



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION NATURAL AND HISTORIC RESOURCES

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Office of the Assistant Commissioner

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CHRIS CHRISTIE
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KIM GUADAGNO
Lt. Governor

BOB MARTIN
COMMISSIONER

January 18, 2011

Mayor Michael Markulec
Township of Hopewell
201 Washington Crossing Pennington Road
Titusville, New Jersey 08560-1410

Dear Mayor Markulec:

As a follow up to our continuing dialogue over the last three months, I write in formal response to your letter of October 18 concerning Jacobs Creek Bridge (Bridge) and the surrounding Jacobs Creek Crossing Rural Historic Landscape (Historic Landscape). Your questions explore how the eligibility of the larger Historic Landscape would affect projects at and near the Bridge.

The Department does not have an application for a permit for any work before it, so no definitive answer is possible about what might be approved. In order to address your questions, I offer the following general guidance.

Because the eligible bridge site has been identified as part of a larger Historic Landscape any proposed project submitted to the Department for review that requires Freshwater Wetlands (FWW) Permit will be reviewed against the Secretary of the Interior's *Standards for the Treatment of Historic Properties*. In addition, for all projects that receive federal assistance and include work within the Rural Historic District, the review pursuant to Section 106 of the National Historic Preservation Act will include consideration of the project's impact on the historic features and character of the Historic Landscape.

The test established in the regulations for the FWW permit process for consideration of impacts on historic properties is that a project must result in "the minimum practicable degradation" of the historic property. Any permit application must specifically document that it minimizes impacts, to the extent practicable, on the Bridge and on the Historic Landscape.

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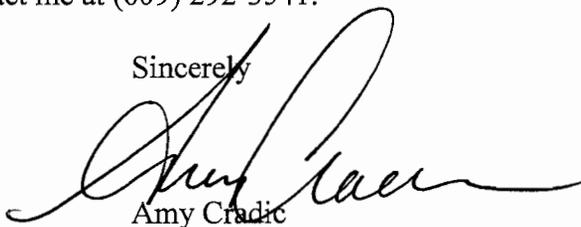
For any project, engineering considerations and impacts to the natural environment are essential parts of the project design. The design question is not solely about avoiding historic impacts. To be a successful project, the selected project design must best meet the engineering requirements for safe and efficient travel, while minimizing impacts on the environment and on historic properties.

At present, neither the Bridge nor the Historic Landscape is listed on the New Jersey Register of Historic Places. If a nomination is received, the Department will review it pursuant to N.J.A.C. 7:4 and then submitted to the New Jersey State Review Board for a recommendation to the Department.

The next scheduled meeting of the State Review Board is Feb 24, 2011; the agenda is already set and under public review. The following meeting of the State Review Board is scheduled for June 29, 2011. Since Hopewell Township is a Certified Local Government, any nomination within its boundaries will be forwarded to both you as Mayor, and to the Historic Preservation Commission for review and approval, before it is scheduled for review by the New Jersey State Review Board.

If you have questions, please contact me at (609) 292-3541.

Sincerely

A handwritten signature in black ink, appearing to read "Amy Cradic", written in a cursive style.

Amy Cradic

C: Hopewell Township Committee
Hopewell Township Historic Preservation Commission
Mercer County Board of Freeholders
Brian Hughes, County Executive