monitoring is recommended at proposed Piers 13-15, a portion of Pier 17, and the eastern abutment for Structure No. N3.73R to document the Morris Canal historic property (NJR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 5/27/2004). There, proposed piers will be excavated via a six- to eight-foot diameter screw auger to bedrock through very deep fills emplaced in 1954 and earlier for the construction of twentieth-century railroads and the 1954 viaduct structure. Monitoring during construction is also recommended at the location of a stormwater sewer pipe that will extend from Linden Avenue to proposed basin HUC3-F that parallels and may fall within the trench footprint for an existing deeply buried natural gas pipeline at the Jersey Eagle Site (28-Hd-45 [SHPO Opinion: 5/17/2013]). Phase IB archaeological testing in the aforementioned locations is not feasible given the presence of existing structural embankments, abutments, and piers, as well as an active high pressure natural gas pipeline. As a result, archaeological monitoring to record exposed elements of the deeply buried Morris Canal historic property (NJR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 5/27/2004), and sampling at the Jersey Eagle Site (28-Hd-45 [SHPO Opinion: 5/17/2013]) is recommended during construction. An archaeological monitoring protocol was prepared for the Morris Canal historic property (NJR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 5/27/2004) and the Jersey Eagle Site (28-Hd-45 [SHPO Opinion: 5/17/2013]) that included a protocol for unanticipated human remains discovery.

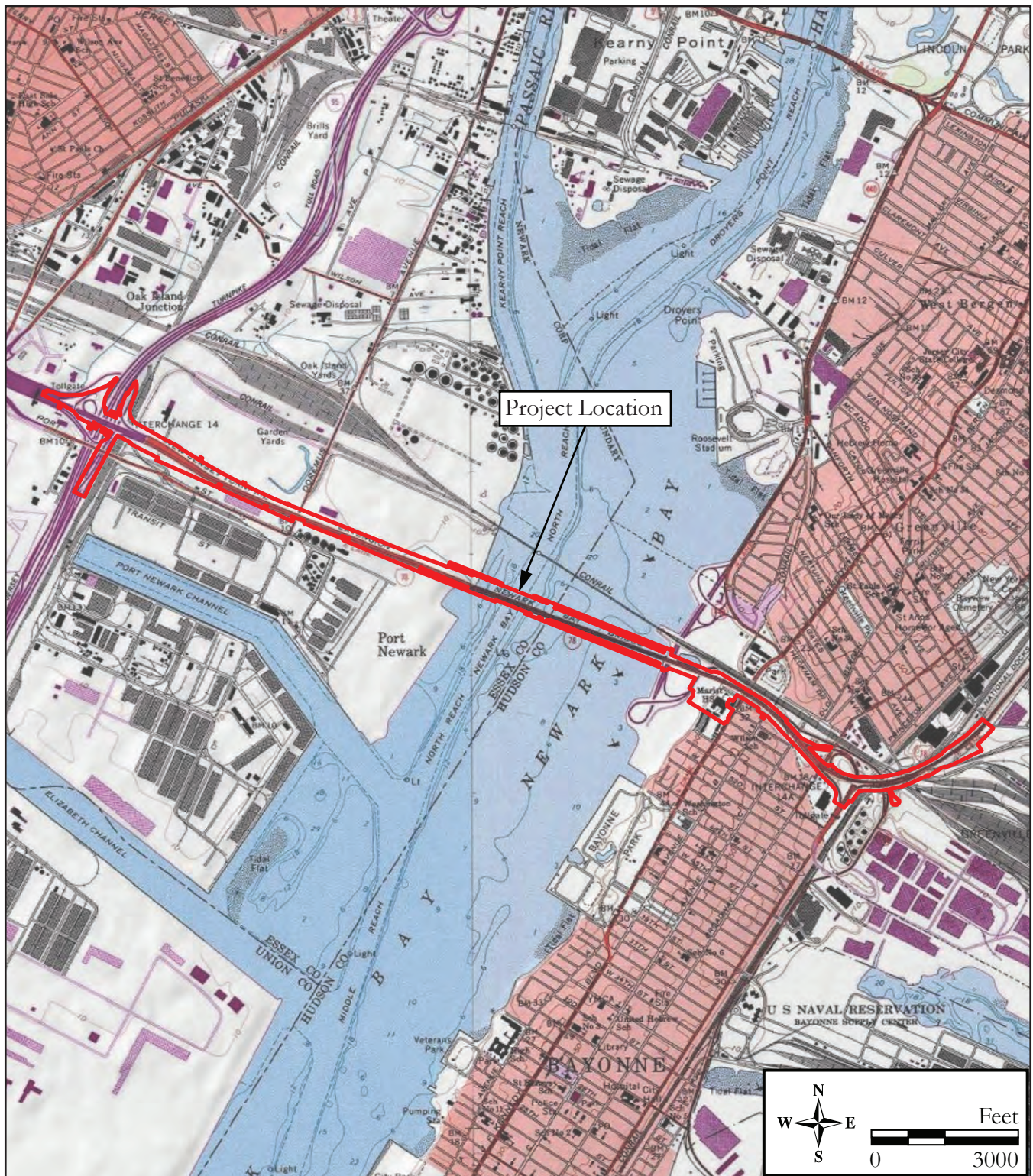
Determination of Effect

Based on research and the results of the Phase I archaeological survey and Intensive-level historic architectural survey report and Supplemental Phase I archaeological survey and geotechnical boring review completed by RGA for the proposed undertaking, it is the USCG's determination that the proposed undertaking will result in an adverse effect to historic properties, per 36 CFR § 800.5(a)(2)(i) of the Section 106 regulations. As currently proposed, project plans call for the removal and replacement of the NRHP-eligible Newark Bay Bridge, an intact example of a mid-twentieth-century cantilevered truss bridge, which will constitute an adverse effect due to the loss of the historic bridge.

Archaeological monitoring during construction will be conducted as a measure to mitigate adverse effects to the Morris Canal historic property (NJR: 11/26/1973; NR: 10/1/1974; SHPO Opinion: 5/27/2004) and the Jersey Eagle Site (28-Hd-45 [SHPO Opinion: 5/17/2013]). Phase IB archaeological survey, if needed, to determine the presence or absence of archaeological resources cannot be undertaken at proposed basin HUC2-I on Block 17, Lots 1 and 15 until the Authority owns the parcels. Subsequent changes that may occur in project design, such as a reduction in project depth to limit excavations to depths above 127.3 feet above mean sea level for the proposed basin may affect the need to conduct Phase IB archaeological survey.

