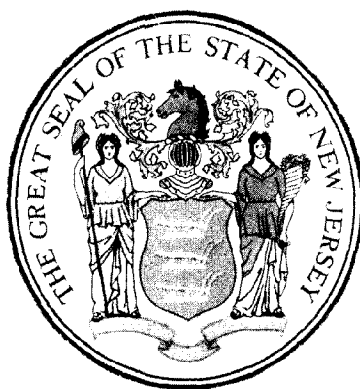


HUDSON RIVER WATERFRONT STUDY, PLANNING AND DEVELOPMENT COMMISSION

Attachment 3



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**FINAL REPORT
SEPTEMBER
1980**

This report was prepared by John R. Weingart, Staff Director for the Commission and Barbara E. Kauffman with the assistance of others noted in Appendix L.

This report was prepared in part with financial assistance from the National Oceanic and Atmospheric Administration, Office of Coastal Zone Management under the provisions of Section 305d of the Federal Coastal Zone Management Act (P.L. 92-583 as amended).

HUDSON RIVER WATERFRONT
STUDY, PLANNING AND DEVELOPMENT
COMMISSION

Kenneth D. McPherson, Chairman

Final Report

September 1980

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HUDSON RIVER WATERFRONT PLANNING, STUDY AND DEVELOPMENT COMMISSION

P.O. BOX 1889 • TRENTON, NEW JERSEY 08625 • 609/292-9762

KENNETH D. McPHERSON, *Chairman*
JOHN R. WEINGART, *Secretary*

July 28, 1980

Honorable Brendan T. Byrne
Governor
State House
Trenton, New Jersey 08625

Dear Governor Byrne:

I am pleased to submit to you the report of the Hudson River Waterfront Study, Planning and Development Commission you created by Executive Order No. 69. I believe that the Commission's recommendations will help New Jersey take greater advantage of the rich economic, recreational and natural resources of the Hudson River waterfront.

The Commission reached unanimous conclusions on a number of key issues. We were united in viewing the Hudson River waterfront as an area of tremendous unrealized potential. The members of the Commission also agreed that the waterfront should be developed with a variety of residential, recreational, commercial and industrial facilities, linked as much as possible by a waterfront pathway extending the entire length of the waterfront. This common vision which was also shared by most of the people who testified before us is, to my mind, a previously undiscovered resource which should serve as a further incentive to take prompt action to facilitate the development necessary to realize this vision.

A large part of our deliberations was devoted to examining how this common vision should be implemented. We agreed that a regional approach to the area was preferable to the existing system of conflicting and duplicative efforts by the individual municipalities, but we differed as to where the line should be drawn between municipal home rule and regional government.

Our recommendation is that a Hudson River regional authority be established to prepare a binding site specific master plan for the waterfront and the Palisades, to establish an office in Hudson or Bergen County and to hire a full time staff to conduct the Commission's background work. New development would require the approval of both the agency and of the municipality so that it is consistent with both the regional plan and with local interests. Our policy recommendations are presented in detail in the Executive Summary to our report, as is the proposal for a regional waterfront authority.

Honorable Brendan T. Byrne

July 28, 1980

-2-

The charge you gave to the Commission was challenging and exciting, but also difficult. Our 39 members included the Mayors of each municipality potentially affected by our recommendations, State legislators, leaders of State and regional agencies, and interested citizens from throughout the State. Our recommendations are a testament to the hard work and creativity of the members, many of whom had to compromise strongly held views to arrive at the final resolutions.

We were also aided by the strong local citizen interest in the waterfront. The many individuals and groups who spoke at our four public hearings, reviewed our draft report and attended our meetings were an invaluable source of information and suggestions which had measurable impact upon our work.

I appreciate having had the opportunity to serve as Chairman of this Commission.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kenneth D. McPherson", written in a cursive style.

Kenneth D. McPherson

KDM/rk

Waterfront Commission Report

	<u>Page</u>
Letter to the Governor	
Table of Contents	i
Executive Summary	vii
Policy Recommendations	vii
Regional Authority Recommendation	xi
PART I: INTRODUCTION	1
Chapter One - Background and Members of the Commission	3
Chapter Two - Description and Boundary of the Hudson River Waterfront Scenes of the Waterfront	7
PART II: ISSUES	21
Chapter Three - Public Access and Open Space	23
Chapter Four - Environmental Resources	31
Water and Air Quality	
Wetlands and Tidelands	
Historic and Cultural Resources	
Chapter Five - The Palisades	51
Chapter Six - Industry	53
Chapter Seven - Ports	55
Chapter Eight - Transportation	61
Chapter Nine - Energy and Utilities	71
Chapter Ten - Wastewater Treatment	77
Chapter Eleven - Solid Waste	81
Chapter Twelve - Finances	83
Chapter Thirteen - Residential, Commercial and Mixed-Use Development	87
PART III - MANAGEMENT OF THE WATERFRONT	91
Chapter Fourteen - Land Use Decision-Making Process	91
Supplement - Individual Statements of Commission Members	97

	<u>Page</u>
APPENDICES	
A. Executive Order No. 69	114
B. Committees of the Commission	115
C. Preliminary Objectives of the Commission, November 27, 1979	121
D. Profiles of Municipalities in the Hudson River Waterfront	123
E. Case Studies of Recent and Present Projects, Pro- posals and Issues in the Hudson River Waterfront	137
1. Liberty State Park	
2. Greenville Yards	
3. Caven Point	
4. Exchange Place	
5. Hoboken Terminal	
6. River Road Mall	
7. Harbor Clean-Up Program	
8. New York City	
F. Hudson River Waterfront Plans From Other Agencies	151
G. Decision-Making Systems From Other Areas	157
1. Hackensack Meadowlands Development Commission	
2. Delaware and Raritan Canal Commission	
3. Pinelands Commission	
4. San Francisco Bay Conservation and Development Commission	
5. Minnesota	
6. Baltimore	
7. Toledo	

	<u>Page</u>
H. Authority of Existing Agencies in the Hudson River Waterfront	173
1. Municipalities	
2. Hudson and Bergen Counties	
3. State Agencies	
a. New Jersey Department of Transportation	
b. New Jersey Department of Environmental Protection	
c. New Jersey Economic Development Authority	
d. New Jersey Department of Community Affairs	
e. New Jersey Department of Energy	
4. Federal Agencies	
a. U.S. Army Corps of Engineers	
b. Heritage Conservation and Recreation Service	
c. U.S. Economic Development Administration	
d. Office of Coastal Zone Management	
e. Urban Waterfront Action Group	
f. Department of Housing and Urban Development	
5. Regional Agencies	
a. Port Authority of New York and New Jersey	
b. Tri-State Regional Planning Commission	
c. Regional Plan Association	
I. Funding Sources for Waterfront Development	185
J. Bibliography	199

	<u>Page</u>
K. Acknowledgement of Public Commentors	203
L. Staff to the Commission	207
 Figures	
Chapter Two	
1. The Hudson River Area	9
Chapter Three	
2. Public Access and Parks	25
Chapter Four	
3. Vegetation	40
4. Soils	42
5. Flood Hazard Areas	44
6. Topography	46
7. Wildlife Habitats	49
Chapter Seven	
8. N.Y.-N.J. Port District	57
9. Port Facilities and Navigation Channels	59
Chapter Eight	
10. Major Roads	63
11. DOT Proposal - Hudson River Route	65
12. DOT Proposal - Route 169 and Route 185	67
13. DOT Proposal - U.S. Route 1 and 9	68
14. DOT Proposal - Light Rail Transit	69
Chapter Nine	
15. Major Petroleum Terminals	73
16. Energy Facility Siting Decisions (1970-1980)	75
Chapter Ten	
17. Wastewater Treatment Facilities	79

	<u>Page</u>
Appendix E	
18. Liberty State Park Region	138
19. Liberty State Park Plan	140
20. Harbor Clean-Up Reaches	149
Appendix G	
21. Hackensack Meadowlands District	159

E
X
E
C
U
T
I
V
E
S
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M
M
A
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Executive Summary

The Hudson River Waterfront Study, Planning and Development Commission, formed by Governor Byrne in 1979, has prepared this report on the basis of public hearings and written comments, a review of the extensive literature on the Hudson River waterfront written by other agencies, and its own deliberations.

This Commission has no statutory power. Its observations and recommendations are for the consideration of the Governor, Legislature, other government decision makers, potential developers, and the residents of Hudson and Bergen Counties.

The Commission has made a number of findings summarized below:

- Aspects of New Jersey's Hudson River Waterfront including its location and the view of the New York skyline are unparalleled anywhere in the world;
- The resulting development potential of this region is not being realized;
- There is now no coordinated regional effort to attract potential new development or to preserve and enhance environmental and cultural resource in the region;
- Automobile congestion and the environmental degradation of the region are major deterrents to new development;
- Waterfront walks and parks and mixed uses which allow such walks and parks are desired by area residents;
- Cities in other states have successfully attracted waterfront development which have provided both public access to the waterfront and economic benefit to the surrounding region; and
- The New Jersey municipalities along the Hudson River are among the most economically hard pressed in the state. They, therefore, need the economic benefit which could follow redevelopment of the waterfront, but, at the same time, are often unable to provide the assistance and benefits which could help attract such development.

Recommendations

The Commission approved Policy Recommendations and a Regional Authority Recommendation which are both printed below in their entirety. Several members of the Commission submitted individual statements expressing varying degrees of disagreement with the recommendations. These statements are included in the Supplement to the report beginning on page 97.

POLICY RECOMMENDATIONS (Adopted July 2, 1980)

WHEREAS, the Governor created the Hudson River Waterfront Study, Planning and Development Commission by Executive Order No. 69 on January 11, 1979 in recognition of the opportunity to create a unique urban, environmental, recreational and commercial resource for the citizens of New Jersey and the nation and appointed citizens and government officials representing a wide range of interests to the Commission to prepare an analysis of comprehensive regional planning and redevelopment alternatives,

BE IT RESOLVED THAT the Commission defines the Hudson River area as all lands from the New Jersey boundary in the Hudson River inland to the first paved public road, including the first piece of property on the landward side of the public road and Castle Point in Hoboken, defined as all land west of River Road inland to the top of the cliffs from 4th Street to 11th Street, and that the Commission defines the Palisades area as the base of the Palisades east to the first public road east of the cliff, the cliff face, and the area at the top of the cliff to the first public road west of the cliff, provided that neither the eastern nor the western boundary of the zone shall be more than 500 feet from the cliff edge.

BE IT FURTHER RESOLVED THAT the Commission adopts all the following recommendations to apply to the areas defined above with the understanding that each statement is considered in the context of the entire set of policy recommendations.

1. Land along the waterfront and along the Palisades should be inventoried to provide detailed information on environmentally sensitive sites, historic and cultural resources, and areas suitable for development to guide future regional and municipal waterfront planning.

Public Access and Open Space

2. The Commission recommends that the following goals be incorporated to the fullest extent possible in municipal master plans, state policies, and in any regional plan, in order to provide adequate open space and access to the waterfront:
 - a. A linear pathway along the entire waterfront from the George Washington Bridge to Bayonne should be actively promoted to encourage, rather than just allow access. The pathway should be able to accommodate bikers, walkers and joggers. To the extent feasible, this pathway should be developed as a unit, and the possibility of designating such a strip as a national or state park should be expeditiously explored. The waterfront pathway should be directly linked with the three parks in Bayonne along Newark Bay. Policies should be explored for State allocation of federal open space funds to match state Green Acres funds to provide special priority for acquisition of land for linear pathways.
 - b. Provide, where feasible, at least one waterfront park in every municipality. The parks should have a variety of passive and active recreational activities including sitting, walking, running, and ball playing.
 - c. Mechanisms for acquisition of open space and information on a variety of specific strategies for action should be brought to the attention of municipal governments.
 - d. Any plans for transportation systems, including roadways in the Hudson River area, should not block but should foster waterfront access by pedestrians. A minimum amount of open space, or an area that is usable, walkable and open to the sky should be required for certain types of development. Recreation should be considered as a multiple use in the development of all waterfront property, and included as a basic design feature in transportation, port, energy and large scale development

projects. The West New York municipal zoning requirement that 30% of all new waterfront development must be open space contiguous to the waterfront, should be considered as one possible method to provide a linear strip at the waterfront.

- e. Visual access should be considered as part of all new development plans. Wherever possible, views of the river including those from the top of the Palisades and the lower tier should be provided and designs should allow the maximum possible space for the public view to the river.
- f. Liberty State Park, for purposes of waterfront planning, shall be included in the consideration of all future commissions, but the administration and planning for said park shall remain the responsibility of the Department of Environmental Protection and the Liberty State Park Commission.

Environmental Resources

- 3. All land use decisions in the Hudson River area should be based upon a commitment not only to prevent additions to the air and water pollution loads of the region, but to accomplish a substantial improvement in the air and water quality of the region. This effort should occur simultaneously with land use planning and not preclude redevelopment of the waterfront. To achieve this objective, goals should be adopted by land use planners and decision makers to encourage maximum financial support for public transportation, to establish a review mechanism to examine development projects to ensure no increase in pollution loads, to establish a basic policy of encouraging siting of non-polluting industry and to develop programs to reduce automobile use.
- 4. A design competition for specific waterfront sites should be sponsored by the State or a new regional agency to emphasize the need for aesthetic considerations in the redevelopment of the waterfront.
- 5. Shoreline modification proposals should be carefully reviewed to be sure they do not adversely affect the sensitivity of down-stream wetland areas.
- 6. Neighborhood preservation programs, programs for rehabilitating and converting old buildings for new uses, and projects oriented around ethnic centers should be actively encouraged.

Palisades

- 7. In light of the unique aspects of the Palisades, the Commission recommends that in the Palisades area, any new proposed development be examined for its effect on visual access to and from the River and on the natural integrity of the Palisades. The Commission recommends that the Palisades and Castle Point as defined above be an integral part of the regional plan, as a means to encourage parks and open space, to prevent erosion and destruction of the cliffs and to prevent development which would destroy any part of the cliffs. Planned development should encourage visual access to the river and the Palisades.

Policies should be explored for state allocation of federal open space funds to match State Green Acres funds to provide special priority for activities preserving the Palisades.

Industrial and Port Development

8. The Commission recommends that labor-intensive industrial development and industrial revitalization be promoted as part of an overall riverfront plan in order to strengthen the area's economic base and to expand job opportunities with special emphasis on jobs for unskilled laborers.
9. Development of water dependent industries such as commercial fishing and its related activities should be explored and, should they prove feasible and be compatible with water quality goals, be developed in the Hudson River area.
10. New highly polluting industry (e.g., chemical manufacturing, petrochemical processing) should be prohibited. Economic and marketing surveys should be undertaken to devise strategies for identifying and attracting the greatest possible diversity of non-polluting industry.
11. Port-related development and marine commerce is encouraged in and adjacent to established port areas. New port uses outside of existing ports are acceptable only when there is a clear demonstration of need, and when sufficient land and water area is not available in or adjacent to an existing port.
12. New or expanded ports must be compatible with surrounding land uses and provide for maximum open space and physical and visual access to the waterfront, provided that this access does not interfere with port operations or endanger public health and safety. New or expanded ports must also not interfere with national, state, county or municipal parks, recreation areas, or wildlife refuges.

Transportation

13. A transportation master plan for the Hudson River area should be developed by the Department of Transportation. This plan would incorporate as many modes of transportation as possible including preservation of existing and promotion of new facilities, both passenger and freight, and plans for reliable, coordinated metropolitan rail and bus transit, such as the proposed link between Jersey City and Bayonne and ferries between New Jersey and Manhattan, if study proves them both economically and physically efficient. The plan should stress the importance of mass transit systems to the region.

Energy Facilities

14. Planning and regulatory mechanisms under the following programs should be coordinated to encourage inland siting of non-water-dependent energy facilities: Coastal Zone Management, State Implementation Plan for Air Quality, Water Quality Plans under Section 208 of the Federal Clean Water Act, and plans under the Resource Conservation and Recovery Act and the Toxic Substances Control Act.
15. Energy conservation and efficiency should be encouraged.

Wastewater Treatment

16. Ongoing efforts to upgrade sewerage treatment should be supported. Wastewater treatment systems that are energy efficient should be encouraged. On-site sewerage disposal systems should be encouraged provided that the effluent is of a consistently high quality.

Solid Waste

17. Solid waste conservation techniques such as recycling, resource and energy recovery and volume reduction should be further explored.
18. The use of site-generated solid waste and sludge as on-site energy resources should be supported to the maximum extent possible.

Taxes

19. The Department of Treasury should comprehensively explore revision of the tax code as it applies to waterfront redevelopment as well as to new development of other urban areas and suggest changes to promote revitalization of the Hudson River Waterfront.

Mixed Use Development

20. All new facilities (transportation, energy, ports, etc.) should be designed to be compatible with existing or proposed recreational, residential and commercial developments at the waterfront. Development should focus on the needs of the existing populations of Hudson and Bergen Counties. Facilities should be buffered to the maximum possible extent, including landscaping.
21. Priority in redevelopment should be for the creation of open space and the development, construction and operation of a number of waterfront projects intended to be show pieces, such as marina/residential complexes or waterfront market places, to attract projects and initiate the continued redevelopment of the waterfront. The projects should occur after the formation of a riverfront plan, subject to the review and approval of the body formulating the plan. These projects should creatively combine public funds with private investments, based on regional priorities and targeted market studies.

General

22. The Commission recommends that the Governor charge the Cabinet Development Committee to serve as the continuing liaison with this Commission and to pursue coordination among all State departments for the realization of the goals adopted by this Commission.

REGIONAL AUTHORITY RECOMMENDATIONS (Adopted July 23, 1980)

23. The Commission believes that a regional approach must be adopted to realize the potential of the Hudson River waterfront. The Commission recommends, therefore, that a new permanent regional agency be established to focus attention on the Hudson River waterfront.

Specifically, the Commission recommends the establishment of a permanent commission in, but not of, a State department and with a full time staff to plan, regulate and help finance development and to also promote the region to potential public and private investors and developers.

On July 23, 1980, the Commission approved the following statement recommending a permanent Regional Commission:

WHEREAS, the Hudson River Waterfront Study, Planning and Development Commission believes that a regional approach is necessary to realize the potential of the Hudson River waterfront area, and that such an approach will have the greatest likelihood of success if it combines land use decision-making powers at the local level with overview power by a regional agency;

BE IT RESOLVED THAT the Hudson River Waterfront Study, Planning and Development Commission recommends to the Governor and Legislature that the regional authority described below be established. This new authority would prepare a Riverfront Plan which designates growth zones and preservation/recreation areas based on a resource inventory for the orderly development of the region and would combine decision-making authority, technical expertise, financing capability, and wide public input with mechanisms sufficient to control its power and ensure that its actions benefit the Hudson River region.

The description of the regional authority is divided into the following sections: Purposes, Boundary, Powers, Financing, Organization, Selection of State and Municipal Commission Members, Selection of Hudson and Bergen County Citizen Commission Members, Operations and Appeals.