Attachment 1

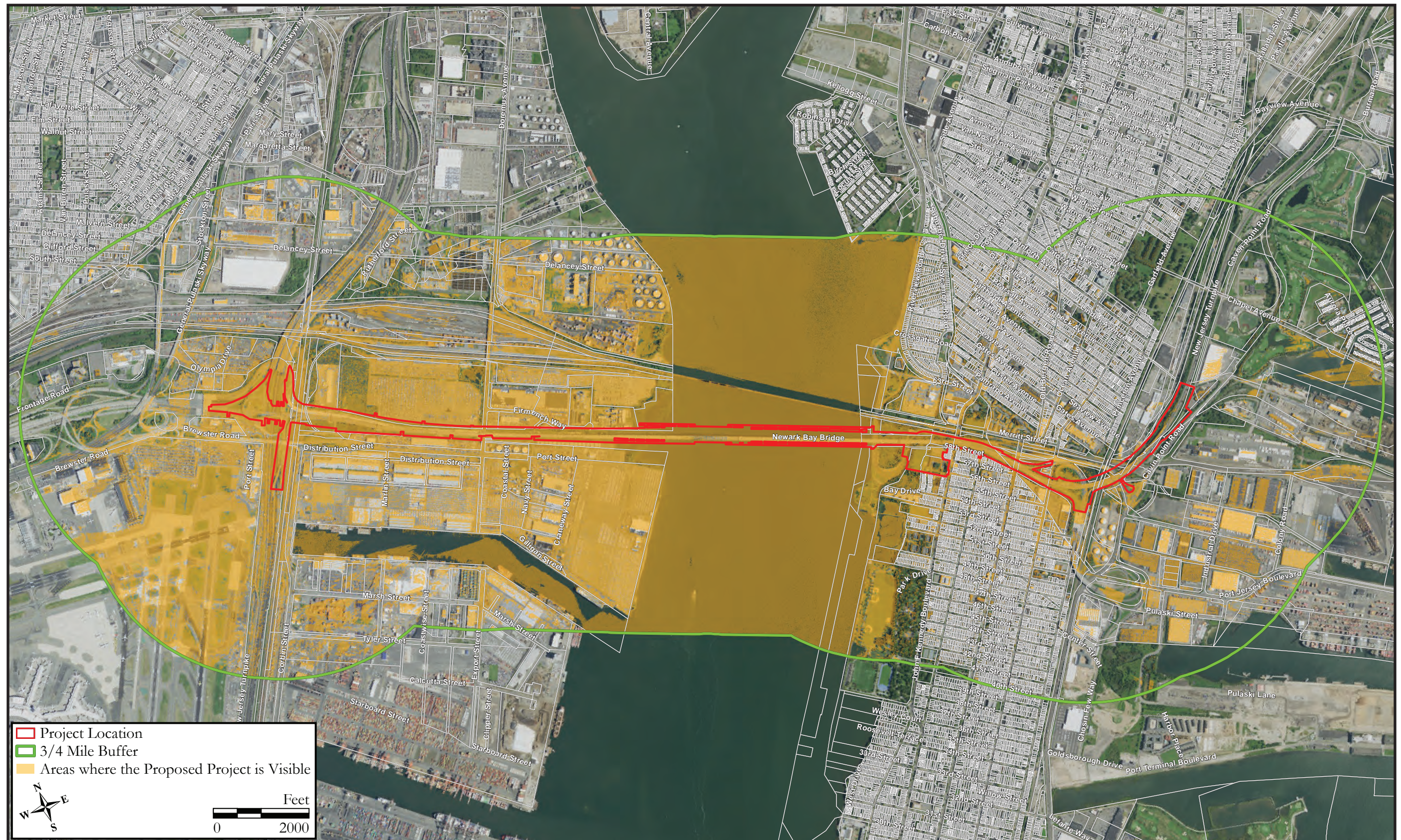
Project Location



Attachment 1: Project Location

Attachment 2

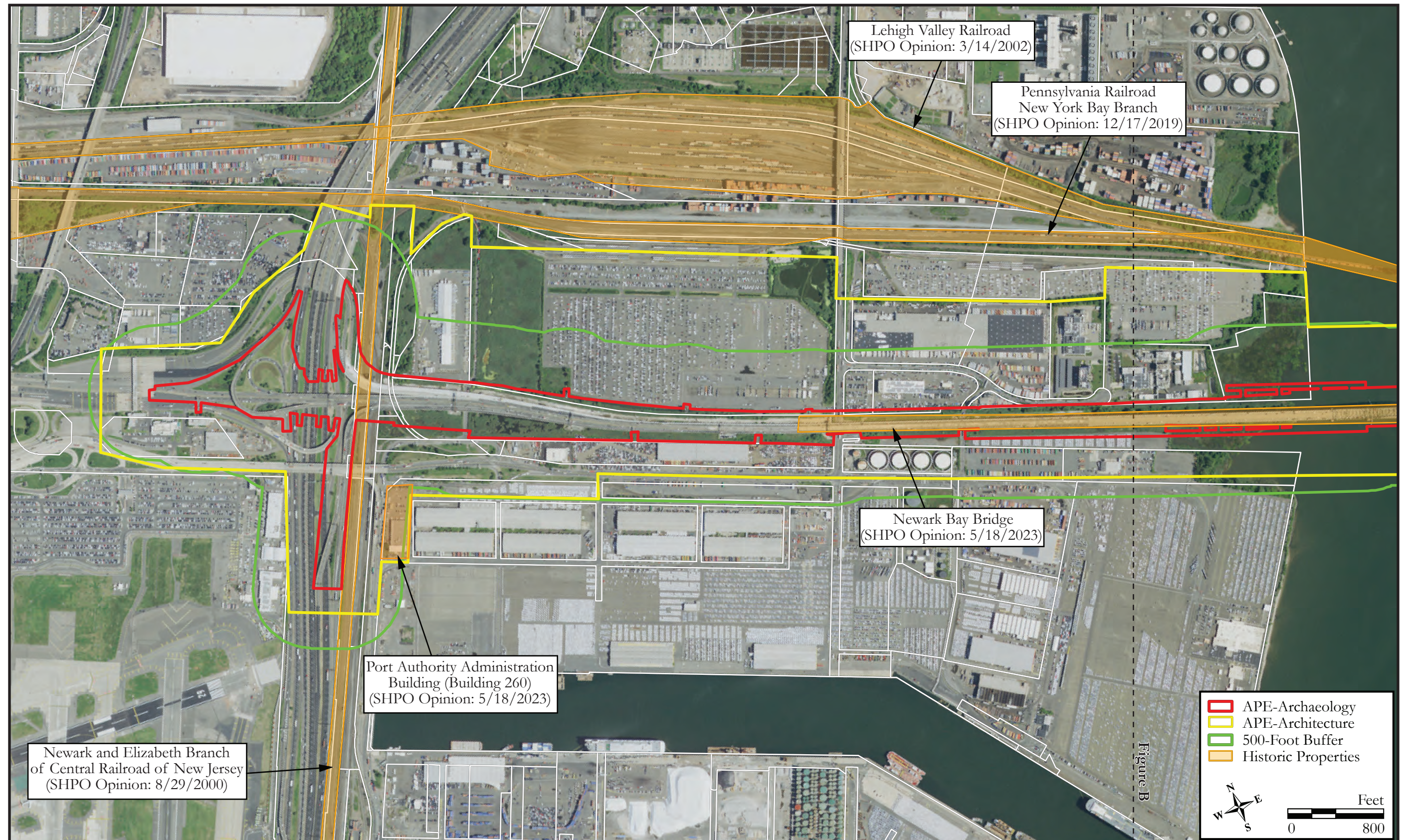
Area of Potential Effects with 3/4-mile Viewshed Buffer



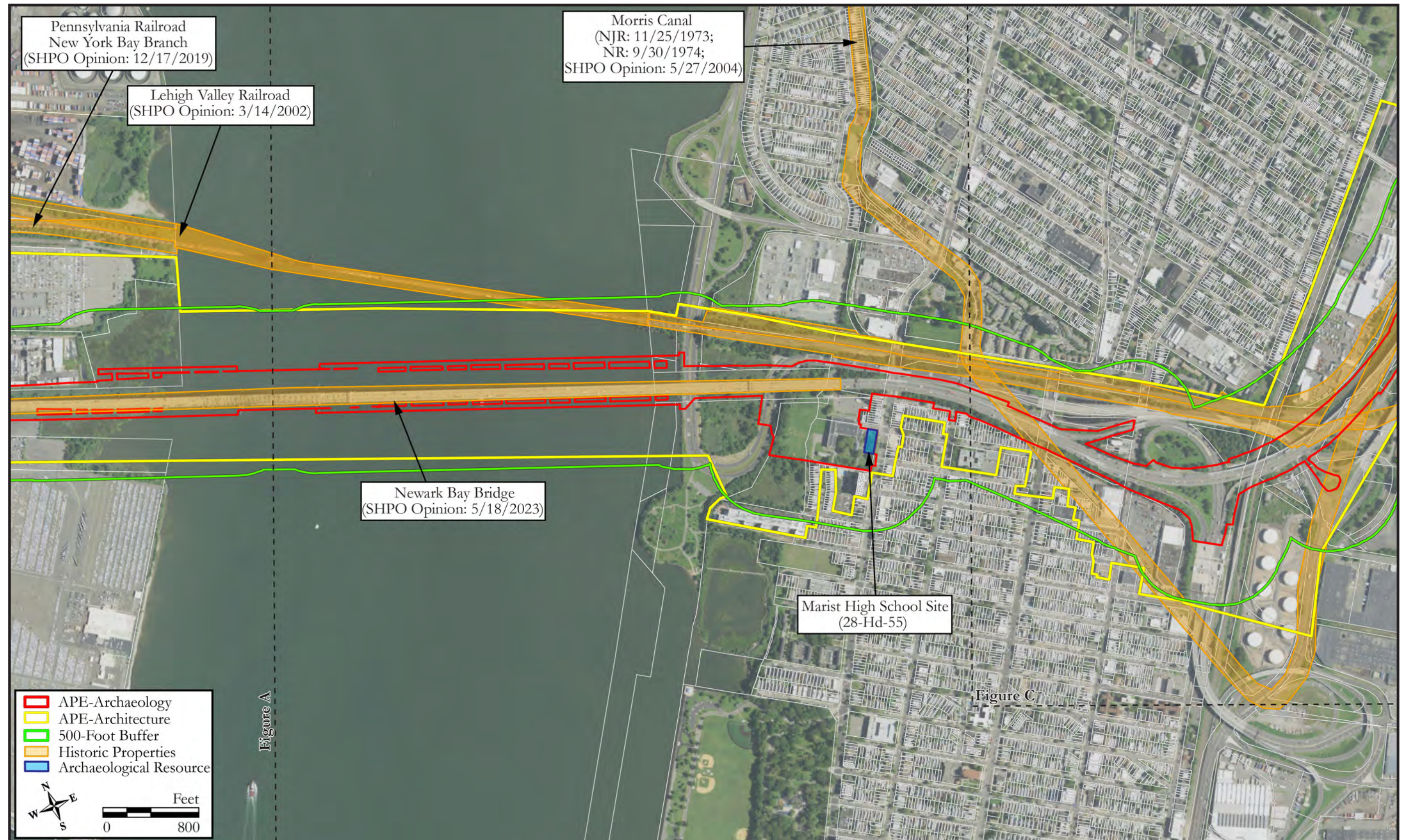
Attachment 2: Area of Potential Effects with 3/4-mile Viewshed Buffer

Attachment 3

Area of Potential Effects with 500-foot Buffer and
Previously Identified Historic Properties



Attachment 3a: Area of Potential Effects with 500-foot Buffer and Previously Identified Historic Properties



Attachment 3b: Area of Potential Effects with 500-foot Buffer and Previously Identified Historic Properties



Attachment 3c: Area of Potential Effects with 500-foot Buffer and Previously Identified Historic Properties

Attachment 4

List of Consulting Parties

Kristin Andrade
Jurisdiction/Enforcement SME
NAD – Technical Regional Execution Center
United States Army Corps of Engineers
302 General Lee Avenue
Fort Hamilton, NJ 11252-6700
Kristin.B.Andrade@usace.army.mil

Katelyn Lucas
Tribal Historic Preservation Officer
Delaware Nation, Oklahoma
PO Box 825
Anadarko, OK 073005
klucas@delawarenatuion-nsn.gov

Absentee Shawnee Tribe of Oklahoma
2025 South Gordon Cooper Drive
Shawnee, OK 74801
106NAGPRA@astribe.com
cbutler@astribe.com

Tonya Tipton
Tribal Historic Preservation Officer
Shawnee Tribe
PO Box 189
29 South Highway 69A
Miami, OK 74354
tonya@shawnee-tribe.com

Jeffrey C. Bendremer, Ph.D.
Tribal Historic Preservation Officer
Stockbridge Munsee Community
N8705 MohHeConNuck Road
Bowler, WI 54416
Jeff.bendremer@mohican-nsn.gov
thpo@mohican-nsn.gov

Susan Bachor
Preservation Representative (East Coast)
Delaware Tribe of Indians
5100 Tuxedo Boulevard
Bartlesville, OK 64006
sbachor@delawaretribe.org

Mayor Ras Baraka
City of Newark
920 Broad Street
Room 200
Newark, NJ 07102
Barakara@ci.newark.nj.us

Richard Partyka, Chairman
City of Newark Landmarks and Historic
Preservation Commission
PO Box 1066
Newark, NJ 07101
richard.partyka@gmail.com

Mayor Jimmy Davis
City of Bayonne
630 Avenue C
Bayonne, NJ 07002
mayors.office@baynj.org

Joseph Ryan
City of Bayonne Historic Preservation
Commission
630 Avenue C
Bayonne, NJ 07002
jryan@baynj.org

Mayor Steven M. Fulop
City of Jersey City
280 Grove Street
Jersey City, NJ 07302
fulops@jcnj.org

Tanya Marione, PP, AICP, Director
City of Jersey City Historic Preservation
Commission
1 Jackson Square, 2nd floor
Jersey City, NJ 07305
ichpc@jcnj.org

Craig Guy, Hudson County Executive
583 Newark Avenue
Jersey City, NJ 07306
hcexecoffice@hcnj.us

Hudson County Open Space, Recreation and
Historic Preservation
Division of Planning
Bergen Square Center
830 Bergen Avenue
Suite 6A
Jersey City, NJ 07306
countyplanning@hcnj.us

Joseph N. DiVincenzo, Jr., Essex County
Executive
Hall of Records
465 Dr. Martin Luther King, Jr. Boulevard
Room 405
Newark, NJ 07102
joedi@admin.essexcountynj.org

Daniel K. Salvante, Director
The Essex County Department of Parks,
Recreation, and Cultural Affairs
115 Clifton Avenue
Newark, NJ 07104
dsalvante@parks.essexcountynj.org

Newark History Society
546 N 7th Street
Newark, NJ 07107
NewarkHistorySoc@gmail.com

Lee Fahley, President
Bayonne Historical Society
PO Box 3034
Bayonne, NJ 07002
lf70nj@aol.com

Preservation New Jersey
30 South Warren Street
Trenton, NJ 08608
info@preservationnj.org

New Jersey Historical Society
52 Park Place
Newark, NJ 07102
contactNJHS@jerseyhistory.org

Roebing Chapter, Society for Industrial
Archaeology
235 West End Avenue
Apartment 14C
New York, NY 10023-3648
RCSIA.Sec@gmail.com

George Leader, Ph.D.
Archaeological Society of New Jersey
Department of Sociology and Anthropology
Social Sciences Building 312
2000 Pennington Road
Ewing, New Jersey, 08628
asofnj@gmail.com

Joseph Macasek, President
Canal Society of New Jersey
PO Box 737
Morristown, NJ 07963-0737
macgraphics2@gmail.com

Doreen Bloomer, President
Hudson County Genealogical & Historical Society
512-39th Street
Union City, NJ 07087
info@hudsoncountynjgenealogy.org

Gina Hulings, Director
Hudson County Office of Cultural & Heritage
Affairs/Tourism Development
William J. Brennan Courthouse Building
583 Newark Avenue
Jersey City, NJ 07306
ghulings@hcnj.us

Christopher Perez, President
Jersey City Landmarks Conservancy, Inc.
PO Box 3449
Jersey City, NJ 07303-0068
Christopher.perez@gmail.com