Purposes

To actively promote the area included within its boundaries as an area of immediate revitalization, development, redevelopment, recreation and preservation for a wide variety of uses including but not limited to: housing, commerce, parks, ports, recreation, natural preservation and mixed use developments, with emphasis placed on restoring, preserving, and enhancing the visual environment both from the waterfront and the Palisades and from the River.

To prepare, promulgate and adopt a comprehensive Riverfront Plan including public access to and a linear pathway along the waterfront, including the goal of at least one waterfront park in each municipality where feasible within the boundaries of the region, and the other policy recommendations adopted by the present Hudson River Waterfront Study Commission.

To set aside as open space and parkland significant ecological, recreational and historic areas.

To establish a central office and to hire a full-time executive director and staff to prepare a Riverfront Plan and to assist developers applying for regulatory approvals and funding from various county, state and federal agencies, as well as from private sources to implement the Riverfront Plan, and to promote municipal and public participation in all of its work.

Boundary

The geographic jurisdiction of the proposed authority would include land in Cliffside Park, Union City, Fort Lee, Edgewater, North Bergen, Guttenberg, West New York, Weehawken, Hoboken, Jersey City and Bayonne. Such area would include all lands from the New Jersey boundary in the Hudson River inland to the first paved public road, including the first piece of property on the landward side of the public road and Castle Point in Hoboken, defined as all land east of River Road inland to the top of the cliffs from 4th Street to 11th Street, and the Palisades area defined as the base of the Palisades east to the first public road east of the cliff, the cliff face, and the area at the top of the cliff to the first public road west of the cliff, provided that neither the eastern nor the western boundary of the zone shall be more than 500 feet from the cliff edge. As part of the planning process, the authority shall revise this boundary as necessary to include the significant natural features of the Palisades cliff.

Powers

The proposed Hudson River waterfront authority would have the following duties and powers:

(a) To hire a full-time staff to prepare a Riverfront Plan based upon a resource inventory of the region, together with a synthesis of the present Study Commission's final report, public comment, and existing municipal, county and state plans affecting the region. The authority would be empowered to prepare performance standards and regulations to implement and further the goals of the Riverfront Plan and then adopt the plan by a two-thirds majority vote. The authority would review the plan in the course of its preparation and would hold frequent public hearings during the planning process to receive and incorporate within the plan worthy suggestions and comments. One of the basic requirements to be contained in the plan would be that the authority, subject to 65 day notice to the municipality by registered mail, could not approve any development project within a municipality which is prohibited by a duly adopted ordinance or zoning code of that municipality except for open space, park or recreation projects. Another requirement would be that the existing plans for the development of Liberty State Park be incorporated as part of the Riverfront Plan, and that the administration and planning for that Park remain the responsibility of the Department of Environmental Protection and the Liberty State Park Commission.

(b) To adopt a Riverfront Plan or any amendment thereto (if consistent with all relevant adopted state plans) by a two-thirds vote of all Commission members which shall include at least two-thirds of the representatives from Bergen County and two-thirds of the representatives from Hudson County, which Plan would then become binding upon all eleven municipalities included within the boundaries of the region, and would thereupon be considered part of the land use regulations of each of the eleven municipalities and of the Counties of Hudson and Bergen applying to property within the boundaries of the waterfront region. Upon adoption of the Plan or any amendments by the authority, a true copy thereof would be delivered to the Clerk of each of the eleven municipalities and of the Counties of Hudson and Bergen.

(c) To acquire by gift, lease or purchase in the name of the authority environmentally sensitive lands and waters, wetlands, and natural areas early in the planning stages for the purpose of land banking (for park development and open space), the subsequent transfer of development rights, or other related techniques, and for the purpose of holding as open space and parkland or for restoring, preserving or enhancing the visual and physical environment of the region.

(d) To provide technical assistance to municipal or county agencies not within the waterfront region but having an impact thereon.

(e) To establish a mechanism to expeditiously create and oversee the implementation of linear and municipal waterfront parks.

(f) To promote development in the area through publications, advertisements, solicitations, or other means making known the availability and desirability for development of lands in the region. The authority itself shall not be empowered to undertake the development of such lands.

(g) To issue tax exempt bonds, subject to the technical advice and consent of the State Treasurer, for the purpose of acquiring open space and parkland called for in the Plan as well as for preserving and enhancing the visual environment of the region, and for the purpose of making loans available for development proposals in conformity with the Plan.

(h) To review the existing tax code as it applies to waterfront redevelopment and, with the Department of Treasury, make recommendations for mechanisms to reimburse and actually to reimburse municipalities and counties for potential tax revenue lost through the dedication of developable land for parks.

(i) To review the operations of all State agencies including the Tidelands Council and all municipal, county and regional agencies and make recommendations for changes which could further the goals of the authority.

(j) Prior to the approval of the Riverfront Plan, to defer final approval to any development application if it is evident to the authority that the proposed development would violate or impair the purposes of the authority and the Policy Recommendations adopted by the Hudson River Waterfront Study Commission.

Upon adoption of the Riverfront Plan, the authority would gain the following additional powers:

(k) To review and approve, conditionally approve or disapprove all land use applications within the boundaries of the region on the basis of the application's conformance with the Plan and the regulations implementing the Plan, but any approval or conditional approval of the authority would be subject to the final approval of the municipality wherein the land is located except as to:

(1) applications to create or preserve open space, parks or recreation areas.

In other words, the authority would not be empowered to compel a municipality to develop its land in a manner not acceptable to that municipality except as indicated in subparagraph (l) above. Conversely, a municipality could not approve an application the authority rejects for non-compliance with the Plan.

(l) To assume the regulatory authority, now administered by the New Jersey Department of Environmental Protection under the Waterfront Development Law (N.J.S.A. 12:5-3).

(m) To receive and accept gifts, grants and loans from federal, state and other public agencies and from the private sector (e.g., foundations), and within the riverfront region to implement the Riverfront Plan.

(n) To recommend to the Legislature a program to divide property tax revenues from all new development in the region among any or all of the municipalities and counties within the region under such formula or formulas as may have been set forth in the Riverfront Plan. It is intended that any proposed tax-sharing formula or formulas be thoroughly discussed and debated within the entire region before being presented for adoption.

Financing

The authority would be given annual State funding to hire a full-time executive director and staff with expertise in the environment, planning, public relations, marketing, finance, grants, and citizen participation. The funding would be determined by the Legislature. As noted above, the authority would have the power to issue revenue bonds.

Organization

The authority would be a twenty-seven (27) member body* consisting of the Mayors or their designated representatives of the eleven municipalities with land in the waterfront or Palisades areas, twelve (12) citizens representatives, and three (3) Commissioners from the state at large, two (2) of which must be citizens outside of government to be appointed by the Governor. Specifically, the authority would include the Mayors of Cliffside Park, Union City, Fort Lee, Edgewater, North Bergen, Guttenberg, West New York, Weehawken, Hoboken, Jersey City and Bayonne. The citizen representatives from Hudson and Bergen Counties would include five (5) from Jersey City, two (2) from Bayonne, three (3) from the North Hudson communities of Hoboken, Weehawken, West New York, Guttenberg or North Bergen, one (1) from Edgewater, and one (1) from Fort Lee or Cliffside Park. The full authority would review and approve the Riverfront Plan and any amendments to it.

The authority would have a seven (7) member Executive Council responsible for its day to day operations and for the review and determination of decisions on all development applications. Final determination on applications could be made by the full authority on request of any three (3) authority members of the full authority. All authority members must be advised expeditiously of all new development applications. The Council would include the Mayors or their designated representatives

* There would actually be 26 members with the Mayor of Jersey City having two votes in further recognition of the fact that 52% of the waterfront area is in Jersey City.

of Jersey City, Bayonne and Edgewater, one (1) representative of the North Hudson Council of Mayors, two (2) of the citizen representatives and one (1) of the State representatives. Each member of the Executive Council would have one vote in Council meetings.

Selection of State and Municipal Authority Members

The Mayor of each of the eleven municipalities and any member from the State at large who is at the time of appointment a member of the Governor's cabinet, would have the power to serve as a authority members or to appoint a specified designee to serve for a fixed period of time subject to recall by the person making the appointment or his or her successor in office. No temporary substitutes could serve as authority members.

Selection of Hudson and Bergen County Citizen Authority Members

The twelve (12) citizen authority members, representing Hudson and Bergen County environmental, ethnic minority and civic organization, will be composed as follows: from Bayonne -- one environmental and one minority/civic; from Jersey City -- three environmental and two minority/civic; from North Hudson -- two environmental and one minority/civic; and from Bergen County -- one environmental and one minority/civic (at least one of these will be from the Borough of Edgewater).

Citizen authority members will be chosen from organizations based in those areas. The organizations will be at least two years old at the time of selection.

The seven authority members representing environmental organizations will be nominated and elected by the Friends of the Hudson River, defined as those Hudson and Bergen County environmental organizations which testified at one or more of the Hudson River Waterfront Study, Planning and Development Commission hearings. This process will be administered by the Department of Environmental Protection and monitored by a sub-committee of the Hudson River Waterfront Study, Planning and Development Commission.

The remaining five authority members representing ethnic minority and civic organizations will be nominated by those organizations. The Governor of New Jersey will make selections subject to the recommendation and approval of Mayors of the areas the authority members represent.

In the event of any dispute as to whether any other organization is qualified or in the event too many names are submitted as nominees, a subcommittee of the Hudson River Waterfront Study, Planning and Development Commission will, after a public hearing, make the determination as to qualification of the organization and as to how many nominees each qualified organization can make.

Operations

The authority would have offices in Hudson or Bergen County and would operate as a planning, advisory and regulatory agency. It would serve as a mobilization board and booster for the Hudson River waterfront region. The authority would assign a full-time executive director and staff to prepare the Riverfront Plan, and

to conduct any studies necessary to complete the plan. Throughout the planning process, the authority and its staff would make its proposed Riverfront Plan widely available for public review and comment and would incorporate or respond to all pertinent comments.

The authority would serve to coordinate and simplify the regulatory process by requiring that potential developers receive only its permit rather than a Waterfront Development Permit from the New Jersey Department of Environmental Protection. (The law establishing this authority would, therefore, supplant parts of the Waterfront Development Law (N.J.S.A. 12:5-3). However, the authority would be required to inform and involve the municipality in which the proposed project would be situated in the project review process. If the project could substantially impact upon a county facility, including a county road, drainage system or building, such county would have the same rights to be informed of the application and involved in the review process as the municipality.

Potential waterfront region developers would submit their permit applications for desired projects directly to the authority and at the same time to the municipality in which the project would be located. All municipalities shall be intensively involved in the project review process with the authority and shall review the application to determine compliance with the local zoning ordinance. The authority would deliver or send by registered mail a copy of the application to the municipality and county in which the project would be located within seven days of receiving the application. All municipalities would be extensively involved in the review process.

The authority staff would review each application as promptly as possible and prepare and send a preliminary analysis of the application with comments and recommendations to the municipality and county involved and to all members of the authority.

The authority, the municipality and the applicant could each direct the authority staff to convene a public hearing on a pending application. However, public hearings will be held on all applications over a certain size or impact to be specified by the authority.

The Executive Council would be responsible for making final decisions on applications, with the exception that any three (3) members of the authority would have the right to require the full authority to decide the case.

If the staff report recommends approval of the application and the Executive Council and municipality concur in writing, the authority staff may issue a project permit without further hearings or delay.

Similarly, if the staff report recommends approval of the application with conditions and the Executive Council and municipality concur in writing to the approval with conditions, the authority staff may issue a project permit without further hearing or delay.

If the staff report recommends denial of an application which does not involve an open space, recreation or park project, and the Executive Council and municipality concur in writing, the authority staff shall issue a rejection notice to the applicant.

A municipality (or county) would have 65 days from receipt of the application to return its written conclusions to the authority respecting an application. These conclusions would be in the form of: an approval of the authority recommendations, an approval with modifications, a rejection or a directive to the authority to convene a public hearing on the application.

At any public hearing, the Executive Council, municipality, and applicant could present pertinent evidence and interrogate witnesses. The Executive Council and municipality would have to submit their conclusions within 30 days following the initial public hearing date (or any valid extension of such time).

Failure of a municipality or county to act within the designated periods or any valid extensions thereof would constitute a recommended approval of the application.

In no case, with the exception of proposals for waterfront parks or walkways, would the authority be empowered to approve a proposal rejected by the municipality in which it is to be located.

Appeals

Appeals would be heard and decided by the Division of Administrative Procedure in accordance with the Administrative Procedure Act.

PART I

PART I: INTRODUCTION

The first two chapters of this report provide an introduction to the purpose and membership of the Hudson River Waterfront Study, Planning and Development Commission. The first chapter describes the Commission's work and lists its members and the second chapter gives a general description of the waterfront area studied by the Commission. At the end of the second chapter, some scenes of the waterfront as it exists today are shown.

Chapter One: BACKGROUND AND MEMBERS OF THE COMMISSION

The Hudson River Waterfront Study and Planning Commission was created by Governor Brendan Byrne by Executive Order No. 69 on January 11, 1979. The word "Development" was added to its title by a unanimous vote of the Commission members at the first meeting to differentiate its work from previous regional studies which have been unsuccessful at promoting waterfront development. The Commission was asked to "conduct a thorough study and investigation of the various alternatives for the planning and redevelopment of the Hudson River waterfront south of the George Washington Bridge." The full Executive Order is reprinted as Appendix A.

Governor Byrne appointed 39 people to the Commission and chose Kenneth D. McPherson its Chairman. The members of the Commission are listed in this Chapter. The Governor assigned the Department of Environmental Protection, Bureau of Coastal Planning and Development to serve as staff to the Commission.

The Commission held its first meeting on September 7, 1979 at Stevens Institute in Hoboken. Chairman McPherson divided the group into ten committees, so that the major waterfront issues could each be discussed and analyzed by a relatively small group. (See Appendix B for Committee members) Each committee met at least once and submitted an oral report to the Commission's second meeting held November 27, 1979 at Jersey City State College. Several of the committees held additional meetings and prepared written reports.

In addition, the Commission held public hearings in Jersey City and Cliffside Park on November 19 and 20 respectively at which 48 people testified. A written summary of the testimony was distributed to all Commission members and a transcript of the hearings was also made available.

At its second meeting, the Commission adopted a set of preliminary objectives reprinted as Appendix C. These objectives served as a basis for discussion by the Commission at the Committee meetings which took place in November and December.

The work of the Commission's committees and the ideas provided in the public hearings formed the backbone of the first printing of the Commission's Working Draft Report, which was reviewed by the entire Commission at its next meeting on February 29 in Jersey City. The members voted at that meeting to make the draft available to the public at the same time that they continued to review the document. Following the February 29 meeting, the Commission's recommendations were made available for public review and comment in the Working Draft Report, Second Printing, March, 1980. Public hearings were held on that document on April 15 in Jersey City and on April 29 in Cliffside Park. Further revisions were made to the draft report based upon the public's comments at these meetings and other comments submitted in writing.

The Commission's Executive Committee met during March and April to focus on a regional approach to management of the waterfront and then to discuss and refine proposals for a permanent regional commission. Proposals were developed for a powerful agency which came to be known as the "autonomous agency proposal", a

primarily advisory agency which was referred to as a "home rule commission", and a third proposed combining elements of the other two which was known as the "Donald Jones proposal".

On July 2, 1980, the Commission approved 22 Policy Recommendations and agreed to try to develop a compromise regional agency proposal before the next meeting. On July 11, 1980 the Executive Committee agreed to a single plan which included elements of the three earlier proposals. This compromise proposal was amended and approved on July 23, 1980 at Stevens Institute in Hoboken as the Commission's final recommendation to the Governor and the Legislature for a permanent Hudson River Waterfront Commission. The Policy Recommendations are included in the Executive Summary and discussed in Chapter Two through Thirteen of this report. The permanent regional authority proposal is presented as approved in the Executive Summary as Policy Recommendation 23, and is discussed in further detail in Chapter Fourteen of this Report.

Chapter Two describes the Hudson River waterfront and recommends a specific boundary for a waterfront area and a Palisades area to be subject to the 22 policy recommendations in the Executive Summary and managed by the proposed authority.

In Part II, Chapters Three through Thirteen, describe the major issues addressed by the Commission. The issues examined are Public Access and Open Space (Chapter Three), Environmental Resources (Chapter Four), The Palisades (Chapter Five), Industry (Chapter Six), Ports (Chapter Seven), Transportation (Chapter Eight), Energy and Utilities (Chapter Nine), Wastewater Treatment (Chapter Ten), Solid Waste (Chapter Eleven), Finances (Chapter Twelve), Residential, Commercial and Mixed-Use Development (Chapter Thirteen) and in Part III, the Land Use Decision-Making Process (Chapter Fourteen). The Commission found that the scope and possible approaches to virtually every topic it examined were determined largely by the issues of finances and the decision-making process.

The Appendices provide background information compiled by the Commission. Several of the Appendices, particularly those describing the Authority of Existing Agencies in the Hudson River Waterfront (Appendix H) and Funding Sources for Waterfront Development (Appendix I), may be of particular interest for immediate waterfront planning and projects.

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Chapter Two: DESCRIPTION AND BOUNDARY OF THE HUDSON RIVER
WATERFRONT AND THE PALISADES

Introduction

This Chapter describes the character of the Hudson River area. The area includes parts of Fort Lee, Cliffside Park, Edgewater, North Bergen, Guttenberg, Union City, West New York, Weehawken, Hoboken, Jersey City and Bayonne along the Hudson River. (See Figure 1). Fort Lee, Cliffside Park, and Union City have land on top of the Palisades Cliff. It then presents a recommendation for the boundary of a specific area including both the waterfront and the Palisades to be the region of the new authority's primary focus and concern.

Description of the Waterfront Area

Beginning at the George Washington Bridge and moving south, the area has a two-tiered character. The narrow waterfront area between the Palisades cliffs and the waterfront is the scene of underutilized or abandoned land, with railroad yards and docks assembled for former uses. Many industries have left the area in part because of changing technologies, especially in the shipping industry.

In Fort Lee, the Palisades form a natural barrier between the waterfront and the land further west. The cliff face itself is largely undeveloped and wooded. Even transit between the upper and lower tiers is difficult because of the steepness of the cliff. The cliffs erode easily, and building at the top can increase this problem.

The Palisades cliff from the George Washington Bridge, including Fort Lee Historic Park, to the Edgewater borough line is under the jurisdiction of the Palisades Interstate Park Commission. This area is preserved as open space, and the only buildings in the park are those used by the Commission. The area is wooded and steep, with a few scattered picnic areas at the base of the cliffs and a marina. This southern end of Palisades Park forms the northern end of the Hudson River Waterfront Area.

As far south as Weehawken, the cliff face is almost a sheer drop. The land slopes steeply up a short distance from the river. This area is quite difficult to build on. Traditionally the land to the west of River Road stretching west to Fort Lee at the northern end of Edgewater has been used for single family residences. The land behind these houses is still wooded. The few roads which now connect from the top of the Palisades to its base are winding and steep.

In Fort Lee, massive high rise apartment buildings dominate parts of both sides of the road, cutting into the cliff crest. The high rises block the view of the Palisades and the river, leaving a passerby unaware of the natural features of the area. Signs make it clear that the area is not for public use, and the amenities are to be protected for those living in the towers. Only one additional site on top of the cliffs could be used for construction, for which Fort Lee has submitted applications to Green Acres for funding to use the area as a park.

In Cliffside Park, further high rise building on the Palisades is being proposed in the form of a third building where the two Winston Towers now stand. The site for this building is just 30 feet from the cliff crest, and the long term effects on the Palisades are not known at present. One possible effect is increased erosion of the cliff. (See Chapter Five for further details on the Palisades).

In Edgewater, at the base of the cliffs, much of the land is underutilized. The remainders of an active industrial area are still present. The former Alcoa factory which has stood vacant for a number of years will now be converted to luxury apartments and is one of the few development proposals recently approved in Edgewater. A zoning variance was granted for a condominium complex adjacent to the Caribbean House Apartments on River Road. The building is proposed to be ten stories high, and required a variance because the zoned maximum height is five stories. This building, if completed, may block part of the view of the cliffs, and is opposed by some Edgewater residents for this reason. There are several proposals for a shopping center, condominiums, an office building and a golf course, but the municipality has had difficulty finding developers to locate in the area, because of limited transportation access.

North Bergen has low-rise residences on top of the cliff. Street ends between the houses afford glimpses of the waterfront. The land at the base of the cliff is underutilized. In Guttenberg, high-rise apartments are built into the cliff face, almost totally blocking the Palisades from view. Throughout West New York and Weehawken, beginning south of where River Road intersects Boulevard East, there is a narrow linear green strip overlooking the waterfront and the Hudson River. Low rise residences predominate along the west side of Boulevard East, opposite the linear park.

The land at the lower tier of the Palisades in West New York and Weehawken, which is approximately 325 acres, is owned by the Penn Central Railroad. These railroad properties comprise the largest vacant parcel remaining on the waterfront, and have just recently become available for development with resolution of the Penn Central bankruptcy.

South of Weehawken, the height of the cliff face drops to 100 feet and the Palisades veer away from the waterfront towards Jersey City. Most of the cliff top is developed with low rise housing, while the cliff face is too steep for construction. South of Jersey City to Bayonne, the ridge drops further and is only 30 feet high. (See Chapter Three for a complete description of public access and open space in the area).

In Jersey City, is Liberty State Park which is already the most popular facility in the State Park system, and will continue to be a chief recreational facility for this region (see Appendix E for a further description of the plans for this Park).

South of Liberty State Park the waterfront area is wider than the waterfront to the north and is predominantly transportation oriented. The residential sections of Jersey City are separated from the waterfront by the New Jersey Turnpike. In Bayonne, industrial and oil storage tanks are the predominant waterfront use. Residential areas are directly inland of these waterfront industrial areas.

HUDSON RIVER WATERFRONT

PLANNING, STUDY AND DEVELOPMENT COMMISSION

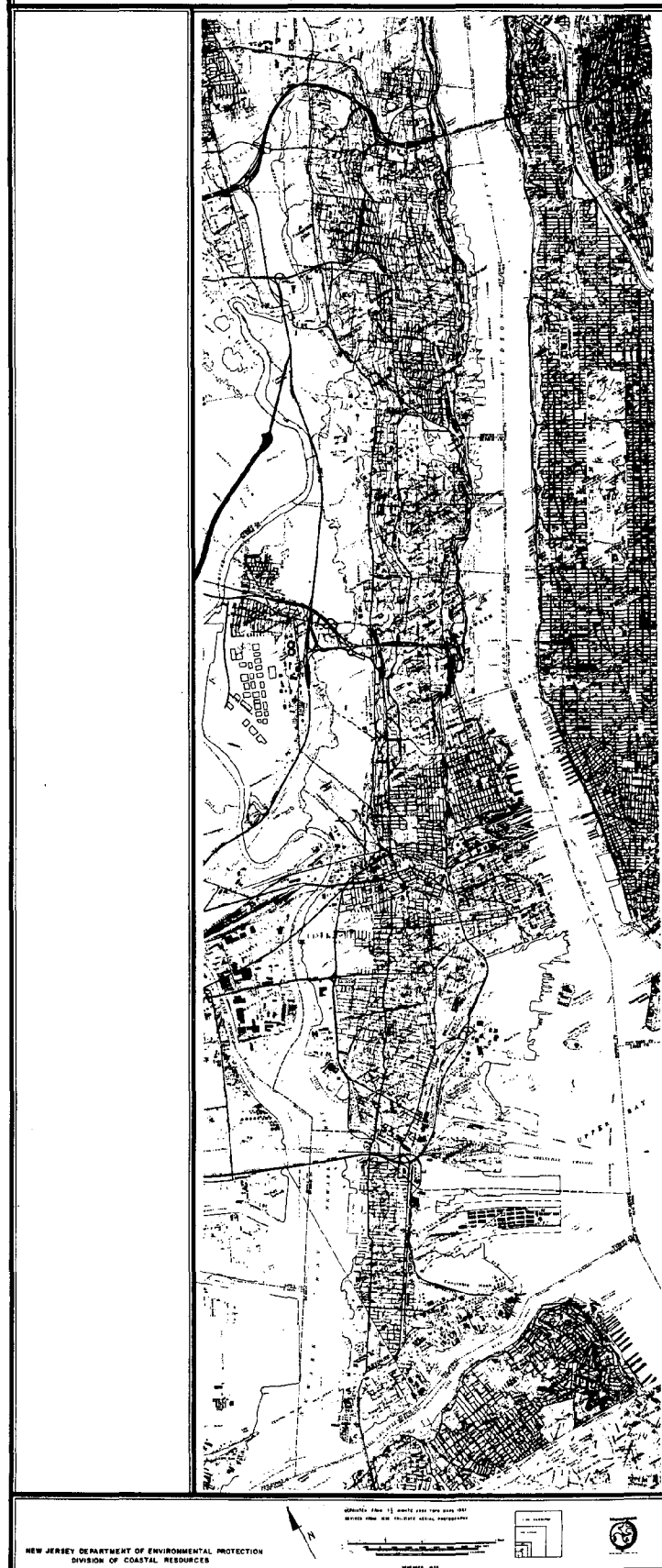


FIGURE 1: THE HUDSON RIVER WATERFRONT AREA.

Proposed Boundary for the Hudson River Waterfront

Governor Byrne's Executive Order (Appendix A) which created the Hudson River Waterfront Commission on January 11, 1979 specified that it study an area beginning in the south at Bayonne, and ending in the north at the George Washington Bridge. Fifteen municipalities were named to be represented by the Commission, but the western boundary of the waterfront zone was not specifically identified. The eastern boundary is the New Jersey state line in the Hudson River. The southern boundary was further defined as the point where Commerce Street in Bayonne meets the Hudson River.

The Commission views the Hudson River and the adjoining land as a system from which no part can be dissociated; actions taken for one reach of the river or part of the riverfront will have an impact on the rest of the river corridor. It is necessary, however, to limit the area of study to a zone of immediate impact to consider and evaluate the further specific recommendations made in subsequent chapters for what should take place within the defined area.

The region that the Commission has defined includes both a waterfront area and a Palisades area. Both are areas of immediate regional concern, although they raise different but overlapping questions.

The Commission recommends to the Governor and the Legislature that the Hudson River area be defined as follows:

A) THE WATERFRONT AREA

All lands from the New Jersey boundary along the Hudson River inland to the first paved public road, including the first piece of property on the landward side of the public road and Castle Point in Hoboken, defined as all land west of River Road inland to the top of the cliffs, from 4th Street to 11th Street.

The following roads are proposed to represent the first public road in each municipality: Hudson Terrace in Fort Lee, River Road, in Edgewater, North Bergen, and Guttenberg to Hillside Road in West New York north of 60th Street, Boulevard East in West New York south of 60th Street and in Weehawken, then Park Avenue to Viaduct Street in Hoboken, to Hudson Street, to Castle Point Terrace, to River Street, to Observer Highway, to Henderson Street, to 2nd Street, to Washington Street, to Montgomery Street, to Hudson Street, to Dudley Street, to Canal Street, to the Turnpike Extension in Jersey City, to Rt. 169, to Hook Road in Bayonne, to Commerce Street, to the river.

The approximate number of acres in the waterfront region as defined above in each municipality is shown in the following table.

TABLE 1

PERCENT OF THE WATERFRONT REGION IN EACH MUNICIPALITY BY ACREAGE

(*Note: This table is for the waterfront region only and does not include the Palisades)

	Approximate Number of Acres in the Waterfront Region	Percentage of Total Waterfront
Fort Lee	23	1
Edgewater	348	9
North Bergen	30	1
Guttenberg	5	0
West New York	150	4
Weehawken	264	7
Hoboken	244	6
Jersey City	2,015	52
Bayonne	790	20
Total	3,869	100%

The Commission recommends that the Palisades Area be defined as follows:

B) THE PALISADES AREA

The base of the cliff east to the first public road, the cliff face, and the area at the top of the Palisades cliff, to the first public road west of the cliff, provided that neither the eastern nor the western boundary of the zone shall be more than 500 feet from the cliff edge. The boundary begins at the George Washington Bridge, and ends in Jersey City where the cliff descends. The public roads listed below form the eastern and western boundaries.

The first public road west of the Palisades cliff, beginning at the George Washington Bridge is:

Palisade Avenue, to Gorge Road, to Laird Street, to Palisade Avenue, to Columbus Place, to Manhattan Place, to Valley Road, to Wall Street, to Boulevard East, to Highwood Road, to Park Avenue, to Pleasant Avenue, to Gregory Avenue, to Mountain Avenue, to Manhattan Avenue, to Viaduct Street, to Patterson-Plank Road, to Bowers Street, to Palisade Avenue, ending at the Pulaski Skyway.

The first public road east of the Palisade cliff beginning at the George Washington Bridge is:

Hudson Terrace, to River Road, to Palisade Terrace, to Undercliff Avenue, to Archer Street, to River Road, to Hillside Road, to where Hillside Road starts to climb the cliff. The eastern boundary is then the pierhead line of the Hudson River, to the Lincoln Tunnel, then Hackensack Plank Road, to Grand Street, to 16th Street, to Madison Street, to 9th Street, to Jackson Street, to Newark Avenue, to Hoboken Avenue, ending at the Pulaski Skyway.

In the northern section of the waterfront district, the first public road, or River Road, is the only route between the river and the Palisades Cliffs. Here the definition will include most of the narrow strip of land between the river and the cliffs. The development which could occur here would be directly affected by the proximity to the waterfront.

Further south in West New York and Weehawken, the first public road is at the top of the cliffs. The area between the road and the cliff edge is presently preserved as green space, and should be retained as such. Below the cliffs, the property owned by Penn Central can potentially be planned to relate to the waterfront.

In Hoboken, where the Palisades cliffs are to the west side of the city, the first public road is River Road. The boundary then moves east and west to follow the line of the public roads, so that some of the larger waterfront properties are not divided by the boundary. In Jersey City, the boundary runs along the Turnpike Extension, then along Route 169 to Hook Road in Bayonne, which includes part of the large industrial area in the waterfront zone. The boundary ends where Commerce Street meets the Hudson River.

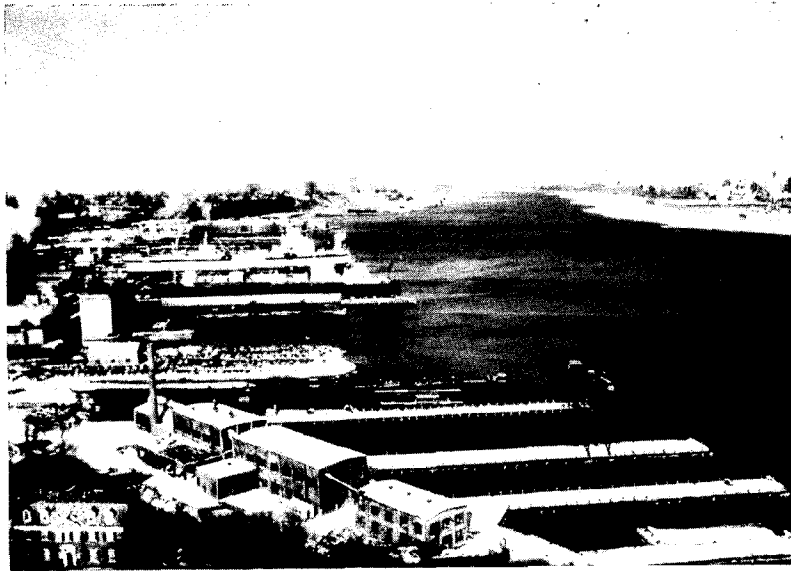
The Palisades cliffs are an exceptional resource. The Palisades stretch high above the Hudson River, to the eastern extremity of Hudson and Bergen Counties. Only a small portion of this large geologic formation extends approximately 200 feet above the River. The major portion is below ground, continuing under the meadows to the west. The Palisades as they are seen today were formed by a massive molten rock flow, perhaps 1,000 feet thick, which was tilted upward to form the cliffs. Over the centuries, the softer rock atop the cliff and in front of it has eroded away.

The zone is defined so that development which might adversely affect either physical or aesthetic aspects of the cliff can be regulated. In several areas, the Palisades area and the waterfront area overlap. Special attention must be focused on these areas in order to satisfy the needs of both the waterfront and the Palisades region.

In selecting these definitions, the Commission has chosen to focus attention only on the Hudson River waterfront and the Palisades rather than on the lands adjacent to other water bodies including the Passaic River, Hackensack River, Raritan River, Newark Bay, Upper New York Bay, Raritan Bay, Arthur Kill, and Kill Van Kull. The Commission believes that the use of these rivers and bays and their shorelands is of importance to New Jersey, but that their potential and their problems are sufficiently distinct from those of the Hudson River that they should

not be studied by the Hudson River Waterfront Commission. The Commission, therefore, recommends that the Governor instruct the Department of Environmental Protection to study the use and management of these water bodies and riverlands and those of the Delaware River and its tributaries in order to make recommendations for their future management.

SCENES OF THE

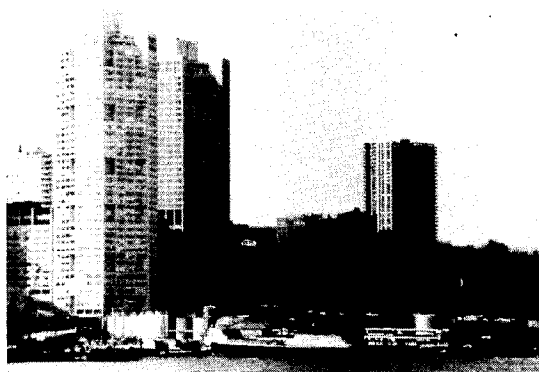
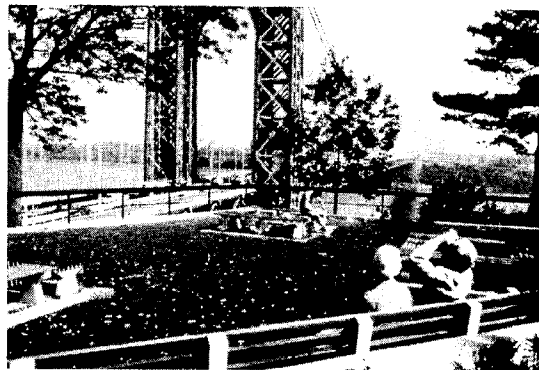


HUDSON RIVER WATERFRONT

Photographs

Page 17

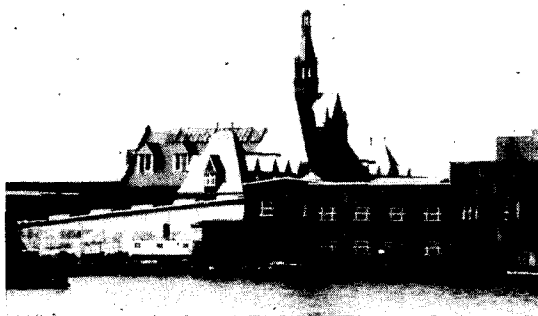
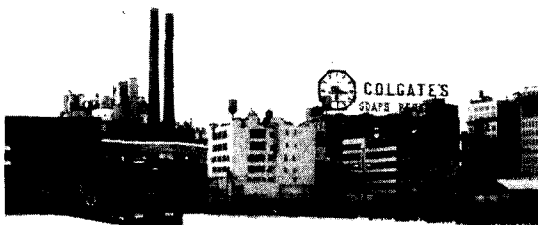
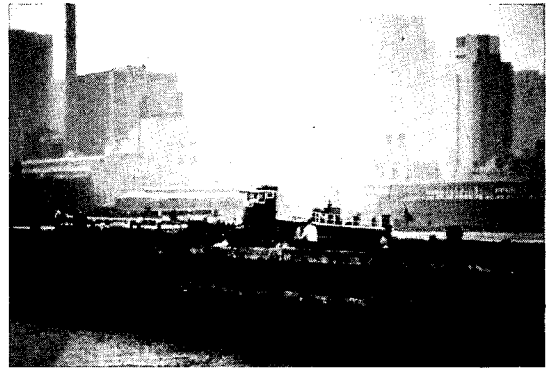
1. Upper left - Edgewater
2. Left center - North Bergen
3. Lower left - Hoboken: Erie-Lackawanna Terminal
4. Upper right - Fort Lee: Fort Lee Historic Park
5. Right center - Guttenberg
6. Lower right - Hoboken



Photographs

Page 19

1. Upper left - Weehawken
2. Left center - Jersey City: Exchange Place
3. Lower left - Jersey City: Central Railroad of
New Jersey Terminal
4. Upper right - Weehawken
5. Right center - Jersey City: Morris Canal
6. Lower right - Jersey City: Liberty State Park



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PART II: MAJOR ISSUES

The next eleven chapters describe the major issues relating to the redevelopment of the Hudson River waterfront identified by the Commission. Many of the issues are interrelated, so that certain aspects of one issue may be dealt with in more than one chapter.

The first chapter in this part of the report discusses public access and open space. It addresses several aspects of public access, including visual access to the water and creation of a linear pathway to be integrated with other uses. Many citizens attending public hearings felt that this issue was the most pressing problem that the Commission had to address. The following chapter addresses environmental resources in the area, and reviews some of the critical problems involved in relating development to the urban environment. Chapter Five focuses on a particularly valuable resource - the Palisades. The next three chapters, Industry, Ports and Transportation, relate to the use of the land within the waterfront district described in Chapter Two. The following three chapters, Energy, Wastewater Treatment and Solid Waste, discuss the needs for energy to support these uses, and the need for adequate disposal of waste products.

The chapter on Finances describes the problems of completing desirable projects, given limited funds, and the chapter on Residential, Commercial and Mixed Use Development discusses integration of all these land uses in the waterfront district.

The Commission's recommendations in the Executive Summary for policy approaches to these issues are based on these chapters, and are suggested for further consideration by the new authority (see Part III) and municipal, county, state and federal agencies.