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
COMMUNITY INVESTMENT AND ECONOMIC REVITALIZATION
HISTORIC PRESERVATION OFFICE

501 East State Street

P.O. Box 402, Mail Code 501-04B

Trenton, New Jersey 08625-0420

Tel. (609) 940-4312 • Fax (609) 984-0578

www.nj.gov/dep

PHILIP D. MURPHY

Governor

TAHESHA L. WAY

Lt. Governor

SHAWN M. LATOURETTE

Commissioner

January 15, 2025

Gregory P. Hitchen
Bridge Program Manager
U.S. Coast Guard
One South Street
New York, NY 10004-1466
via email: Gregory.P.Hitchen@uscg.mil

Dear Mr. Hitchen:

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 consultation comments on the following proposed undertaking:

**Essex County, City of Newark
Hudson County, City of Bayonne
New Jersey Turnpike Newark Bay-Hudson County Extension
Interchanges 14-14A (Extension)
United States Coast Guard**

Thank you for providing the Historic Preservation Office (HPO) with the opportunity for review and comment on the potential for the above-referenced project to affect historic properties. The comments below are in reply to your letter and supporting documentation, received at the Historic Preservation Office (HPO) on November 13, 2024, as well as information provided at the Section 106 consulting parties meeting held on December 10, 2024.

The United States Coast Guard (USCG) previously initiated consultation regarding the referenced undertaking in May 2024, and the HPO concurred with the identification of historic properties in June 2024 (HPO-F2024-037).

800.4 Identification of Historic Properties

The USCG identified the following historic properties within the area of potential effects (APE) for the undertaking:

- Newark Bay Bridge (SHPO Opinion 5/18/2023)
- Port Authority Administration Building (SHPO Opinion 5/18/2023)

- Morris Canal (SR 11/25/1973; NR 9/30/1974)
- Newark and Elizabeth Branch of Central Railroad of New Jersey (SHPO Opinion 8/29/2000)
- Lehigh Valley Railroad (SHPO Opinion 3/14/2002)
- Pennsylvania Railroad New York Bay Branch (SHPO Opinion 12/17/2019)
- Jersey Eagle Site (SHPO Opinion 5/17/2013)

800.5 Assessment of Adverse Effects

According to your correspondence, the proposed undertaking involves the reconstruction of the Newark Bay-Hudson County Extension between Interchanges 14 and 14A (Extension), including replacement of the Vincent R. Casciano Memorial, Newark Bay Bridge. The USCG has determined in consultation to date that the undertaking will result in an adverse effect on the following historic properties:

- Morris Canal (SR 11/26/1973; NR 10/1/1974)
- Jersey Eagle Site (SHPO Opinion 5/17/2013)
- Newark Bay Bridge (SHPO Opinion 5/18/2023)

According to your correspondence, the determination under 36 C.F.R. Part 800.5 for adverse effects is still pending for the location of the proposed stormwater basin HUC2-I at the former Marist High School property. This determination will be made following the completion of a Phase IB archaeological survey for the basin, and subsequent Phase II archaeological survey, if necessary. The New Jersey Turnpike Authority (NJTA) has redesigned a portion of the project east of the proposed stormwater basin to avoid project-related impacts to the identified Marist High School Site (28-Hd-55).

800.14 Federal Agency Program Alternatives

In order to address the undertaking's adverse effects and address the continued identification of archaeological historic properties, the USCG proposes to prepare a Programmatic Agreement (PA) for the project. In the consulting parties meeting of December 10, 2024, the USCG requested feedback on the proposed mitigation for the project, which includes, but not limited to, the following:

- Phased archaeological survey within the proposed Stormwater Basin HUC2-I on the former Marist High School property in the City of Bayonne, Hudson County, to determine the presence or absence of archaeological historic properties;
- Preparation of an avoidance and protection plan to implement avoidance measures during construction at the Marist High School Site (28-Hd-55);
- Archaeological monitoring during construction where the project intersects with the Morris Canal historic property during bridge replacement activities and where the project abuts the Jersey Eagle Site historic property for the installation of a stormwater outfall pipe associated with Stormwater Basin HUC3-F;
- Documentation of the Newark Bay Bridge to the standards of the Historic American Engineering Record (HAER); and
- Development of interpretive signage that details the history and significance of the historic structure.



The HPO agrees that the above mitigation is appropriate; however, we do not believe that this mitigation alone is commensurate with the adverse effect, given the size and scale of the project. The Newark Bay Bridge is a landmark over the Newark Bay, visible from surrounding communities, and experienced by millions of commuters annually. As such, it is the opinion of the HPO that additional mitigation is necessary. The HPO previously recommended mitigation as part of New Jersey Department of Environmental Protection permit for the project (Permit #0000-23-0012.2 LUP230001) that included the above measures, as well as preparation of a historic context study and inventory of the extant bridges at least 45 years of age (pre-1979) on the New Jersey Turnpike owned by the NJTA. We recommend the inclusion of this study as mitigation in the USCG PA, as well. Additional consultation with consulting parties may identify additional mitigation items as part of the PA consultation process.

Additional Comments

Thank you for providing the opportunity to review and comment on the potential for the above-referenced undertaking to affect historic properties. The HPO looks forward to additional consultation regarding the identification of archaeological historic properties and any additional consultation with consulting parties resolving project effects on historic properties through the development of the PA. Please reference HPO project number **21-1041** 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 **Jennifer Leynes** of my staff at jennifer.leynes@dep.nj.gov regarding historic architecture or **Vincent Maresca** of my staff at vincent.maresca@dep.nj.gov with questions regarding archaeology.

Sincerely,



Katherine J. Marcopul
Deputy State Historic
Preservation Officer

cc: Lisa Navarro, NJTA
Graham Trelstad, WSP
Allee Davis, RGA
Michael Gall, RGA

KJM/MMB/VM/JBL





16591

February 5, 2023

Dr. Katherine J. Marcopul
Deputy State Historic Preservation Officer
Department of Environmental Protection
Historic Preservation Office
501 East State Street, P.O. Box 402, Mail Code 501-04B
Trenton, New Jersey 08625-0420

RE: HPO Project No. 21-1041-18

Dear Dr. Marcopul:

The United States Coast Guard (USCG) welcomes your continued consultation under Section 106 of the National Historic Preservation Act (36 CFR 800) for the New Jersey Turnpike Newark Bay-Hudson County Extension Interchanges 14-14A (Extension) Project (HPO Project No. 21-1041-18).

In the Historic Preservation Office's (HPO) January 15, 2025, letter regarding the potential for the above-referenced project to affect historic property, the HPO concurs that the proposed mitigation is appropriate. Regarding the HPO recommendation that a historic context study and inventory of the extant bridges at least 45 years of age (pre-1979) on the New Jersey Turnpike owned by the New Jersey Turnpike Authority be prepared, we submit updated information concerning the project's assessment of adverse effects (800.5).

The Project is an element of the Eisenhower Interstate System, specifically, I-78. In 2005, the Advisory Council on Historic Preservation published a notice in the Federal Register (05-4739; 70 FR 11928) outlining an *Exemption Regarding Historic Preservation Review Process for Effects to the Interstate Highway System*. This exemption relieves federal agencies from Section 106's requirement to consider the effects of their undertakings on elements of the Interstate Highway System. Although recently determined eligible for inclusion in the National Register of Historic Places, the Newark Bay Bridge was not included in the inventory of elements of the Interstate Highway System excluded from the exemption. Therefore, consideration of this project's effects to the Newark Bay Bridge are not warranted under Section 106.