Chapter Three: PUBLIC ACCESS AND OPEN SPACE

Introduction

The character of the water's edge in many American cities is a distinct contrast to that of European cities, where waterfronts are visited by thousands, and people come to walk, enjoy and photograph the water views. Recently, however, an increasing amount of attention has been focused upon the recreational needs of urban residents and the recreational opportunities offered by urban waterfronts.

The waterfront has enormous potential to provide water-related recreation, open space and overall enjoyment to many people. Not only is this space especially desirable for public activities, but it is sometimes the only remaining open space in a highly congested urban environment. The diverse views and the feeling of openness available in large rural parks can be provided by much smaller urban waterfront parks, where open water lends a feeling of much greater space than is afforded by the park alone.

The current lack of access to the waterfront has a depressing effect on the region out of proportion to its direct economic significance. Without ready access to even small strips of open space, people find that the stresses of urban life are increased to the point where those with the economic means to move elsewhere do so. Conversely, a revitalization - both economic and social - can accompany the provision of open space.

Public Access

In a highly congested urban area, the waterfront can be especially valuable because it creates a feeling of a much vaster open space than actually exists on land. In a densely populated area, such as Hudson County and parts of Bergen County, this feeling of openness is at a premium.

The provision of access to waterfront areas in cities satisfies other important needs for urban dwellers. Urban open space close to home, or a "bright breathing edge"¹ provides an alternative to the energy and time-consuming car trip to other recreation areas outside of the city. In addition, public access enhances the overall viability of the city. The waterfront's unique characteristics can bring people back downtown, attracting business and developers to re-build and renew the older buildings. The waterfront draws attention to the city, sparking many other interests. People who live near the waterfront want a park nearby, and prefer the waterfront location. In addition, an attractive shorefront will draw tourists, improving business and the economy.

What does improving access to the waterfront mean? Today, there are few places along the Hudson River waterfront where people can reach the water, and even fewer park sites. Glimpses of the water from atop the Palisades are possible at a few scattered places, but for the most part, the view is limited to high-rise apartment residents. Public access along the Hudson River waterfront is further restricted by heavy industry and derelict areas which separate some residential areas from the water's edge.

¹ Arthur Cotten Moore; Bright Breathing Edges of City Life, 1971.

Several other cities around the nation have designated public access as a top priority. San Francisco has established guidelines to require public access as a part of all waterfront development. Design standards aid developers in providing this access. Boston, Philadelphia and other cities have had recent waterfront revitalizations which have increased access to the waterfront, and Baltimore, Oakland, San Francisco and Denver, have designed linear pathways along their waterfronts.

The Denver Greenway along the Platte River is particularly noteworthy for New Jersey because the riverfront through the city is quite heavily utilized, largely by industry. The Greenway weaves between industrial plants, public utilities and private businesses. Through careful planning, skillful engineering techniques, placement of buffers, and screening and planting, the riverfront has been turned into a pleasant place for city residents for recreation, while continuing to accommodate industrial and other activities. Eventually the path will reach recreation areas outside the city. Creation of the Greenway was a joint effort of citizens, local business and government.

In New York City, the city zoning resolution now requires consideration of multiple use possibilities. An example is the Special Battery Park City District which requires visual corridors and pooled open space. These requirements will apply to all large scale developments in the future.

Physical Access - Physical access to the waterfront means the ability to be close, and in some cases to be able to touch the water. Footpaths, bikepaths, parks, boardwalks, ferry services and other forms of public transport are just some of the possible ways to provide this access.

Recreational needs at the urban waterfront are different from non-urban waterfront needs. Swimming is rarely possible, and private boating is often not available. However, activities such as bike riding, walking, fishing and just sitting are greatly enhanced by, and often require proximity to the water. Active recreation areas such as baseball fields and basketball fields are also essential to waterfront communities, but because such facilities often require a great deal of space, non-waterfront locations should generally be given priority for these types of park uses.

In the past, commercial and port facilities have pre-empted the waterfront. Public access and recreation were assumed to be incompatible with these more traditional uses. The Denver Greenway described earlier is one example of how coexistence is possible. Pittsburgh, and Providence, R.I. are other examples of places where parks and industry have been made compatible. With careful planning, public access can be included in most new developments, and can even be incorporated into existing waterfront uses. Physical access to the New Jersey waterfront is not only reduced by the existence of industrial areas, but is further complicated by the extremely rundown condition of these areas. Rotting piers and bulkheads deter many from coming to the waterfront. Clean-up of the waterfront, therefore, should be given high priority. This is now underway through the joint U.S. Army Corps of Engineers/N.J. DEP Harbor Clean-Up Project (see Appendix E).

HUDSON RIVER WATERFRONT STUDY,
PLANNING AND DEVELOPMENT COMMISSION

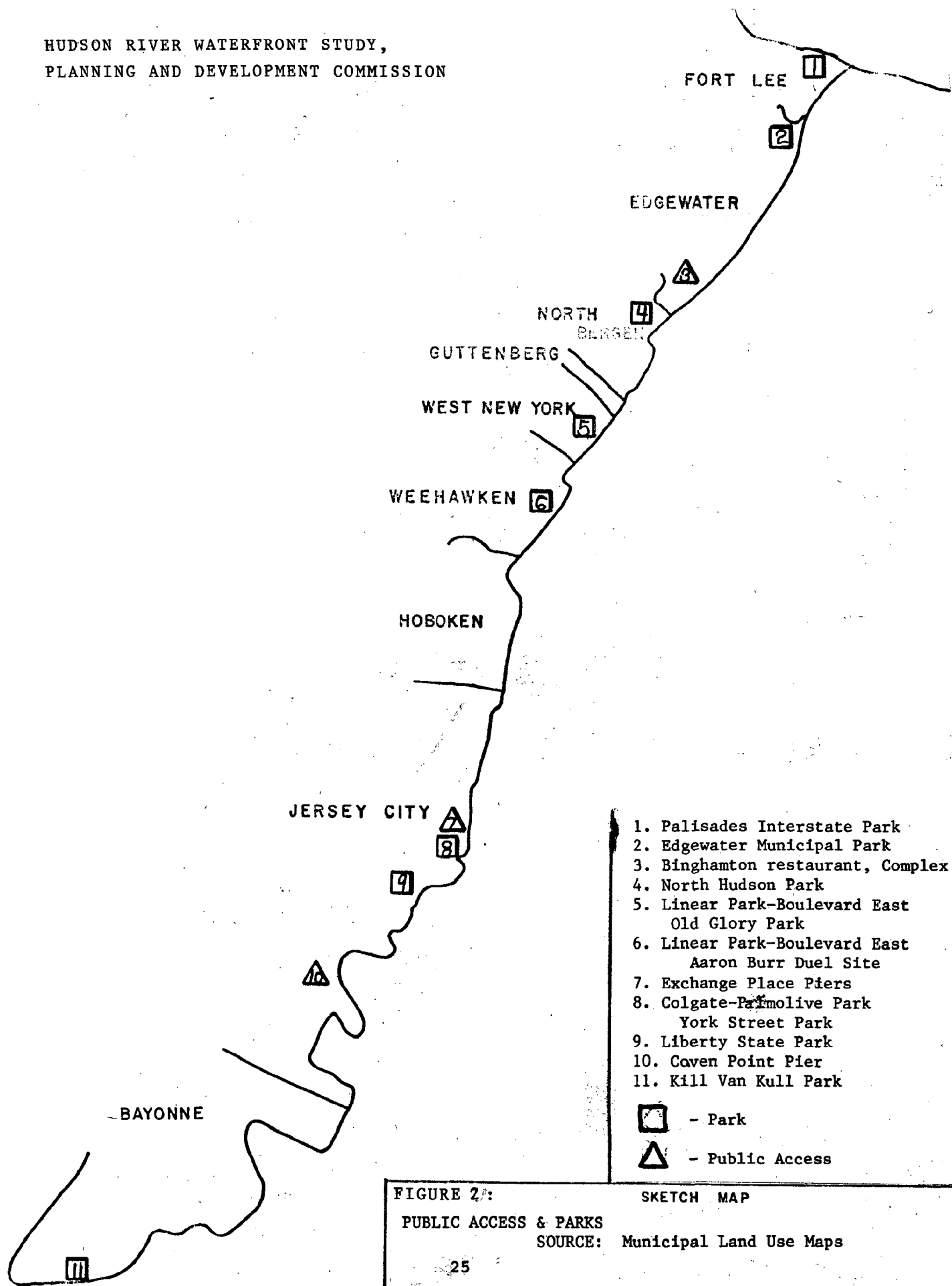


FIGURE 2:

SKETCH MAP

PUBLIC ACCESS & PARKS

SOURCE: Municipal Land Use Maps

The creation of a linear waterfront pathway linking separate areas can create a much larger area for recreation on very little acreage. A linear pathway allows for walking, hiking and biking in exciting surroundings. This access can be adjacent to many other types of uses, and need only link one recreational activity with another.

The Regional Plan Association suggested the following for a Hudson River route in their 1966 plan which is still good guidance for the planners of the 1980's.

"A bridge to bridge" path (from the George Washington to the Bayonne Bridge) would provide hikers and cyclists with a wide range of cityscape, natural features, recreational areas and historic sites.

The path could proceed along the river on River Road to North Hudson Park; then along the top of the Palisades on Hudson Boulevard, passing the series of overlook parks above Weehawken; then to Castle Point, and on to a new state park at Jersey City, where rest and refreshment facilities could be provided. A causeway to Ellis Island would allow cycling to the new national park (Gateway National Park). From Jersey City, the route could continue down Garfield Avenue which passes Bayonne Park and the cemetery, then across the Bayonne peninsula to Newark Bay."

Visual Access - Visual access is the ability to view the water, without necessarily being able to reach it. In the Hudson River area, views of the river can be made available from the top of the Palisades cliff. At present, several vest-pocket parks are along the east side of Boulevard East in West New York and Weehawken where the public can view the river. High-rises have already blocked the view of the river in most of Fort Lee to all but residents of these towers.

Open Space - Open space in an urban area can vary from a small plaza to a large scale park. In planning for open space in the Hudson River area, consideration must be given to a broad variety of open space arrangements. Plazas are important because they often provide the necessary space for cultural events, but green spaces are needed also to provide a respite from city life.

Existing Situation

Public access and open space at the waterfront is extremely limited in the Hudson River area. Many of the views of the river are possible only from high-rise windows. Beginning at the George Washington Bridge, Fort Lee Historic Park is located on top of the Palisades cliffs. Palisades Interstate Park extends for 12 miles from the New York State line past the George Washington Bridge, to the Edgewater-Fort Lee boundary on the waterfront. (See Figure 2 and Table 2).

A 20 acre park and playground stretches over 1,000 feet along the Hudson River at the north end of the borough of Edgewater, but use of this park is restricted to Edgewater residents. Further south, there is a private recreational complex, which includes a racquetball court, several movie theatres and the Binghanton ferry restaurant, where patrons can view the river and the New York skyline as they dine aboard.

In North Bergen, Hudson County purchased North Hudson Park with the assistance of a 90 percent grant from DEP's Green Acres Administration. This park provides views of the water from atop the cliffs. Located at 79th Street, it has tennis courts, baseball fields and a paddleball court.

Table 2

<u>Municipality</u> (Waterfront Footage)	<u>Existing Waterfront Parks</u>	<u>Plans</u>
Fort Lee (4937)	. Fort Lee Historic Park . South end of Palisades Interstate Park.	Entire waterfront presently open space.
Edgewater (15,529)	. Edgewater Municipal Park (20 acres).	None.
North Bergen (4000)	None on waterfront. The River can be viewed from Hudson County Park.	None.
Guttenberg (1000)	None on waterfront.	The City is considering rezoning the 5.8 acre site which is presently occupied by Stokely Van Camp's storage tanks for recreation, and designating it for a riverfront park in a new master plan.
West New York (5000)	None presently on waterfront. On Palisades Cliff: . Old Glory Park was acquired using Green Acres funding (12 acres). . Another park is between 51st and 60th Streets (20 acres). . There is also a continuous linear green strip along Boulevard East.	The entire waterfront is zoned as a "Controlled Waterfront District" which requires at least 30% of any development area to be used for public park purposes; said 30% must be contiguous to the water.
Weehawken (11,000)	None on waterfront. On Palisades Cliff are: . Hamilton Park (1 acre). . A continuation of the linear green strip.	A 3 acre park has been proposed to be located at the foot of Pershing Road.
Hoboken (11,000)	None on waterfront.	Public access and waterfront parks are planned for the Fifth and Sixth Street Piers area, adjacent to Stevens Institute and at the Erie- Lackawanna Ferry Terminal.
Jersey City (62,000)	Liberty State Park (40 acres now open) York Street Park (1.2 acres).	800 acres planned (see Appendix E); 2 acre plaza planned at Exchange Place.

Table 2 (continued)

<u>Municipality</u> (Waterfront Footage)	<u>Existing Waterfront Parks</u>	<u>Plans</u>
Bayonne (36,000)	None on the Hudson River. The City's waterfront parks are located on Newark Bay and the Kill Van Kull: . Hudson County Park (96 acres) . Veterans Stadium (11 acres) . City Park - 16th St. (32 acres) . Kill Van Kull (20 acres).	The city has historically designated the Hudson River waterfront for industrial use. In keeping with this policy, Bayonne would like to limit waterfront access only to Newark Bay. A linear strip could link the Newark Bay parks to a Hudson River path. Note: There is not unanimity on this point, with some citizens asking for park space and public access on the Hudson River.

In West New York and Weehawken, people use dilapidated piers on the Penn Central property to fish. Several small vest pocket parks connected by a narrow but continuous green strip along Boulevard East at the top of the cliffs allow the public to view New York City. Old Glory Park and a one-acre park at the site of the Aaron Burr/Alexander Hamilton duel are small passive recreation areas along Boulevard East. Between 60th and 51st Streets in West New York, a 20 acre site along JFK Boulevard was built in 1975, funded by DEP's Green Acres Administration and has a swimming pool, picnic area, tennis courts, and trails for walking, jogging and bicycling.

In West New York, although no specific uses have been proposed to date, the zoning ordinance requires that 30 percent of any development area must be open space contiguous to the waterfront. In Hoboken, the Fifth and Sixth Street area has been proposed for condominium development, with public access at these locations. At the Hoboken Ferry Terminal, public access in some form is likely to be provided as described in Appendix E.

By far the largest area open to the public is Liberty State Park in Jersey City. When the park is completed, it will cover 800 acres and extend along approximately two of Jersey City's seven miles of Hudson River waterfront. The plans for this site are detailed in Appendix E. Local residents and other visitors can use this park to view the Statue of Liberty, Ellis Island, Manhattan and the harbor. In addition, a small park was opened at Exchange Place in Jersey City in 1979 in front of the Colgate-Palmolive Plant. Funding for the development of this park was provided in part by the Green Acres Administration of the Department of Environmental Protection.

A little further south in Jersey City is Caven Point and a pier which extends approximately three-quarters of a mile into the harbor south of the U.S. Military Reservation. The State of New Jersey is in the process of purchasing the pier and approximately 300 acres of land, of which 21 acres are upland and the remainder are underwater. Fifty percent of the funds for this purchase were contributed by the federal Department of the Interior. This area is now used informally for fishing and the beach area at Caven Point Cove is also open to the public.

The tidal flats in the shallow water portion of the Cove are now the last remaining unfilled flats of this type in the Upper New York Bay. The area is extremely productive, providing a habitat that links the food chain of several species (See Appendix E).

In Bayonne, there is no public access on the Hudson River. Historically, this section of the waterfront has been designated for heavy industrial use. The City's parks and open space are all on the Kill Van Kull or Newark Bay. Recently, the City considered condemning a 75 acre parcel owned by Public Service, Electric and Gas (PSE&G) for park use, but chose not to do so because of the difficulty of providing safe public access to the site.

Current Plans and Proposals

The major current plans for new or expanded recreational space are at Liberty State Park and Exchange Place in Jersey City with more tentative plans evolving in Guttenberg, Hoboken and Weehawken.

Plans for a 2 acre urban plaza at Exchange Place are being considered by Jersey City. The plaza would allow the public access to the waterfront to view the harbor, and to sit and walk along the riverfront. The design for this plaza could include links to other areas of interest along the waterfront, such as Liberty State Park. The plans for both areas are described more fully in Appendix E.

In Guttenberg, the municipality would like to have the existing industry, Stokely Van Camp, vacate so that part of the waterfront could be developed for park use. The Hoboken master plan shows a park to be located on either the site immediately to the north or to the south of Stevens Institute. In addition, some public access will probably be included as part of the revitalization of the Hoboken Ferry Terminal. No steps have been taken towards implementation of this part of the plan. In Weehawken, a waterfront park was suggested to be located at the foot of Pershing Road.

Summary

The Study Commission has recommended (Executive Summary, Policy Recommendation 2) that any future regional authority focus special attention on open space, parks and public access to the waterfront. The authority should consider open space as a multiple use in the development of all waterfront property, and include it as a basic design feature in proposed projects wherever it can be accommodated.

As detailed above, a pathway along the waterfront can be quite beneficial because a relatively small amount of land area at the waterfront creates the illusion of a larger space since it is contiguous to the open waterway. Furthermore, such a strip would provide access to the waterfront to residents of the

entire area and could also create an attraction for tourists and future development. This linear pathway would not require the exclusion of ratables, but would be included as a part of most other types of development. Because of the intense competition for space at the waterfront, it is necessary to incorporate public access with other uses.

To create this waterfront pathway, public easements should be provided as part of new developments wherever feasible. Where continuation of the pathway at the water's edge is not possible, every effort should be made to link the river route through the use of a pathway adjacent to the proposed new development.

The possibility of directly linking the pathway to the three waterfront parks along Newark Bay in Bayonne should be actively examined. This would allow Bayonne residents and users of the Newark Bay parks access to the Hudson River pathway.

The urban waterfront provides numerous opportunities for recreation, not hundreds of miles away but right next door, which should be fully utilized by the public. In addition, development of parks at urban waterfronts doesn't threaten an undeveloped wilderness area, and may help take the development pressure off such remote areas in other parts of New Jersey and other states. A linear strip of parkland, while desirable however, doesn't meet all of the recreational needs of urban residents of all ages who would frequent a larger park. Urban residents need open spaces within the city, where they can play, and where they are able to see a more natural environment.

In order to achieve the goal of increased open space and access to the waterfront, the regional authority could use a variety of techniques to provide open space and access to the waterfront. Attention should be paid to the possibilities for purchase of land by public or private groups, zoning and planning devices for maintaining open space, and transfer of development rights. The feasibility of using utility easements and rights-of-way to link parts of the linear pathway should be examined. Federal, state and private funding sources can be combined to support acquisition and development of open space (see Appendix I).

Chapter Four: ENVIRONMENTAL RESOURCES

Introduction

In a highly developed urban area such as the Hudson River waterfront region, the character of the environment, which includes its physical, biological and cultural aspects, determines the possibilities for revitalization of the waterfront. In an urban setting, future planning is directly linked to environmental problems, resulting from the past degradation of environmental resources including air and water which have an even greater effect because of the high population densities in the region. Urban areas are also particularly rich in historical and cultural features.

The quality of environmental resources is a subject of grave concern to the residents of the Hudson waterfront area, because the conspicuous pollution of the air and water is linked to the excessively high disease rates suffered in the region. Such conditions can only have a depressing effect on revitalization efforts.

In the first section of this chapter, the Commission addresses two key environmental problems, water and air quality, and concludes that the large scale federal and state efforts in these areas are gradually yielding beneficial results. The results, however, particularly in terms of water quality, suggest limits for the anticipated future development of the area, in terms of kinds and amounts of heavy industry, increases in resident population, and recreational use of the river. At the same time, increased mass transportation could take advantage of the high density and help increase the capacity of the area to accommodate the above uses without further damaging existing natural systems. The figures which accompany this chapter show the vegetation, soils, flood hazard areas, topography, and wildlife habitats of the area. (See Figure 3-7 at the end of the Chapter)

The second section discusses wetlands and tidelands and the third section of the chapter discusses the historic and cultural resources of the Hudson River area.

Water and Air Quality

The Federal Clean Water Act of 1977 (33 USC 466 et seq.) sets a framework for achieving a national goal of restoring and maintaining the chemical, physical and biological integrity of the nation's waters and ensuring that they be fishable and swimmable. This is to be accomplished by federal-state partnerships under which EPA sets increasingly strict effluent standards for wastewater discharges and the states set quality standards for rivers, bays and the ocean, and develop a strategy for their attainment. The key regulatory element is the National Pollutant Discharge Elimination System (NPDES), and the key planning element is the Areawide Water Quality Management (208) Plan. These elements, as well as state wastewater treatment facility requirements, are the key programs for attaining the State's water quality goals in the coastal zone and throughout the state.

The attainment and maintenance of water quality in New Jersey is the responsibility of DEP's Division of Water Resources. The ambient water quality standard set by DEP-Division of Water Resources for the Hudson River from the mouth of the Kill Van Kull to the George Washington Bridge is TW-2. This means that the State's

goal for the river is quality sufficient for recreational boating and fish propagation, though not for swimming. As of 1970, the latest date of intensive water quality sampling reported in the Northeast New Jersey Water Quality Management (208) Plan, the Hudson River was not attaining TW-2 quality standards. Specifically, standards for dissolved oxygen and fecal coliform were not being met between Fort Lee and Bayonne. More recent studies have found a variety of toxic substances, although some fishing and recreational boating does take place in the Hudson.

There are two major industrial dischargers located on the New Jersey side of the Hudson between the George Washington Bridge and Bayonne and eight minor industrial dischargers. The major ones are Colgate-Palmolive in Jersey City and Lever Brothers in Edgewater. There are also five municipal wastewater treatment facilities, located in Edgewater, North Bergen-Guttenberg, West New York, Hoboken and Jersey City. According to the 208 Water Quality Plan for Hudson County, some of these plants will be upgraded and expanded, while others will be phased out (see Wastewater Treatment - Chapter Ten).

DEP calculates in the 208 Plan that the proposed improvements to wastewater treatment facilities together with attainment of effluent standards through use of best practicable treatment by industrial dischargers and municipal facilities in New York City and along tidally connected water bodies such as the Kill Van Kull and Upper New York Bay will result in attainment of water quality goals, despite the problem of urban runoff. For municipal treatment plants, best practicable treatment means secondary treatment.

It is clear that dramatic improvements in the quality of the Hudson River water quality will require continued federal and state action and active joint efforts by the City and State of New York.

The air quality in the vicinity of the Hudson River waterfront is affected by two major influences. First, the waterfront is in the center of a large metropolitan area. Consequently it is, in general, exposed to the highest concentrations of the pervasive pollutants generated by fuel burning for heating, industrial processes, transportation, electrical generation and solid waste disposal. Secondly, it borders a body of water, and over its northern portion, it lies below a ridge parallel to the shore that generally becomes steeper and higher as one travels north. This land-water intersection and parallel topography can cause significant local deviations from the regional patterns of air flow that affect the dispersion of pollutants.

Substantial air quality problems still exist in the urban core of the New York metropolitan area. Those that have been identified in the New Jersey portion of that urban core are the following: 1) The area shares with most of the rest of the northeastern part of the United States unhealthy concentrations of ozone in the warmer half of the year; 2) The area from Perth Amboy to Newark and thence across to Jersey City suffers particulate concentrations causing unnecessary soiling and visibility reduction and approaching unhealthy levels in some parts of the area; 3) Unhealthy concentrations of carbon monoxide occur frequently in traffic congested areas; and 4) Unhealthy concentrations of lead have been measured in Newark and Jersey City.

The automobile is the overwhelmingly principal source of two of these pollutants - carbon monoxide and lead. It is also a major source of hydrocarbons and oxides of nitrogen which are the precursors of ozone and a significant contributor directly and indirectly to the particulate concentrations.

Hudson County has been designated as a non-attainment area for almost every category of air pollution. The quality of the air does not meet national ambient air quality standards (NAAQS) for particulates, ozone, carbon monoxide (CO) and lead.

These standards are set by the U.S. Environmental Protection Agency under the Federal Clean Air Act of 1967 and its subsequent amendments of 1970 and 1977. The states are responsible for developing a plan to attain and maintain those standards. Currently New Jersey has such standards for suspended particulates, sulfur dioxide, carbon monoxide, nitrogen dioxide, ozone, non-methane hydrocarbons, and lead. In addition to the standards themselves, which are concentrations selected to insure that no adverse effects on health or welfare occur, the U.S. EPA establishes levels of significant harm, criteria for monitoring, and emissions limits for new major sources. The Clean Air Act also provides for specific procedures and criteria for the prevention of significant deterioration (PSD) in regard to particulate and sulfur dioxide concentrations. In addition, the Act provides that the U.S. EPA set criteria for emissions of other pollutants from specific types of sources as it finds necessary.

Pollution control measures can be divided into stationary and mobile source control. For stationary sources, Best Available Control Technology (BACT) requires that each source install equipment to reduce emissions to the maximum extent practicable. Mobile source controls are based on car pollution technology and transportation control measures. In Jersey City in 1975, air quality was considered unhealthy 26.8 percent of the time, unsatisfactory 51.6 percent of the time and was satisfactory only 21.6 percent of the time (Thomas Ash, 1978).

Many of Hudson County's pollution problems are a result of the effects of pollution in the surrounding region. The Lincoln and Holland Tunnels are a major means of access to Manhattan, contributing large volumes of traffic and heavy pollution loads, to the region. (See Chapter Eight, Transportation).

The proximity of many potential sources and large numbers of people make incidents of emissions of odorous substances and large and/or dangerous accidental releases of pollutants more frequent in the urban core than in the more sparsely developed peripheral areas. Concentrations of sulfur dioxide were reduced about ten years ago, when limits on the sulfur content of fuel were introduced. However, should higher sulfur fuel, including coal, be used with greater frequency due to evolving energy policies, sulfur dioxide levels in this area may increase.

In New Jersey, DEP's Division of Environmental Quality is responsible for attainment and maintenance of federal air quality standards. They have developed the State Implementation Plan (SIP), which provides for monitoring of pollutants and establishment of emergency procedures if levels of significant harm are approached. The State maintains two monitoring networks, one of continuous monitors of gaseous pollutants, and the other of samplers of particulates operated for the most part once every six days. Special monitoring is also done in connection with

specific problems. In addition, the State, and in some cases, local authorities, enforce emission regulations in accordance with state law for the following: a) Sulfur compounds including limits on the sulfur content of fuel and emission limits corresponding to such sulfur content limits; b) Volatile organic substances, emission limits on storage facilities, transfer operations, and industrial operations, provision of emission offsets by new facilities and the inspection and maintenance of automobile emission controls; c) Particulates, emission limits on industrial facilities and large boilers, open burning regulations, and measures to prevent wind-blown dust from construction activities, storage of materials and other sources; d) Carbon monoxide, the inspection and maintenance of automobile emission controls; and e) For other pollutants, emission limits on industrial facilities.

Lastly, the Division of Environmental Quality is responsible for incorporation of air quality considerations into transportation planning.

The SIP is subject to continuing revision. The planning activities include the development of emission inventories and projections, modelling air quality impact and coordination with other planning programs. The provisions in regard to prevention of significant deterioration are now enforced by the U.S. EPA, but the State is expected to assume responsibility in 1980 in accordance with the provisions of the Act.

In areas where NAAQS Standards are violated, new major sources must meet the most stringent emission limitations and also provide for offsetting reductions in emissions from existing sources. These provisions apply to new sources of volatile organic compounds throughout the state and to new sources of particulates in part of the state including all of Hudson County.

To achieve this goal, emissions offset programs should be examined and applied if feasible. One such program that has been discussed in the past is known as the "bubble" policy. The bubble policy is so named because it allows plant managers to imagine a bubble covering their plant, so that the total emissions are judged together, rather than evaluating just the emissions from a single source individually. This affords the managers the flexibility of reducing pollution more where cost of abatement is cheaper to compensate for greater emissions where the costs of abatement are greater. The policy explicitly encourages the owners of plants facing high marginal costs to balance emissions from several sources. In the case of particulates, furnaces can be shut down in exchange for not replacing a worn scrubber, saving many dollars. As long as the total emissions of a single pollutant for the plant do not exceed the sum of the current limits on the particular source of pollution, emission levels from a single source are not considered. It should be noted that these programs and policies do not apply to emission of toxic substances and hazardous wastes.

All future transportation plans (see Chapter Eight - Transportation) must be critically reviewed because Hudson County can tolerate no increase in pollutants, and automobile traffic is a major source of carbon monoxide and lead. If mobile sources can be controlled, combined with the continued regulation of stationary source emission, it may be possible to reduce the pollution levels. Use of increased bus service, park and ride lots, improved traffic circulation and car pool and bus lanes will help to alleviate this problem. Any new energy facilities

introduced to the area will have to be carefully monitored so that they do not increase the hydrocarbon and sulfur dioxide problems already present. Special attention should be paid to power plants, where the recent federal order for conversion to coal will have uncertain implications for new emissions sources. In addition, all programs designed to permit new industrial development must be subjected to stringent review to be sure that no additions of hydrocarbons, organic chemicals, or odorous substances occur within the waterfront region.

Wetlands and Tidelands

The fragility and environmental values of wetlands have been widely recognized for more than ten years. If they are not unduly stressed, wetlands can help perform the wastewater treatment process of removing phosphorous and nitrogenous water pollutants. In addition, they serve as a flood water storage area and a trap for sediment pollution.

The biological productivity of New Jersey's wetlands is of enormous and critical importance to the function of estuarine and marine ecosystems. They are critical habitats for several species of plants and animals that are endangered or threatened. They are also inappropriate development sites due to poor drainage and load bearing capacity of the underlying soils.

In the Hudson River waterfront area, there are scattered pockets of wetlands. This part of the state was not included in the jurisdiction of either of New Jersey's major coastal laws of the past decade; the Wetlands Act of 1970 (N.J.S.A. 13:9A-1 et seq.) or the Coastal Area Facility Review Act of 1973 (N.J.S.A. 13:19-1 et seq.). As a result, the wetlands in the Hudson River area have never been mapped. The wetlands are, however, under the jurisdiction of the state's Waterfront Development Law, administered by DEP. Figures 3 and 4 show approximate locations of wetlands along the Hudson River.

Development on wetlands is regulated, however, by the U.S. Army Corps of Engineers which must issue a "404" permit before any filling of wetlands can take place. The permit is named after a section of the Federal Clean Water Act.

Under the Fish and Wildlife Coordination Act, the Corps solicits the views of the U.S. Fish and Wildlife Service before issuing a 404 permit. The Fish and Wildlife Service has been persistent in its comments that wetlands should be preserved, and the Corps of Engineers has followed that advice, causing it to play a role in wetlands quite at odds with its past reputation as a major developer of public works.

In New Jersey, the Corps of Engineers requires a 404 permit only for selected projects. Some wetlands, therefore, could be destroyed without federal comment or action, while other projects involving wetland filling have already been delayed, changed, or stopped by the need for a 404 permit. The next steps in the development of Liberty State Park in Jersey City, for example, were delayed for several years because the Fish and Wildlife Service, through the Corps, maintained that too many areas of wetlands were being filled to create the next sections of the Park. The Corps did issue the necessary permit in January 1980, based on a revision of the original plan.

The U.S. Environmental Protection Agency (EPA) has a dual role in the 404 process. It has promulgated guidelines for the selection of disposal sites (30 CFR 250) and also reviews individual permits for impacts on the environment. The National Marine Fisheries Service (NMFS) also reviews all permit applications for fisheries impacts, by virtue of the Clean Water Act.

The wetlands in the Caven Point Cove area are the most important resource of the type on the Hudson River shore. The importance of the tidal flats to mussels, fish, black-backed gulls as well as waterfowl has been well documented. (For further details, see Figures 3 and 7, and Appendix E). Other small pockets of wetlands important to wildlife include areas near Eagle Beach, small areas in Bayonne near Constable Hook, and spots along River Road in Edgewater.

Historic and Cultural Resources

The growth and prosperity of the cities along the Hudson River waterfront was dependent upon their access to the water for commerce and industry. The history of these cities began at the waterfront, where people arrived and conducted their business. The cities took on a waterfront flavor and a style characteristic of the railroad era. Indeed much of the waterfront was focused on transportation systems, such as railroads and ferries.

The region's character was enhanced by the variety of ethnic groups that settled in the area. Many remnants of the growth of technology in the region still remain. Railroad and ferry terminals designed in the style of periods past, once well-maintained and heavily used were neglected, abandoned and generally allowed to rundown. Several efforts have now been started to restore some of these historical resources. One example is the Central Railroad of New Jersey Terminal which has been restored as a part of Liberty State Park (See Appendix E). The Terminal is open to the public, and renovations are almost completed. There are many other examples of the rich history of the development of this area which have not yet been uncovered.

To date, no comprehensive inventory of historical or cultural resources has been prepared although several state and municipal offices have some of the information on file. The Department of Environmental Protection's Office of Historic Preservation, maintains a list of properties included on the State and National Registers of Historic Places and DEP's Office of Environmental Review has maps indicating project boundaries and resources identified in surveys undertaken by federal agencies to determine the effect of their projects on cultural resources as required by Section 106 of the 1966 Historic Preservation Act.

DEP's Office of Historic Preservation is currently conducting cultural resource surveys throughout the state through its Grants-in-Aid program. Funded through the U.S. Department of the Interior, these 50-50 matching grants for survey and planning are available to counties, municipalities, state agencies, universities, and private organizations for cultural resource surveys and related preservation planning projects. By identifying properties of potential historic, archeological, or architectural significance, these surveys facilitate environmental reviews and nomination of sites to the State and National Registers. They also provide a valuable data base for a variety of local and regional planning projects.

Hoboken is currently conducting an historic sites survey. Jersey City has applied for a survey and planning grant to conduct a city-wide survey. Edgewater is being examined as part of an overall Bergen County Survey and the other waterfront municipalities in Bergen County will be surveyed in the next few years. There are no such systematic surveys underway for Bayonne, Weehawken, West New York, Guttenberg, or North Bergen.

Summary

The Commission recommends (Executive Summary - Policy Recommendations 3, 4, 5, 6) that all planning and land use decisions be based upon a commitment to not only prevent additions to the air and water pollutions loads of the region, but to achieve substantial improvement in the air and water quality. As discussed above, control of mobile emissions generated by transportation through the region will have a substantial effect on levels of certain pollutants in the region. Emphasis should also be placed on the effects of increased residential and industrial effluents, and the effects of these developments on traffic volumes. Emissions offset programs, such as a "bubble" policy, or other approaches to industrial pollution, should be designed to prevent additions to the pollution load of the region and to achieve improvement in air quality.

As part of any future planning for the region, programs to reduce pollutant levels should be developed in order to reduce traffic-generated dust, including the lead emitted by automobile exhausts, and carbon monoxide concentrations by reducing congestion. Such a program might include use of vegetative cover as a buffer, between sources of air pollutants, such as industrial areas, and receptors, such as institutions or residential areas; control of emissions from ocean going vessels which travel the Hudson River by requiring marine terminal facilities to provide necessary electrical power to docked ships to minimize the use of ships' boilers during loading and unloading; and effective street cleaning and measures to minimize dust from construction and demolition activities.

Social and economic revitalization of the waterfront municipalities depends upon an improvement in environmental quality in the region. Hudson County already receives heavy loads of air pollutants from the major highways and industries to the west and its citizens suffer cancer rates among the highest in the country and higher than any other county in New Jersey. An improvement in environmental quality is a prerequisite for desired changes in the area because of the severe consequences of air and water pollution on the health and welfare of citizens.

In order to take full advantage of the Hudson River area's long and colorful history, both as a part of the Port of New York and in its own right, an inventory of cultural and historical resources should be undertaken, and neighborhood preservation programs should be actively encouraged. These amenities should be used to draw attention to the value of the waterfront area. These features give a city its own character, and encourage people to have a feeling of belonging to a place, without which revitalization cannot succeed.

An inventory of sites supporting natural vegetation (e.g. forest, wetlands) should also be conducted, with emphasis placed on environmentally sensitive land and water areas along the Palisades and along the water's edge. These areas should be protected in open space planning or for passive recreation purposes (environmental education, birdwatching, etc.), where feasible.

In addition, the Commission recommends improvements to the visual aspects of the waterfront region both through the use of neighborhood preservation programs to restore older buildings and through the use of a design competition to emphasize the need for aesthetic consideration in redevelopment of the waterfront.