Therefore, the USCG proposes:

- HPO concurrence to apply the Interstate Highway exemption;
- The USCG, as lead federal agency for the Project, will advance a Section 106 Programmatic Agreement that will not include effects to the Newark Bay Bridge given the application of the Interstate Highway exemption; and

16591
February 5, 2023

- The mitigation efforts to be documented in the Programmatic Agreement for the Newark Bay Bridge will be limited to stipulations 1 and 2 (HAER documentation) from the New Jersey Department of Environmental Protection permit for the project (Permit #0000-23-0012.2 LUP230001).

The USCG and the Authority provide this added information to achieve completion of the Project's PA for compliance with Section 106. We respectfully request your concurrence on the above information.

Sincerely,

Gregory P. Hitchen
Bridge Program Manager
U.S. Coast Guard
By direction

Copy: Dewberry Environmental Consultants
New Jersey Turnpike Authority
New Jersey Department of Environmental Protection

From: [Stieb, Jeffrey D CIV USCG D1 \(USA\)](#)
To: [Stieb, Jeffrey D CIV USCG D1 \(USA\)](#)
Subject: FW: ACHP Case 022156: Replacement of the Newark Bay Bridge across Newark Bay
Date: Thursday, March 13, 2025 6:39:05 AM
Attachments: [image001.png](#)

From: Katharine Cline <kcline@achp.gov>
Sent: Wednesday, March 12, 2025 4:02 PM
To: Robertson, Matthew S CIV USCG (USA) <Matthew.S.Robertson2@uscg.mil>
Cc: Christopher Wilson <cwilson@achp.gov>; commissioner@dep.nj.gov
Subject: [Non-DoD Source] ACHP Case 022156: Replacement of the Newark Bay Bridge across Newark Bay

Dear Mr. Robertson:

On February 20, 2025, the Advisory Council on Historic Preservation (ACHP) received the additional documentation as requested regarding the potential adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, Criteria for Council Involvement in Reviewing Individual Section 106 Cases, of Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe our participation in the consultation to resolve adverse effects is needed.

However, if we receive a request for participation from the New Jersey State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian Tribe, a consulting party, or other party, we may reconsider this decision. Should the undertaking's circumstances change, consulting parties cannot come to consensus, or you need further advisory assistance to conclude the consultation process, please contact us.

Pursuant to 36 CFR § 800.6(b)(1)(iv), you will need to file the final Section 106 agreement document (Agreement), developed in consultation with the New Jersey SHPO and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the Agreement and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the NHPA.

Thank you for providing us with the additional information we requested regarding this notification of adverse effect. If you have any questions or require our further assistance, please contact MR. Chris Wilson at (202) 517-0229 or by e-mail at cwilson@achp.gov and reference the ACHP Project Number above.

Sincerely,

Kate Cline (she/her)
Historic Preservation Specialist

Advisory Council on Historic Preservation
401 F Street NW, Suite 308, Washington, DC 20001
(202) 517-0225

kcline@achp.gov



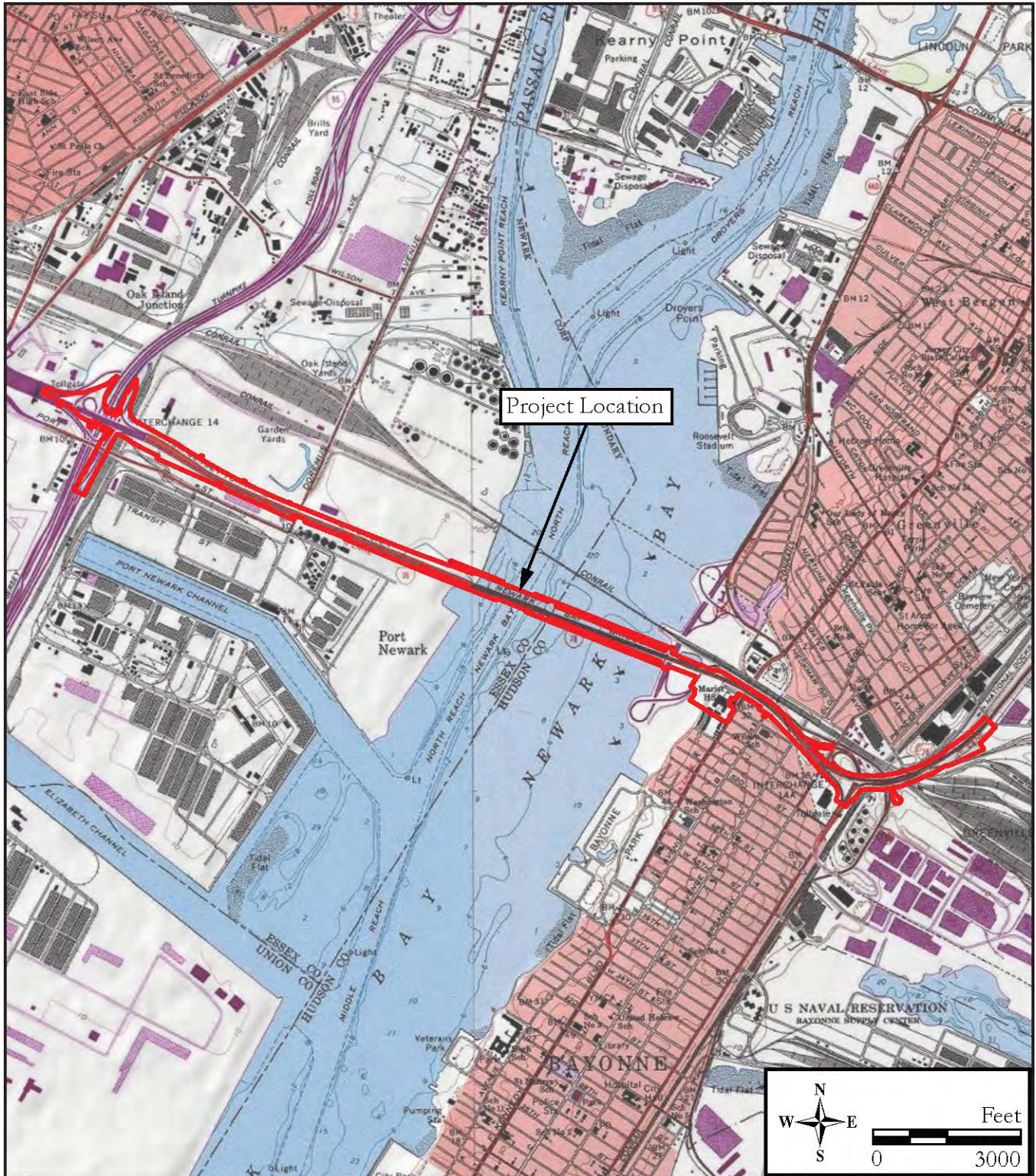
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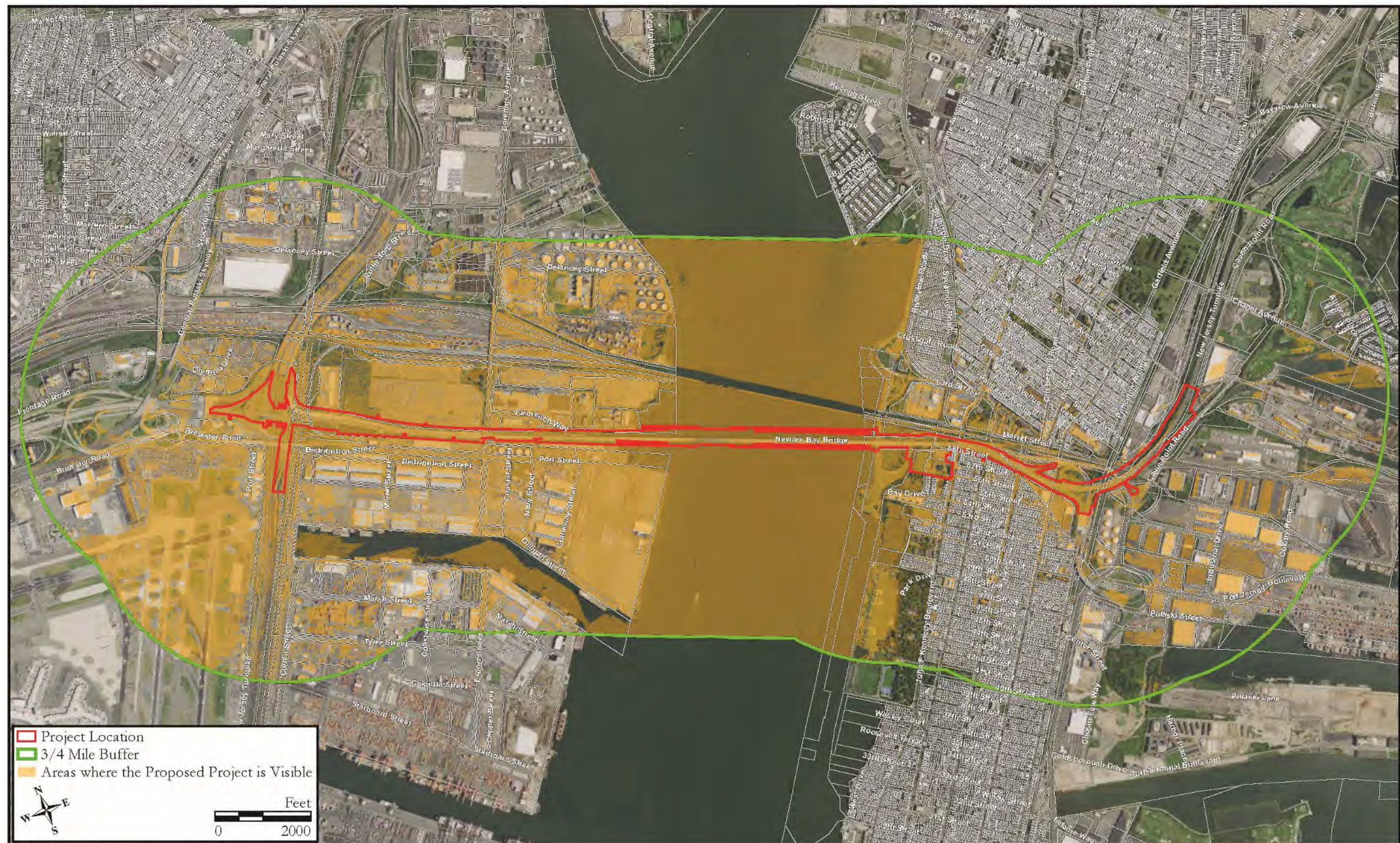
@usachp – Twitter and Instagram