FIGURES 3 - 7

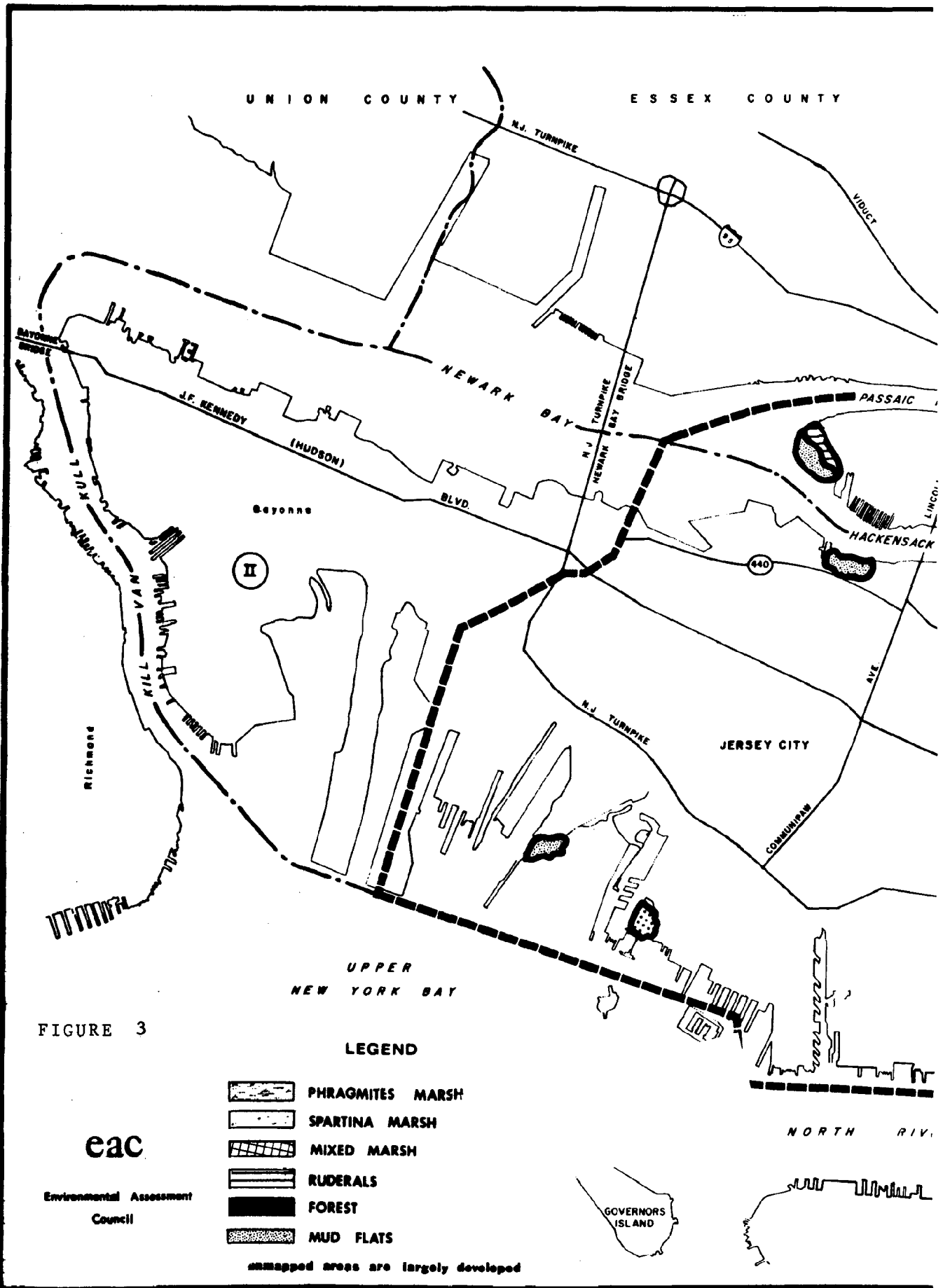
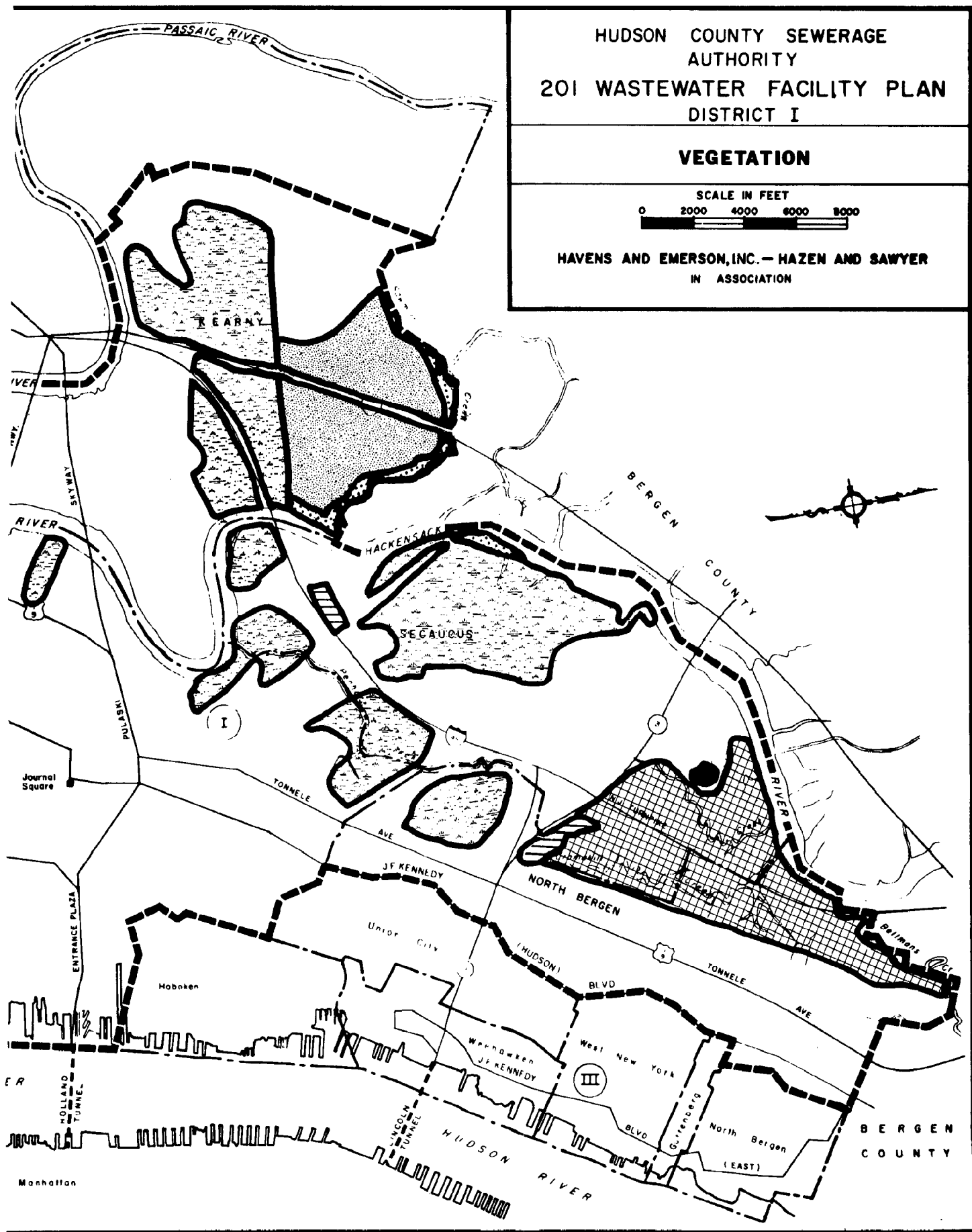


FIGURE 3-7



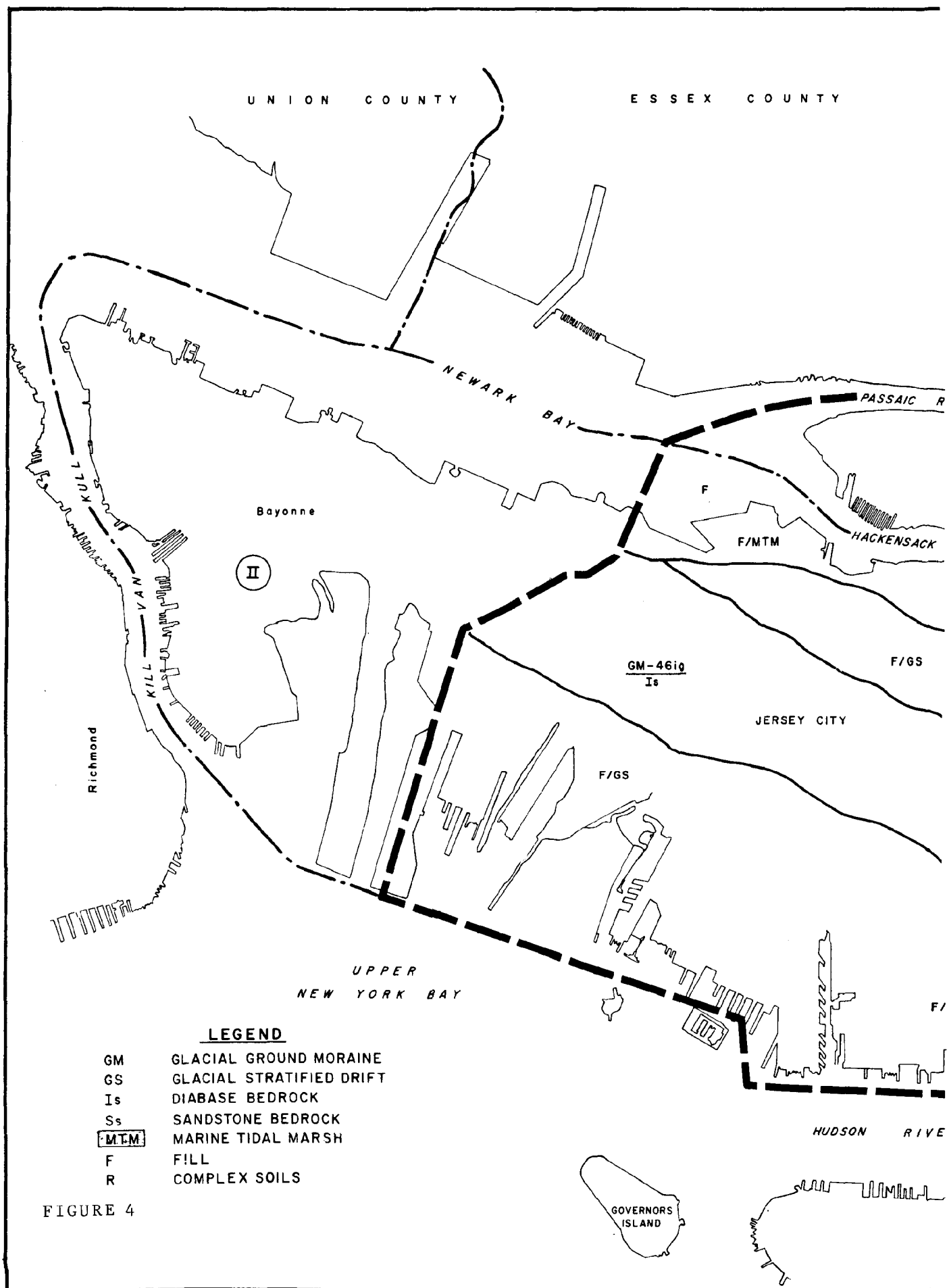
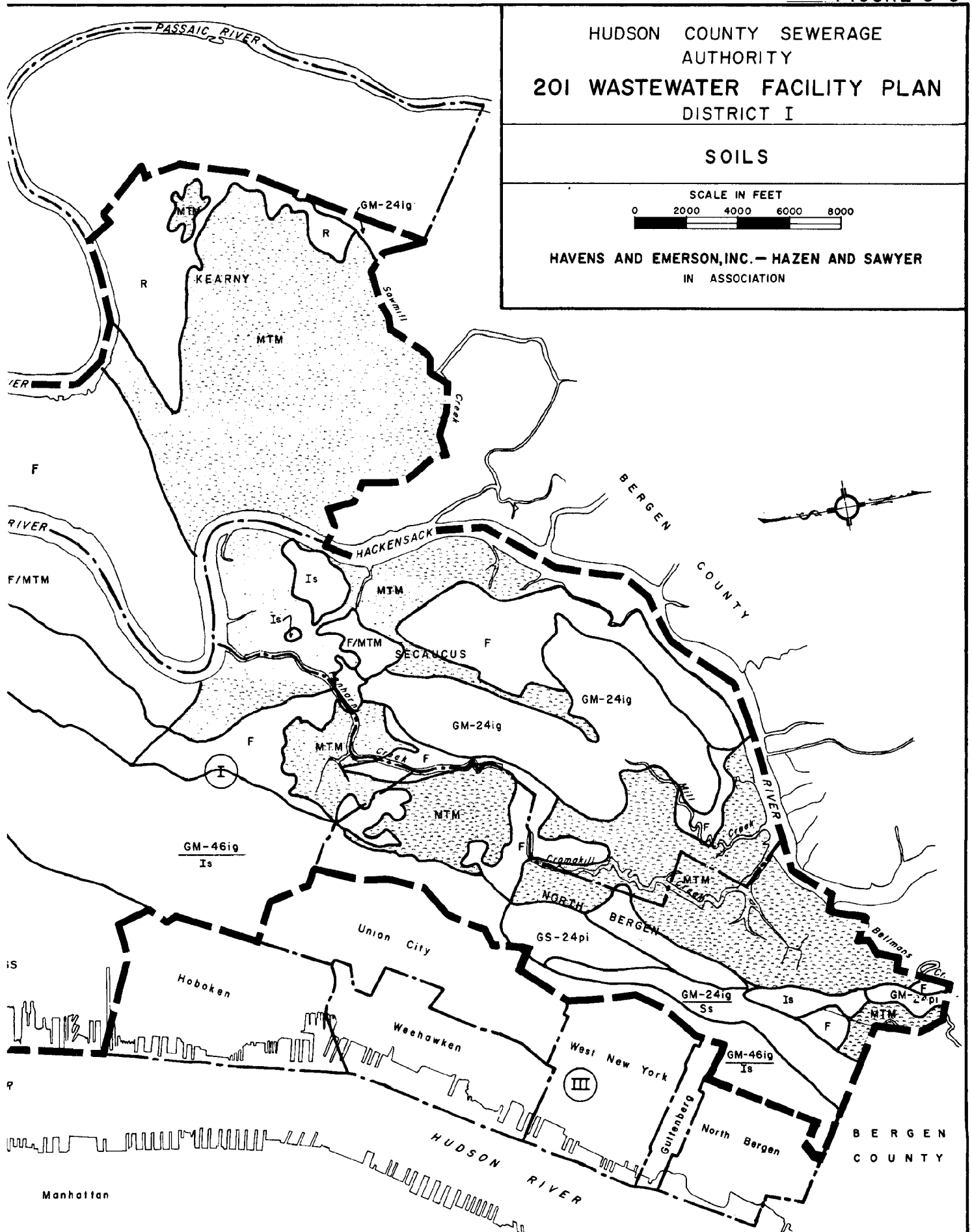


FIGURE 3-3



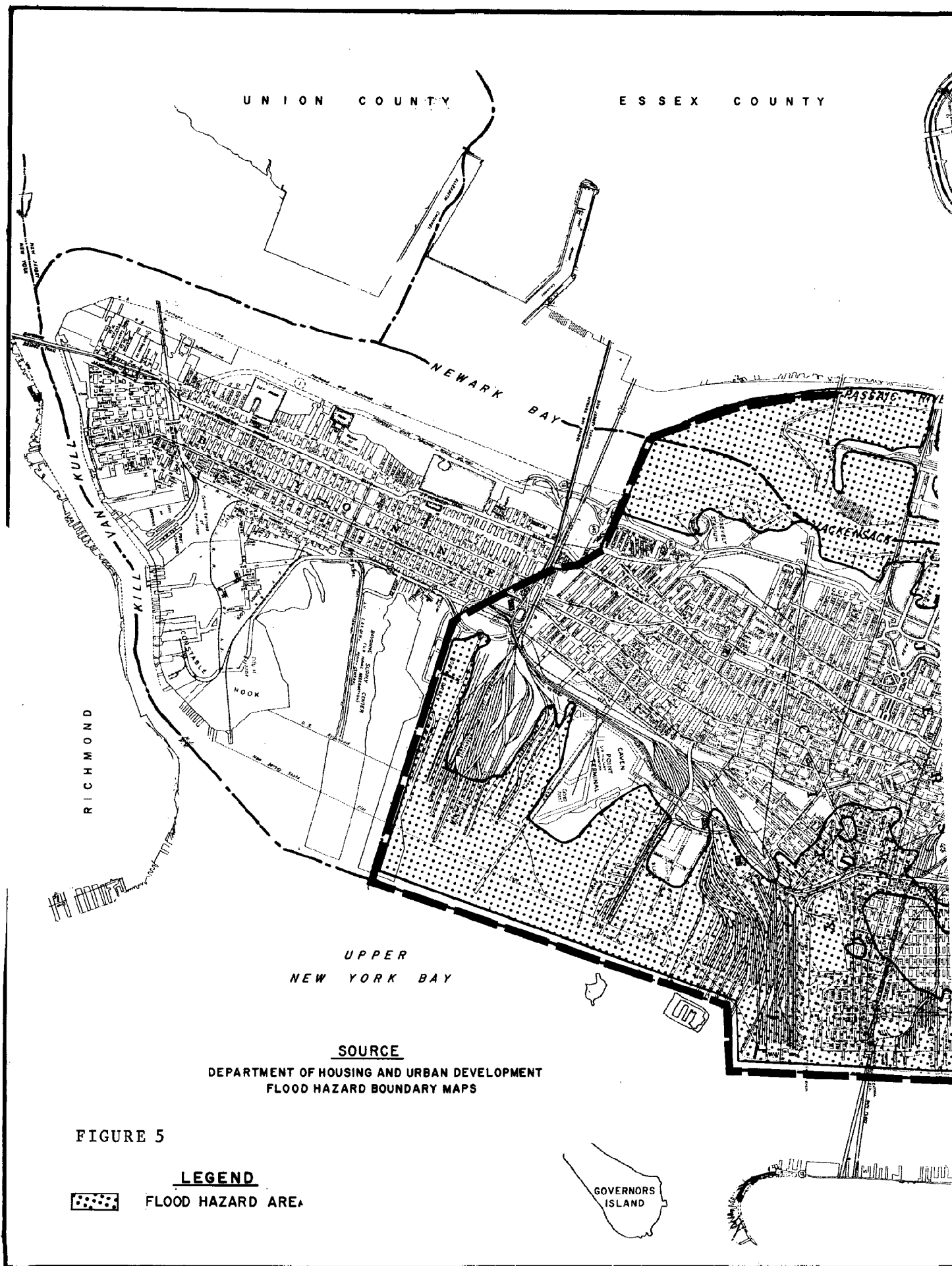
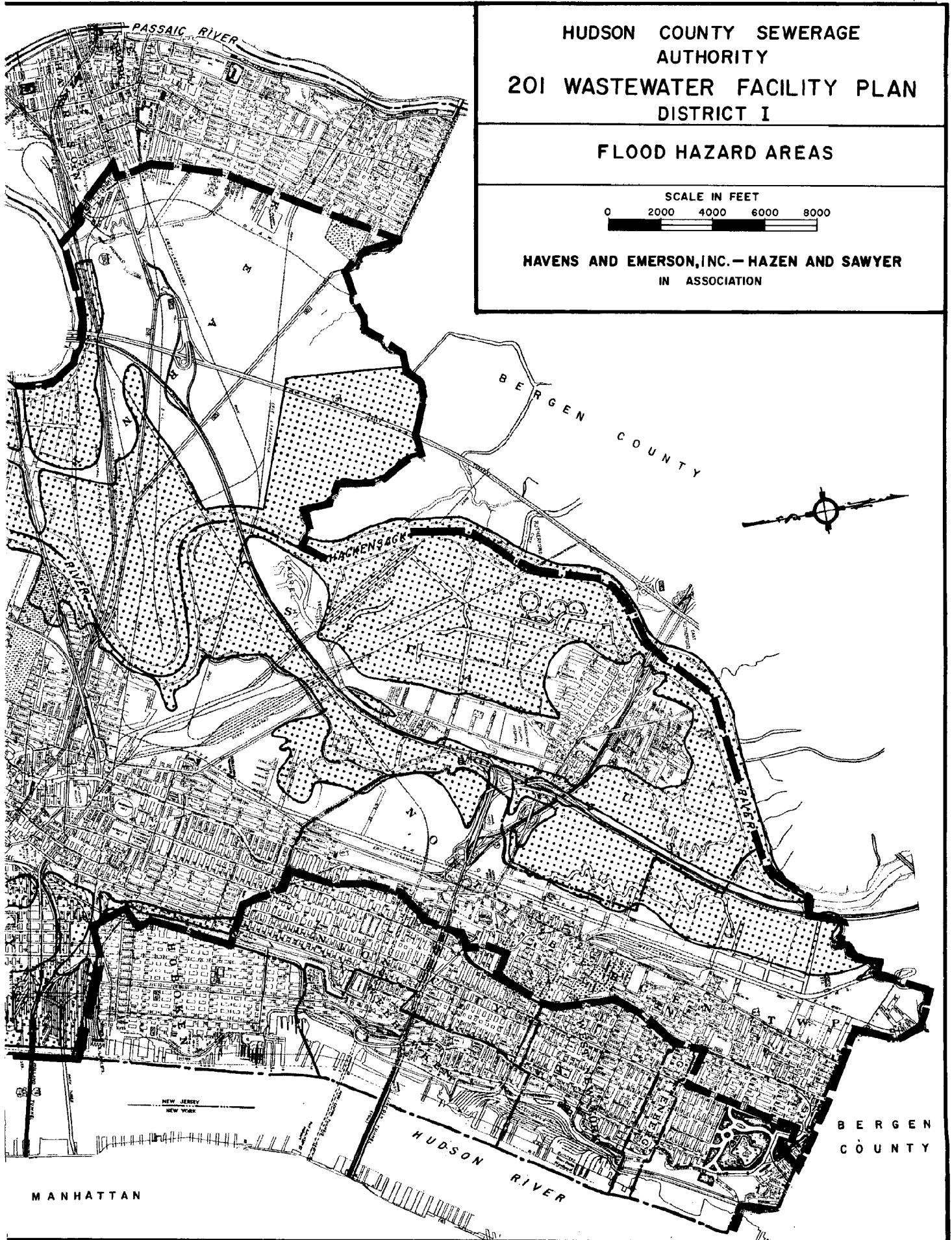