<https://www.youtube.com/channel/UChReeJ63BktsEqSidL396Ng>

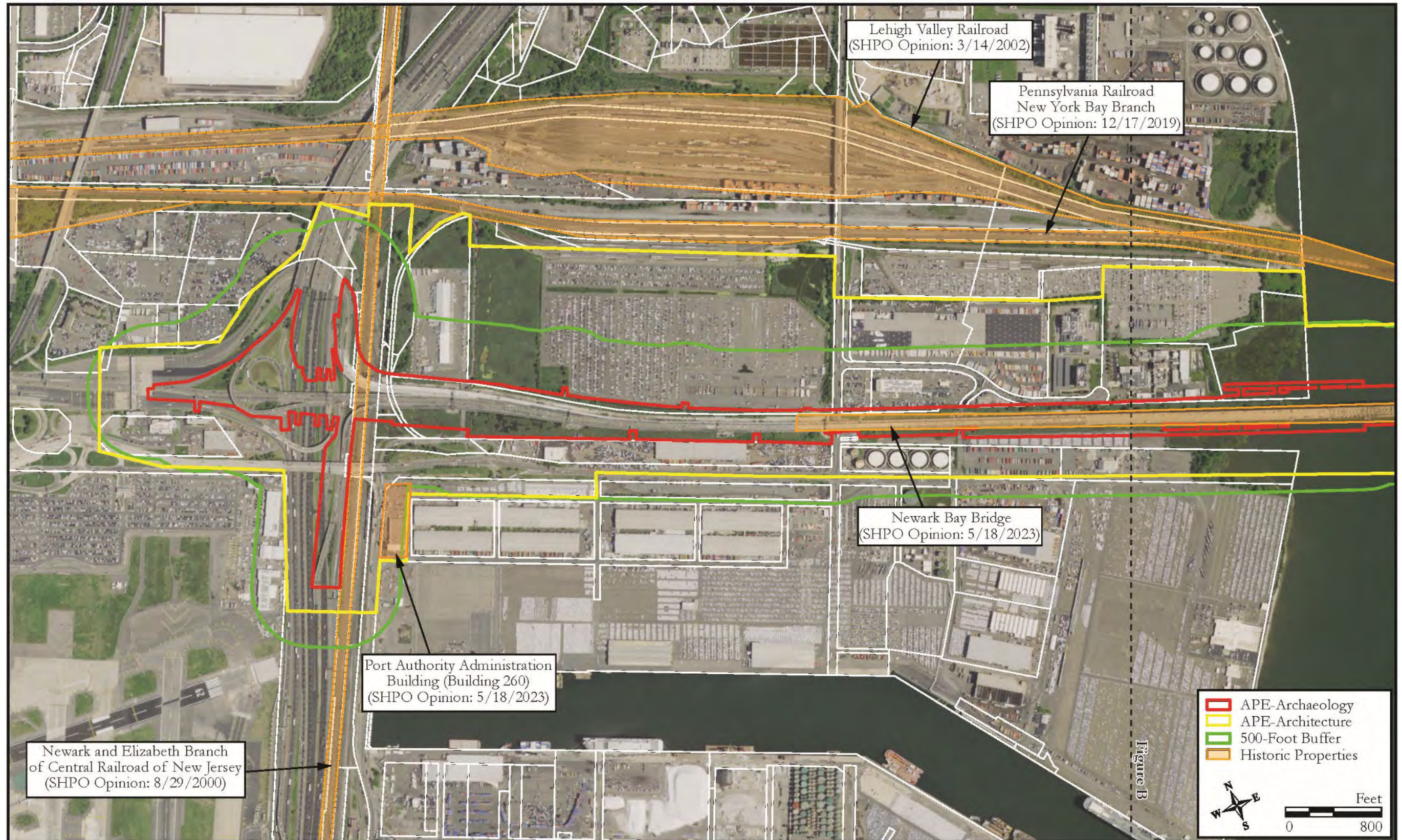
ATTACHMENT 2: AREA OF POTENTIAL EFFECTS (APE)



Attachment 2 – Figure 1: Project Location.



Attachment 2 – Figure 2: Area of Potential Effects with ¾-mile Viewshed Buffer.



Attachment 2 – Figure 3a: Area of Potential Effects with 500-foot Buffer and Previously Identified Historic Properties.



Attachment 2 – Figure 3b: Area of Potential Effects with 500-foot Buffer and Previously Identified Historic Properties.



Attachment 2 – Figure 3c: Area of Potential Effects with 500-foot Buffer and Previously Identified Historic Properties.

ATTACHMENT 3: SECTION 106 CONSULTING PARTIES CORRESPONDENCE

- *The USCG invited the following organizations and federally recognized Tribal Nations as Section 106 consulting parties:*
 - *City of Newark*
 - *City of Newark Landmarks and Historic Preservation Commission*
 - *City of Bayonne*
 - *City of Bayonne Historic Preservation Commission*
 - *City of Jersey City*
 - *City of Jersey City Historic Preservation Commission*
 - *Hudson County Executive*
 - *Hudson County Open Space, Recreation and Historic Preservation*
 - *Essex County Executive*
 - *Essex County Department of Parks, Recreation, and Cultural Affairs*
 - *Newark Historical Society*
 - *Bayonne Historical Society*
 - *Preservation New Jersey*
 - *New Jersey Historical Society*
 - *Society for Industrial Archaeology*
 - *Archaeological Society of New Jersey*
 - *Canal Society of New Jersey*
 - *Hudson County Genealogical & Historical Society*
 - *Hudson County Office of Cultural & Heritage Affairs/Tourism Development*
 - *Jersey City Landmarks Conservancy*
 - *Delaware Nation*
 - *Delaware Tribe of Indians*
 - *Absentee Shawnee Tribe of Oklahoma*
 - *Shawnee Tribe*
 - *Stockbridge Munsee Community*
- *City of Bayonne Historic Preservation Commission Response Email (December 10, 2024)*
- *Shawnee Tribe Response Email (January 10, 2025)*



FW: New Jersey Turnpike Authority Newark Bay-Hudson County Extension/Newark Bay Bridge Replacement: Section 106 Consultation

From Trelstad, Graham <Graham.Trelstad@wsp.com>

Date Wed 11/13/2024 2:01 PM

To Morgan, Michael A. <mmorgan@GFNET.com>; Pesesky, Larry <lawrence.pesesky@wsp.com>; Allee Davis <adavis@rgaincorporated.com>; Michael Gall <mgall@rgaincorporated.com>

2 attachments (13 MB)

2024.11.08 Sec 106 Consultation Document with Attachments.pdf; CG LTR NJHPO Nov 13 2024.pdf;

Here's the e-mail that went out to Consulting Parties.

From: Trelstad, Graham

Sent: Wednesday, November 13, 2024 1:59 PM

To: 'Kristin.B.Andrade@usace.army.mil' <Kristin.B.Andrade@usace.army.mil>; 'klucas@delawarenatuion-nsn.gov' <klucas@delawarenatuion-nsn.gov>; '106NAGPRA@astribe.com' <106NAGPRA@astribe.com>; 'cbutler@astribe.com' <cbutler@astribe.com>; 'tonya@shawnee-tribe.com' <tonya@shawnee-tribe.com>; 'Jeff.bendremer@mohican-nsn.gov' <Jeff.bendremer@mohican-nsn.gov>; 'thpo@mohican-nsn.gov' <thpo@mohican-nsn.gov>; 'sbachor@delawaretribe.org' <sbachor@delawaretribe.org>; 'Barakara@ci.newark.nj.us' <Barakara@ci.newark.nj.us>; 'richard.partyka@gmail.com' <richard.partyka@gmail.com>; 'mayors.office@baynj.org' <mayors.office@baynj.org>; 'jryan@baynj.org' <jryan@baynj.org>; 'fulops@jcnj.org' <fulops@jcnj.org>; 'jchpc@jcnj.org' <jchpc@jcnj.org>; 'hcexecoffice@hcnj.us' <hcexecoffice@hcnj.us>; 'countyplanning@hcnj.us' <countyplanning@hcnj.us>; 'joedi@admin.essexcountynj.org' <joedi@admin.essexcountynj.org>; 'dsalvante@parks.essexcountynj.org' <dsalvante@parks.essexcountynj.org>; 'NewarkHistorySoc@gmail.com' <NewarkHistorySoc@gmail.com>; 'lf70nj@aol.com' <lf70nj@aol.com>; 'info@preservationnj.org' <info@preservationnj.org>; 'contactNJHS@jerseyhistory.org' <contactNJHS@jerseyhistory.org>; 'RCSIA.Sec@gmail.com' <RCSIA.Sec@gmail.com>; 'asofnj@gmail.com' <asofnj@gmail.com>; 'macgraphics2@gmail.com' <macgraphics2@gmail.com>; 'info@hudsoncountynjgenealogy.org' <info@hudsoncountynjgenealogy.org>; 'ghulings@hcnj.us' <ghulings@hcnj.us>; 'Christopher.perez@gmail.com' <Christopher.perez@gmail.com>

Cc: 'Gregory.p.hitchen@uscg.mil' <Gregory.p.hitchen@uscg.mil>; 'Jeffrey.d.stieb@uscg.mil' <Jeffrey.d.stieb@uscg.mil>; 'Donna.d.leoce@uscg.mil' <Donna.d.leoce@uscg.mil>; 'kate.marcopul@dep.nj.gov' <kate.marcopul@dep.nj.gov>; 'jennifer.leynes@dep.nj.gov' <jennifer.leynes@dep.nj.gov>; 'Vincent.Maresca@dep.nj.gov' <Vincent.Maresca@dep.nj.gov>; Navarro, Lisa <navarro@njta.com>; Heeren, James <JHeeren@Dewberry.com>

Subject: New Jersey Turnpike Authority Newark Bay-Hudson County Extension/Newark Bay Bridge Replacement: Section 106 Consultation

Dear Consulting Parties:

The United States Coast Guard (USCG) and the New Jersey Turnpike Authority (Authority) have identified your organization as one that may have an interest in the Authority's proposed reconstruction of the Newark Bay-Hudson County Extension (NB-HCE) between Interchanges 14 and 14A (Extension) including the Vincent R. Casciano Memorial, Newark Bay Bridge (NBB) Across Newark Bay, Mile 3.8, between Newark, Essex County and Bayonne, Hudson County, New Jersey (the Project). The Project

requires a Bridge Permit from the United States Coast Guard (USCG) and is therefore subject to Section 106 of the National Historic Preservation Act of 1966, as amended.

As such, you are invited to participate as a Consulting Party regarding the Project's potential to affect historic properties. Consulting parties have certain rights and obligations under the National Historic Preservation Act of 1966, as amended, and its implementing regulations at 36 CFR § 800. The review process, known as Section 106 review, is described at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>. As a consulting party, you are actively informed of steps in the Section 106 process, including opportunities to review and comment on reports/documents prepared for Section 106 compliance.

The USCG proposes to hold a virtual Consulting Parties meeting in November to elicit input from participants regarding the Project's impacts to historic properties and the proposed mitigation measures to resolve the Project's adverse effects on identified historic properties. Additional information regarding the virtual meeting will be provided.

In addition to the attached Section 106 Consulting letter sent to the New Jersey State Historic Preservation Office and the Section 106 Document that contains additional Project details, you are invited to review several cultural resources survey reports, which can be accessed at <https://www.njta.com/section-106>.

Please respond with any comments or questions within 15 days of receipt of this transmittal.



Graham L. Trelstad
Senior Vice President



WSP USA, Inc.
One Penn Plaza
New York, NY 10119

[wsp.com](https://www.wsp.com)

- *Per Title VI of the Civil Rights Act of 1964, WSP USA will not discriminate on the grounds of race, color, or national origin in the selection and retention of subconsultants, including procurement of materials and leases of equipment.*

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Section 106 Comments

From Joe Ryan <jryan@baynj.org>

Date Tue 12/10/2024 2:10 PM

To Trelstad, Graham <Graham.Trelstad@wsp.com>; jeffrey.d.stieb@uscg.mil <jeffrey.d.stieb@uscg.mil>

The City of Bayonne and our local history community have an interest in obtaining sample portions of the span of the Newark Bay Turnpike Extension Bridge (Vincent Casciano Bridge) for use in displays and local memorials. I would suggest saving at least four four-ft. sections of the metal that could be placed in Rutkowski Park and other public places in Bayonne. Similar portions of the World Trade Center were salvaged for use in September 11 memorials.

I believe there would be broad public interest in purchasing small portions of the span as souvenirs. Small portions of the span could be sold to reduce the Turnpike Authority's bonded indebtedness for the project. Owning a piece of New Jersey history would attract a large number of consumers.