FIGURE 5

FIGURE 3-9



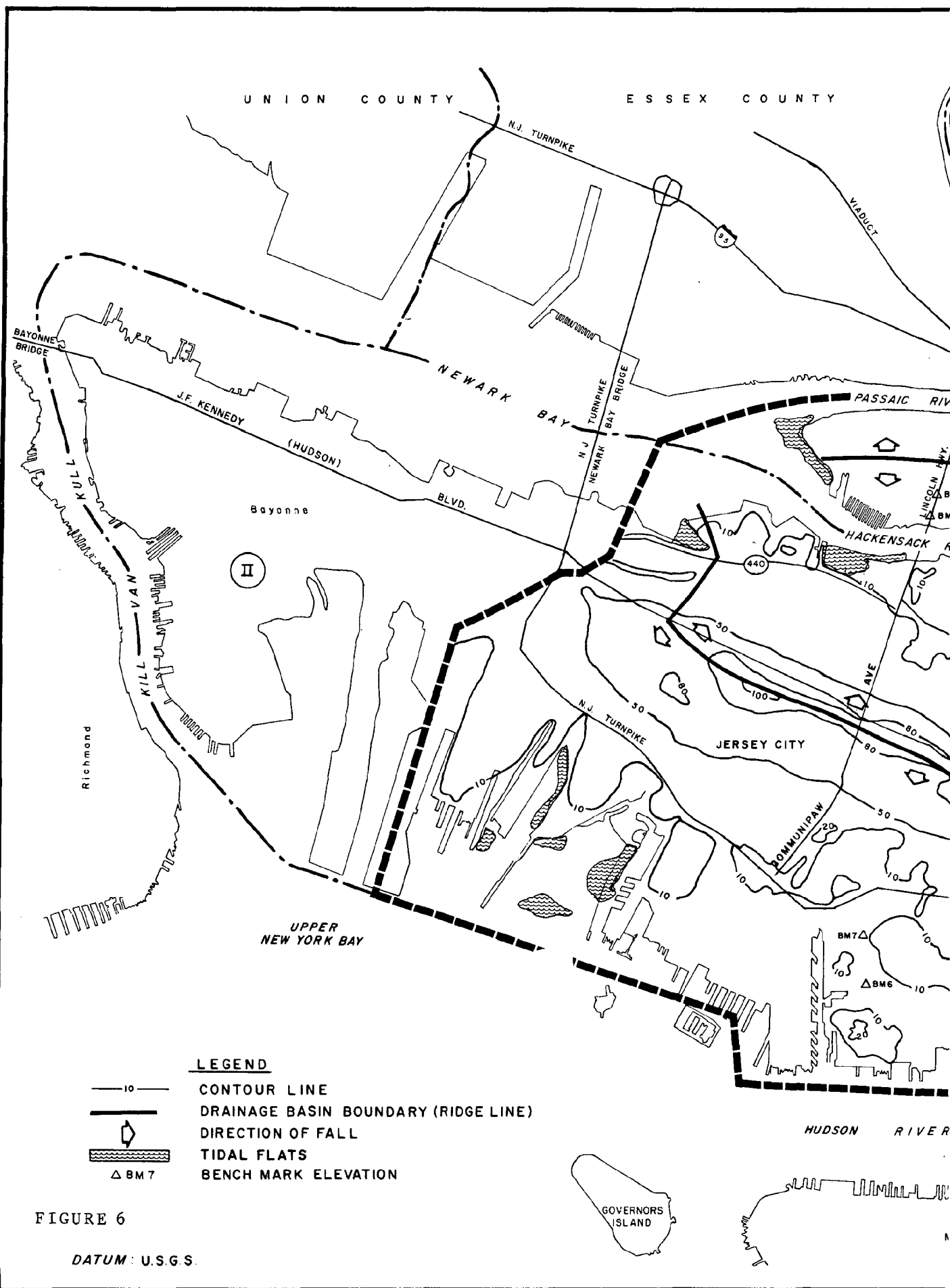
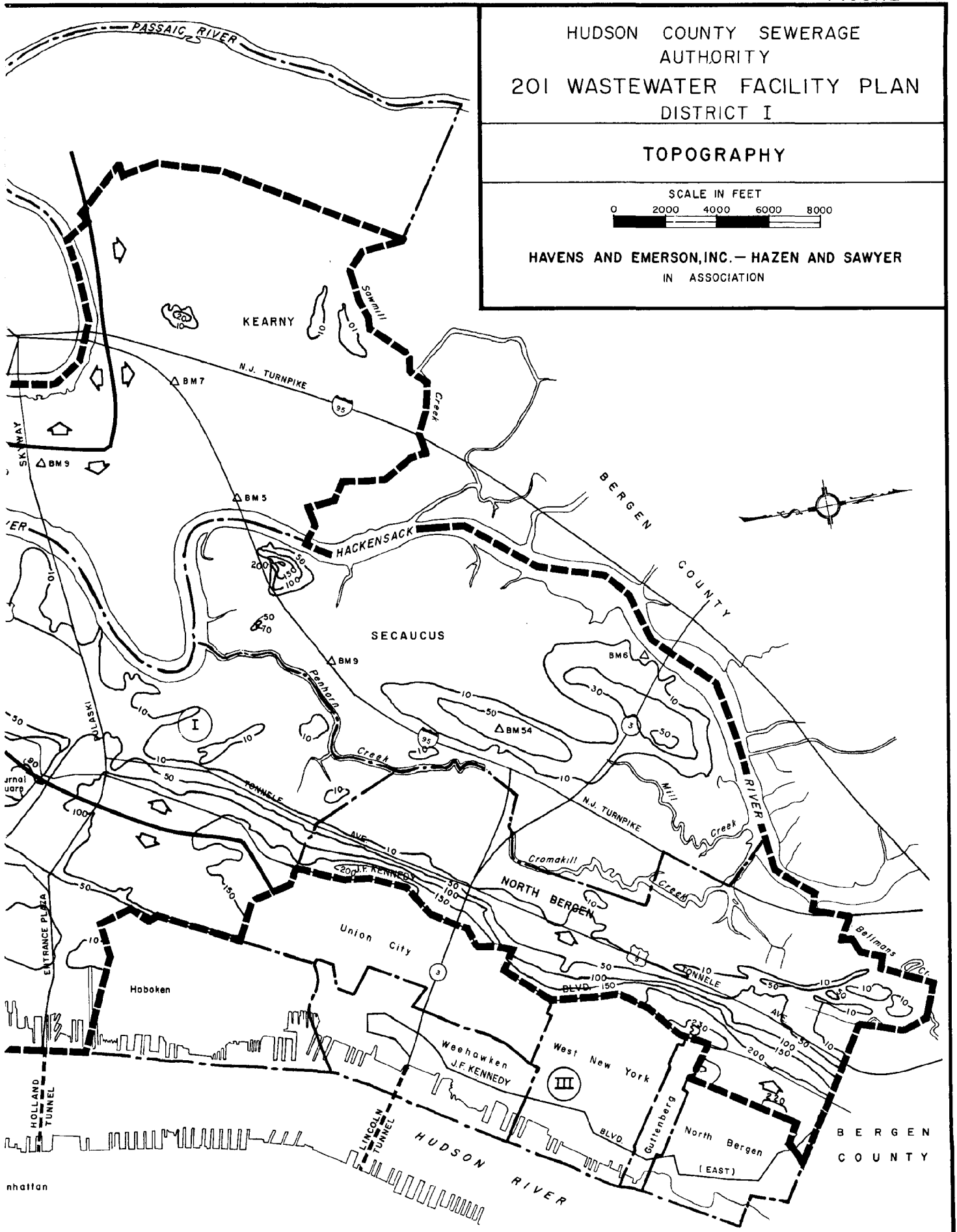
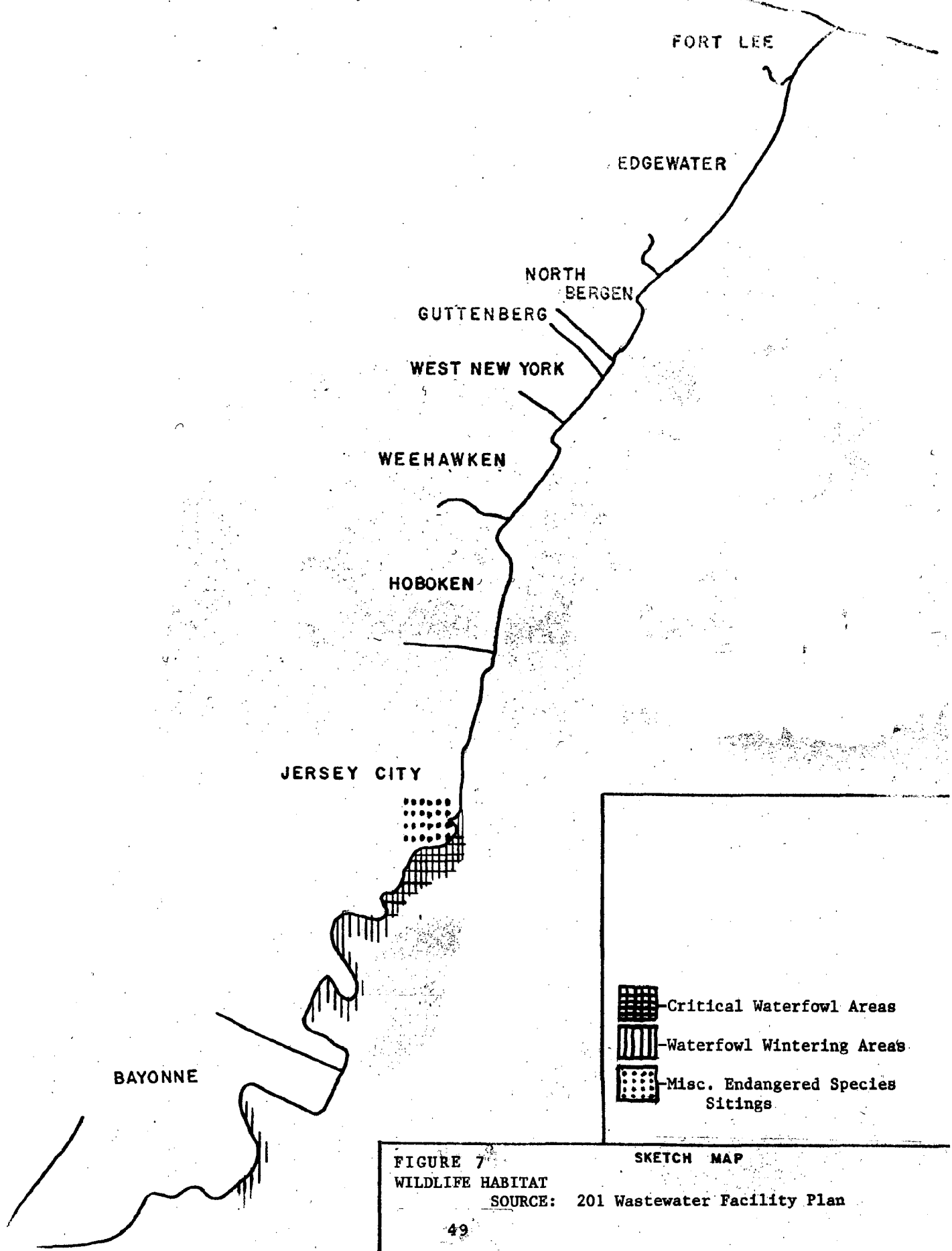


FIGURE 3-1



HUDSON RIVER WATERFRONT STUDY, PLANNING AND DEVELOPMENT COMMISSION



Chapter Five: THE PALISADES

Protection of the Palisades

Introduction

The Palisades have long been recognized as a unique resource. Surveys of state residents have cited them as one of New Jersey's "seven wonders". In the midst of a large urban area in the north of New Jersey across the Hudson River from New York City, the Palisades offer open space for recreation, views of the waterfront and a large natural area of outstanding beauty. Yet outside the area managed by the Palisades Interstate Park Commission, a large number of state, regional and local agencies have a variety of separate and potentially conflicting policies and responsibilities for the management and growth of the Palisades area.

The Palisades stretch from the New York State line in the north along the Hudson waterfront through Alpine, Tenafly, Englewood Cliffs, Fort Lee, Edgewater, Cliffside Park, North Bergen, West New York, Union City, Weehawken and Jersey City. The character of the region and boundary for the area proposed by the Study Commission is described in Chapter Two.

The Palisades as an Area of Concern

Management of the Palisades is now in the hands of the municipalities. Neither the state nor the federal government has any land use regulatory authority in the area. West New York enacted an ordinance in 1978 to ban high rises, when the Penn Central Corporation indicated that they would be selling their waterfront property. To date, no other municipality in the region has enacted such an ordinance.

There is no comprehensive plan for the Palisades as a single resource, and no municipal master plans make specific reference to the Palisades. Developments are, however, being proposed, considered and approved for sites that intrude upon all parts of the cliffs. Much of the Palisades remained undeveloped until the early 1960's when massive growth of high-rises began. This growth has gradually slowed through the 1970's, but new proposals are still occasionally debated and approved.

Concern for this area grows as the amount of developable land in the area lessens. The pressure to build on all parts of the cliff, including structures which are actually built into the cliff face, increases with diminishing available land. Local municipalities are anxious to increase their tax base. They have had difficulty attracting new industry partially because the waterfront is not easily accessible to trucks and commuting employees. Many believe that the remaining open space surrounding the cliff will be developed because of this. As detailed above, most of the remaining views of New York from the Palisades are in West New York and Weehawken. Those who expressed concern to the Commission would like to avoid duplication of the situations which exist in Cliffside Park and Fort Lee with high rises, which block the public view of the river, or with the type of development which is built into the cliff which actually destroys the cliff itself.

Table 3
Recent Palisades Development (1970-1980)

<u>Municipality</u>	<u>Project</u>	<u>Date Completed</u>
1) Fort Lee	Plaza Co-op	1973
	Colony Apts.	1973
	Century Towers	1979
2) Cliffside Park	Winston Towers 200	1975
	Winston Towers 300	1975
	Briarcliff Towers	1975
3) North Bergen	Stone House Apts.	1970
	Parker Imperial Condominiums	1975
	Galaxy	1978
4) Guttenberg	Galaxy	1976
5) Union City	Doric Highrise	1970
6) Weehawken	Mini Park	1979
7) West New York	No development	

Summary

The crest of the Palisades cliff affords the greatest view of the river and the New York skyline, one of the most spectacular views in America. In light of the unique aspects of the Palisades to both the local residents and the region, the Commission recommends (Executive Summary, Policy Recommendation 7) that the Palisades and Castle Point in Hoboken, as defined in Chapter Two, be examined in order to protect their natural integrity and to determine the effects of new development on visual access to and from the river.

Development to date has already overwhelmed portions of the Palisades cliff. Efforts should be made in the future to prevent further destruction of the cliff face itself. The planting of vegetation will encourage stabilization of the cliff face, and provide parks for walking and jogging along the cliff top. These considerations of the preservation of the natural value of the Palisades, while not necessarily precluding development, should be addressed as part of the Riverfront Plan which the new authority would develop. The Palisades should be managed as a single resource, rather than the present system which creates many of the same conflicts as are found in the waterfront region.

Chapter Six: INDUSTRIAL DEVELOPMENT

Industrial development in the Hudson River area has been declining since the 1930's when industry occupied a great portion of the waterfront. In Edgewater, nearly 15,000 people were employed along the waterfront, coming from surrounding Bergen County communities and even New York City. Industries including a Ford plant, a Jack Frost Refinery, Alcoa, Valvoline Oil, and a soap factory were active in Edgewater in the earlier part of the century. Little room for expansion where sites were close together, deteriorating facilities, and limited access for trucks and commuting employees, led industries to choose to locate elsewhere. When industries vacated, arson and vandalism resulted in abandoned buildings which, along with dilapidated piers, contribute to the view of the waterfront today. The derelict facilities caused by the decline of ports deterred new businesses from coming to the region. New industrial development has also been inhibited in part by the lack of industrial land that is well served by transportation and utilities and is buffered from residential areas.

The few industries that remain in the region have been located there for a number of years. The Constable Hook section of Bayonne and the Tidewater Basin area of Jersey City are stable industrial areas and are likely to remain so in the foreseeable future. Other stable industries are Lever Brothers in Edgewater, Colgate-Palmolive in Jersey City and Maxwell House in Hoboken. With the development of a Riverfront Plan, and the formation of a permanent regional authority, the area may become a more attractive location for new industry.

The Port Authority of New York and New Jersey has recommended a program for stimulating renewed industrial development in the urban areas of the region, which includes the Hudson River waterfront. The first scheme would be for the Port Authority to develop mixed-use industrial parks. The legislation enabling the Port Authority to develop mixed-use industrial parks is granted through Chapter 110 of the Laws of New Jersey (1978). This legislation was passed in recognition of a declining number of manufacturing jobs, particularly in the central cities of the Port District, an underutilization of available land, declining tax bases and a higher than average unemployment rate. The industrial parks would be planned, developed and managed by the Port Authority. These facilities would be as energy self-sufficient as possible, and public access would be incorporated into the plan. One specific proposal by the Port Authority is to develop an industrial park at the Greenville Yards location in Jersey City. (See Appendix E).