Respectfully submitted,
Joseph E. Ryan

Public Information Officer
City of Bayonne

Staff Secretary
Bayonne Historic Preservation Commission

Trelstad, Graham

From: Laserfiche Notification <donotreply@laserfiche.com>
Sent: Friday, January 10, 2025 12:27 PM
To: Trelstad, Graham
Subject: Section 106 Consultation - New Jersey Turnpike Authority Newark Bay-Hudson County Extension/Newark Bay Bridge Replacement

Categories: NJTPA-Historic

This email is in response to New Jersey Turnpike Authority Newark Bay-Hudson County Extension/Newark Bay Bridge Replacement. The project is out of the Shawnee Tribe's area of interest. If you have any questions, you may contact me via email at Section106@shawnee-tribe.com.

Thank you for giving us the opportunity to comment on this project.

Sincerely,



Erin Paden

TRIBAL HISTORIC PRESERVATION
SPECIALIST

Office: (918) 542-2441, x140

Email: epaden@shawnee-tribe.com

29 S Hwy 69A

Miami, OK 74354

shawnee-tribe.com

ATTACHMENT 4: VIRTUAL SECTION 106 CONSULTING PARTIES MEETING MINUTES

Meeting Notes

Program:	Newark Bay Hudson County Expansion	Minutes by:	Graham Trelstad, WSP
Topic:	Section 106 Consulting Parties	Meeting No.:	1
Date/Time:	December 10, 2024 10:30 AM to 11:25 AM	Location:	Virtual

Attendees:

NAME	REPRESENTING	EMAIL
Greg Hitchen	USCG	Gregory.P.Hitchen@uscg.mil
Jeffrey Stieb	USCG	Jeffrey.D.Stieb@uscg.mil
Donna Leoce	USCG	Donna.D.Leoce@uscg.mil
Amanda Boone	USCG	Amanda.N.Boone2@uscg.mil
Madeleine McNamara	USCG	Madeleine.W.McNamara@uscg.mil
Matt Robinson	USCG	matthew.s.robertson2@uscg.mil
Matt Stuck	USCG	Matthew.b.stuck@uscg.mil
Kristin Andrade	USACE	Kristin.B.Andrade@usace.army.mil
Lisa Navarro	NJ Turnpike Authority	navarro@njta.com
AJ Piechnick	NJTA/HNTB	APiechnik@hntb.com
James Heeren	NJTA/Dewberry	JHeeren@dewberry.com
Joann Papageorgis	NJTA/Dewberry	jpapageorgis@dewberry.com
Michael Morgan	NJTA/Gannett Fleming	mmorgan@gfnet.com
Lawrence Pesesky	NJTA/WSP	Lawrence.Pesesky@wsp.com
Graham Trelstad	NJTA/WSP	Graham.Trelstad@wsp.com
Allee Davis	NJTA/RGA	ADavis@rgaincorporated.com
Michael Gall	NJTA/RGA	MGall@rgaincorporated.com
Jeffrey Bendremer	Stockbridge Munsee Community	Jeff.Bendremer@mohican-nsn.gov
Jennifer Leynes	NJ HPO	Jennifer.Leynes@dep.nj.gov
Joseph Ryan	Bayonne Historic Preservation Commission	jryan@baynj.org

I. Agenda Items

- Welcome and Introductions
- Summary of Project
- Overview of the Section 106 Process
- Review of Cultural Resources Surveys
- Resolution of Adverse Effects and Proposed Mitigation
- Comments Period
- Next Steps & Adjourn

II. Meeting Notes

Following introductions by USCG and New Jersey Turnpike Authority, Michael Morgan provided a project overview, USCG outlined the major steps of the Section 106 process, and Michael Gall and Allee Davis summarized technical studies on historic resources to date.

Comments were solicited:

- Joe Ryan: We don't have a problem taking down the bridge.
We would like to receive pieces of the span for display.
It would help to preserve memory of bridge – perhaps in Rutkowski Park.
The Authority might want to consider selling small portions of the span.
- Jeffrey Bendremer: It would have been nice to have a heads-up on archaeological work in advance.
Will there be any effort to identify any buried A soils in APE that might harbor native American resources.
- Response: M. Gall* As part of Supplemental Phase 1A, we reviewed geotechnical boring logs, some of which included trenches, including soil profile photographs. Some recent borings were also photographed. That review triggered the need for additional survey work at the Marist Property. Elsewhere we identified buried A soils close to the Jersey Eagle site, but very deep. Since project work would not be that deep there would be no effect, except for a stormwater outfall pipe extending to Linden Avenue. Thus, the program includes archaeological monitoring at that location. If buried A-horizon or intact subsoils are identified during the monitoring effort at the outfall pipe, then the protocol requires sampling. The reason for monitoring as opposed to staged Phase 1 or Phase 2 surveys are dangers to individuals posed by the adjacent natural gas pressurized gas main. So that archaeological identification and mitigation-level work would be done during construction when appropriate machinery is present.
- Bendremer: That absolutely answered my question and I appreciate the challenges encountered in such studies.
It would be nice to be kept in the loop on a work plan and various components of archaeological work going forward. We would like to see our inadvertent discovery protocol adopted as part of any requisite policies. That information can be found at this link (provided in the meeting chat): <https://www.mohican.com/mt-content/uploads/2022/09/smc-inadvertent-discovery-policy.pdf>
- USCG will be accepting written comments through COB Friday, 1/17/2025, to: Jeffrey.D.Stieb@uscg.mil with copy to Graham.Trelstad@wsp.com.

**ATTACHMENT 5: STOCKBRIDGE MUNSEE COMMUNITY INADVERTENT DISCOVERY
POLICY**



**Stockbridge-Munsee Community
Band of Mohican Indians
Policy for
Treatment and Disposition of Human Remains and Cultural Items
That May be Discovered Inadvertently**

Purpose

The purpose of this policy is to outline procedures that will be followed by all agencies, contractors or others in the event of an inadvertent discovery of human remains or cultural materials that are identified as potentially Stockbridge-Munsee (Mohican).

Treatment and Disposition of Human Remains and Cultural Items

- 1) The federal agency or contractor shall contact the Stockbridge-Munsee Community immediately, but no later than three days after the discovery of the remains and/or artifacts at the contact information below:

updated September 2022

Jeff Bendremer, Tribal Historic Preservation Officer (THPO)	thpo@mohican-nsn.gov	413-884-6029 office 715-881-2254 cell
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If unavailable, contact:

Bonney Hartley, Tribal Historic Preservation Manager	Bonney.Hartley@mohican-nsn.gov	413-884-6048 office
Monique Tyndall, Cultural Affairs Director	Monique.Tyndall@mohican-nsn.gov	715-793-4270 office
Linda Mohawk Katchenago, Administrator	Linda.Katchenago@mohican-nsn.gov	715-793-4355 office

- 2) Place tobacco with human remains and/or funeral objects.
- 3) Cover remains and funeral objects with a natural fiber cloth such as cotton or muslin when possible.
- 4) No photographs will be taken.
- 5) The preferred treatment of inadvertently discovered cultural materials and/or human remains is to leave them *in-situ* (in place) and protect them from further disturbance.
- 6) Non-destructive "in-field" documentation of the remains and cultural items shall be carried out only in consultation with the Tribe, who will determine appropriate methods of recordation depending upon the circumstances.
- 7) If the remains and cultural items are to remain *in-situ*, the requirements of 43 CFR 10 Sections 10.4–10.6 will have been fulfilled.
- 8) The specific location(s) of discovery shall be withheld from disclosure (with the 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, specific procedures and considerations will be determined by Stockbridge-Munsee Tribe in consultation with the federal agency.