A number of other sites along the waterfront were proposed as potential industrial development sites in an Industrial Development study prepared by the New Jersey Economic Development Authority in April 1976. Major sites were identified in Hoboken, Jersey City and Bayonne. Since 1976, some of these areas have been developed, but two of these areas, Caven Point and Greenville Yards, are still largely unutilized at the present time. (See Appendix E).

The Port Authority has also recommended expansion of the fishing industry. Recently there has been an increase in interest in further expanding the fishing industry from a number of different sources. Because of the enactment of the Fisheries Conservation and Management Act of 1976 which extended the limits of the U.S. fishery jurisdiction to 200 nautical miles, greater opportunities for expansion of the industry now exist.

Over the past few years, demand for fish and fish products has grown. Modernization of the industry and the vessels allow for fishing at further distance from shore than ever before. The Hudson River waterfront presently has no large scale commercial fish handling or processing plants, but it could potentially meet the requirements of this industry, in underutilized or abandoned areas. The federal government would like to encourage the expansion of this industry, and through the National Marine Fisheries Service and the Economic Development Administration, loan guarantees and grants will be given to fishermen and processors to modernize their operations, or to develop new operations.

In addition, in New Jersey, the Governor's Office of Policy and Planning also studied the fishing industry and published their conclusions in "A Proposal for the Development of the New Jersey Fishing Industry, A Working Paper", 1979. The report encourages the State government to coordinate with local governments to realize the potential benefits of the 200 mile fishing limits, and to reverse the recent economic decline of the New Jersey fishing industry by modernizing the state's fishing industry.

Summary

Industry has declined greatly in the Hudson River region. The new authority should encourage new industries to locate in this region. However, because of the number of highly polluting industries in the surrounding area, the Study Commission recommends that certain types of industry (e.g., chemical manufacturing, petrochemical processing) be prohibited (Executive Summary, Policy Recommendation 8, 9, 10) and instead, that labor intensive industrial development that will strengthen the area's economic base and will expand job opportunities be promoted. The area can tolerate no increase in pollution loads (see Chapter Four, Environmental Resources). Economic marketing surveys can be used to identify a broad spectrum of non-polluting industries, that provide a high number of jobs per acre. These surveys can be conducted in the process of preparing the Riverfront Plan. As part of these studies, the feasibility of development of water-dependent industries such as commercial fishing and its related activities should be explored, and should they prove to be compatible with other goals, be developed in the Hudson River area.

Any new industrial facilities should be developed with adequate buffers so that they do not detract from surrounding uses. The same effect can also be achieved through the use of minimum site sizes, parking and loading regulations, building setback requirements, landscaping and public access specifications as a part of the Riverfront Plan. These types of restrictions will help to mitigate the potential negative effects of industrial development on residents and waterfront visitors.

Chapter Seven: PORTS

Introduction

Ports are complexes of land and marine terminals, transfer facilities and trade services used for loading, unloading and temporary storage of waterborne cargo. They are the focal point of commerce between inland cities and other nations.

The New York Port District (see Figure 8) as defined by the jurisdiction of the Port Authority of New York/New Jersey (see Appendix H) is a 1,500 square mile bi-state area which includes the Hudson and Bergen County shorelines along the Hudson River. The New York/New Jersey inner harbor region spans 75 shoreline miles.

In New Jersey, Weehawken, Jersey City, and Bayonne have dedicated portions of their waterfront to port-oriented activities. (See Figure 9) The Port's deepwater general cargo terminals remaining on the Hudson River are located at Port Jersey Industrial Marine Center in Jersey City, Hoboken Port Authority Marine Terminal and the Port Seatrain Terminal in Weehawken. In addition, the Bethlehem Steel Corporation leases a 23 acre site at the Bayonne Army Terminal from the U.S. Department of Defense which it uses as a drydock.

Growth of the Port

New Jersey's Hudson River communities were greatly influenced by the exceptional harbor, which stimulated port growth because of a unique combination of natural features. The harbor provides easy access to inland cities, possesses natural channels that can accommodate large ships and has an extensive shoreline which allowed expansion of port facilities.

As the port of New York grew in importance, the New Jersey ports grew with it, as part of a port distribution center serving the entire nation. The port of New York's expansion occurred during the nineteenth century, and by the late 1800's it handled more than half of the nation's trade. The opening of the Erie Canal in 1825 helped to stimulate this growth by linking New York with the midwest. In the early twentieth century, congestion in Manhattan forced many of the port operations to New Jersey's Hudson River shoreline. The New Jersey waterfront towns grew largely as a result of job opportunities created by these port activities. The growth of the port stimulated the growth of industry close to the source of goods coming through the port saving transportation costs. In addition to being the center of commerce and trade, the waterfront offered ferry and ship outings. People came to the waterfront not only for their jobs, but for other aspects of their lives. Railroads were developed to connect the ports with inland cities and began to use large amounts of the waterfront area in addition to port and industrial uses.

Decline of the Hudson River Port

Starting with the end of World War II, land transportation dominance shifted from railroads to highways and some of the goods traditionally shipped by rail and truck began to be carried by airplane. Railroad companies took control of large tracts of waterfront land. Technological changes, specifically from break bulk

shipping to containerization, reduced the need for the Hudson River piers. In areas along the Hudson River, the back-up space needed for container operations was not only difficult to find, but expensive to acquire.

The Port Today

In 1966, the Regional Plan Association saw an overall decline in port related activities, indicated by many vacant piers. The Hoboken piers which are leased by the Port Authority were active then, but they were lacking in substantial back-up space for anticipated container operations. Another facility, privately owned, in Jersey City was not being used to capacity, nor was it likely to be in the future because of reduced demand for these antiquated facilities.

Old cargo piers and lighterage terminals on the Hudson River were replaced by terminals on Newark Bay designed to handle containerized cargo. These changes were an outward sign of the substantial change which occurred in marine transportation technology. The traditional method used for shipping general cargo involves loading and unloading goods from the ship by individual package and is known as "break bulk" shipping. This method is often quite labor-intensive. Over the past 25 years, a number of new methods have been instituted which allow cargo to be moved more efficiently, including containerization.

When containerization is used to move goods, large containers are packed by the shipper and unpacked by the consumer, saving the time and expense of intermediary loading and unloading. Advantages of containerization are that the time a ship is in port is reduced, allowing the ship to remain at sea, and reduced labor costs. A disadvantage of containerization is that it requires a good deal of back-up space, which has almost always necessitated the shift of port facilities to new locations away from cities where space is at a premium.

Most of the major port business and terminal facilities were moved to Elizabeth and Port Newark. The container terminal in Elizabeth is now the largest in the world. This technological innovation caused the demise of the once active waterfront on the Hudson River, leaving piers used for traditional uses abandoned, and deteriorating often rapidly from arson and vandalism.

The remains of these piers are a blight to the region, and are sometimes a hazard to navigation. This, coupled with the decline in passenger ship travel, the railroad companies' bankruptcy, and the shift to inland sites by industries when dependence on the water diminished, reduced the demand for the waterfront along the Hudson River. The Port Authority considers it unlikely that there will be a significant need for construction of new or expanded port facilities in the next few years.

Many of the old derelict piers are now being cleared away as a result of the Harbor Clean-Up Program sponsored by the U.S. Army Corps of Engineers and the N.J. DEP. (See Appendix E). This program is already having a positive effect on waterfront development as can be seen at Liberty State Park, and it is likely to have a significant effect on other parts of the shoreline and river. In other areas, prime waterfront land has already opened up, or will be available for development in the near future.

A new authority would make the availability of these lands known and facilitate their redevelopment.

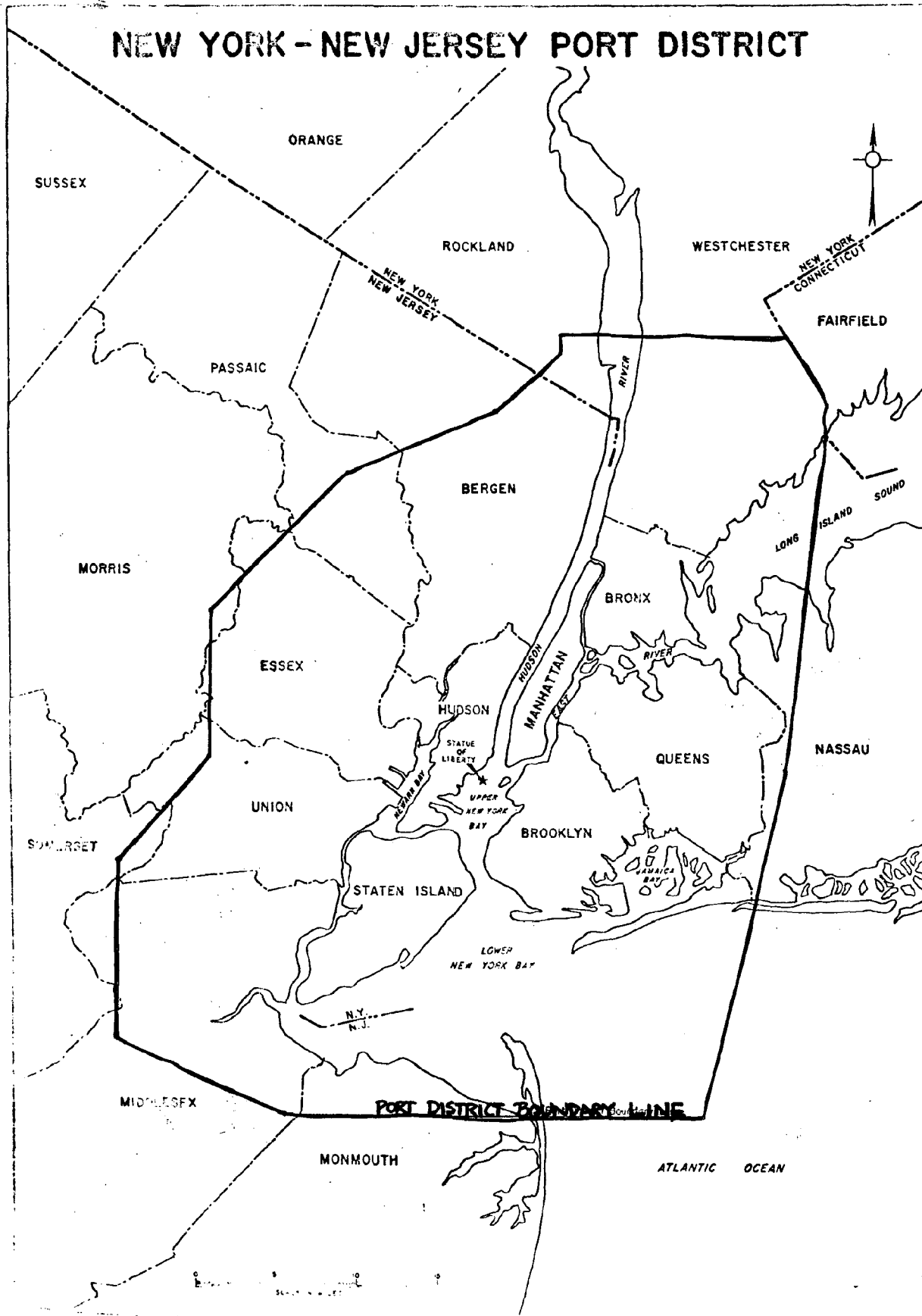


FIGURE 8

Summary

Demand for Hudson River port facilities in the future is likely to be quite limited. In the interest of conservation of valuable waterfront space, existing facilities should be re-used in preference to expansion of old or construction of new facilities.

New port uses outside of existing ports are acceptable only when there is a clear demonstration of need, and when sufficient land and water area is not available in or adjacent to an existing port. (Executive Summary, Policy Recommendation 11).

Where port facilities are obsolete, the possibility of re-use of piers for other uses could be examined by the new authority. Port facilities have been converted to non-port uses quite successfully in other cities around the nation where similar changes in technology and a decline in port use in parts of the harbor have been experienced. If facilities are quite rundown, they should be removed to allow for other uses of the waterfront.

Where port facilities still exist and operate, the feasibility of incorporating public access as part of these facilities should be examined to provide maximum physical and visual access, if this access does not interfere with port operations, or endanger the public health and safety, and is economically feasible. Through careful planning and design, it is often possible to incorporate a mix of different uses. New or expanded ports must be compatible with surrounding land uses, and they must not interfere with recreation areas. (Executive Summary, Policy Recommendation 12). The use of buffers will greatly increase the compatibility of adjacent land uses in such areas.

HUDSON RIVER WATERFRONT STUDY, PLANNING
AND DEVELOPMENT COMMISSION

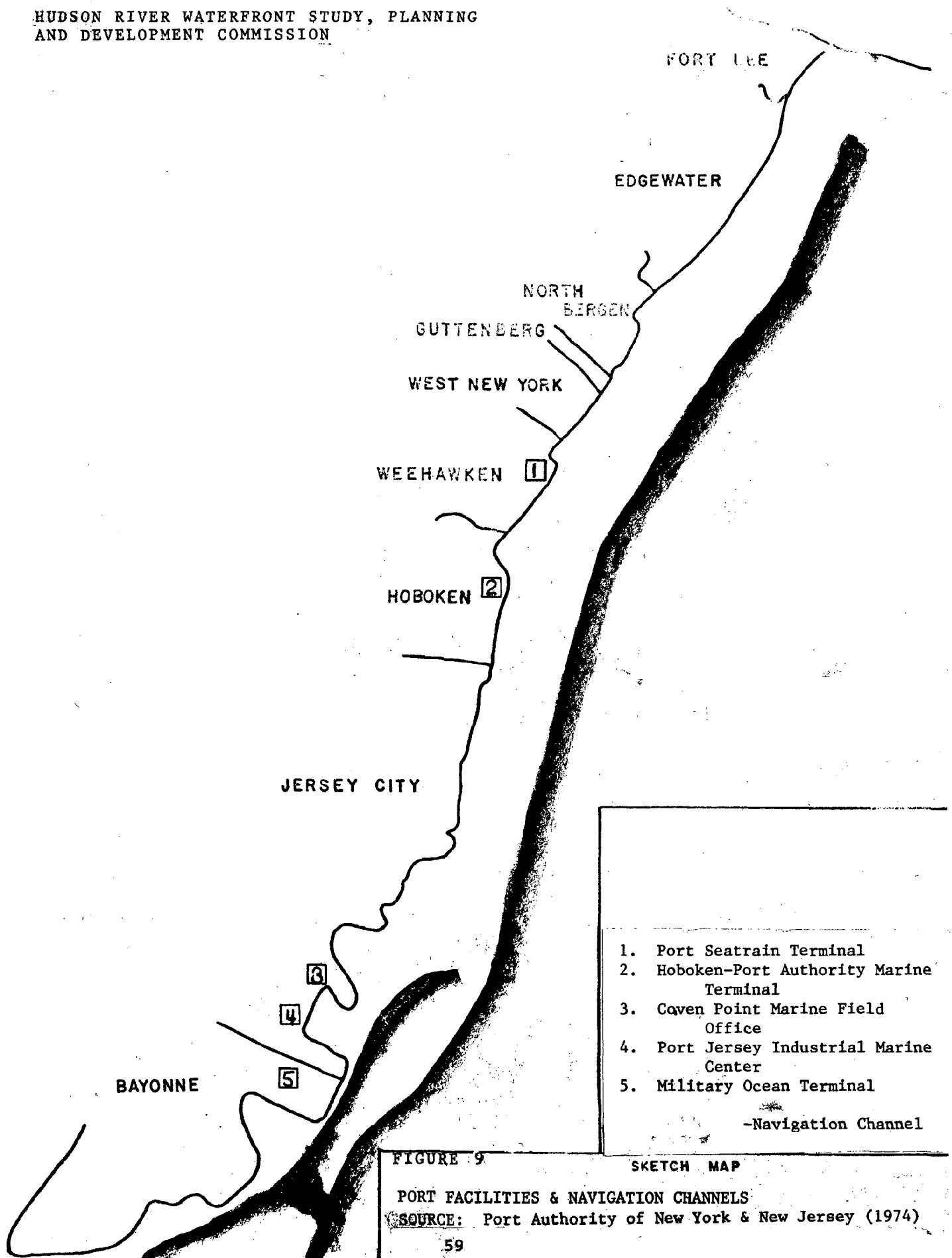


FIGURE 9

SKETCH MAP

PORT FACILITIES & NAVIGATION CHANNELS

SOURCE: Port Authority of New York & New Jersey (1974)

Chapter Eight: TRANSPORTATION

Introduction

One of the most important and difficult issues in the Hudson River region is transportation. New Jersey's Hudson River waterfront is a part of the greater New York metropolitan area, and is therefore subject to some of the highest volumes in the nation in all forms of transit. Stresses to the existing system have grown and compounded each other, as new innovations and expansions have grown increasingly expensive. The result is an often faulty and problematic transportation network which pervades all other aspects of the living environment and, until it is improved, will greatly limit the region's growth capabilities.

Growth of Transportation in the Region

During most of the 19th and the first half of the 20th century, ferry boats transported passengers between Edgewater, Hoboken and Jersey City in New Jersey, and Manhattan. The ferries were the first mode of transportation available for trips across the River to New York City carrying thousands of commuters to work.

The first ferries were open row boats, and as technologies changed, steam ferries were eventually adopted. The ferries were slow moving boats designed as lavishly as the terminals at which they docked. By 1900, about fifty ferries were in operation in the harbor and 18 ferry terminals were in active use (five on the New Jersey side), bringing many passengers between New Jersey and Manhattan. With the completion of the old Hudson and Manhattan Railroad (now PATH), the Penn Central Railroad tunnels, and in the 1920's, the construction of the major bridges and tunnels, ferry use began to decline.

The first automobile tunnel between New Jersey and Manhattan, the Holland Tunnel, was completed in 1927. The two tubes linked Jersey City with Lower Manhattan. Ten years later, the first tube of the Lincoln Tunnel was constructed connecting Weehawken with midtown Manhattan. A second tube was completed in 1945, and a third in 1957. By the mid-1960's, the number of active ferry lines had dwindled to eight, and now none of the old ferries are in operation. Ferry use declined because the ferries were slow, cumbersome, and costly, and because the automobile was seen as the solution to the region's transportation problems. The two remaining ferry terminals on the New Jersey side are the Central Railroad of New Jersey terminal in Jersey City, and the Erie-Lackawanna terminal in Hoboken.

More sophisticated transportation routes across the River were developed simultaneously with the increasing technology in transportation. The railroad industry expanded to carry both passengers and freight to an ever increasing number of locations. Large areas of the River were filled to create land for railroad facilities. Hudson County was once served by the Pennsylvania and New York Central Railroads, the Central Railroad of New Jersey, the Erie-Lackawanna Railroad, the New York, Susquehanna and Western Lehigh Valley Railroad, the East Jersey Railroad and the Port Authority Trans-Hudson Railroad (known as PATH).

The Present

Today, passenger rail lines are found primarily in Hudson County. The only rapid transit line is the PATH system connecting Hoboken, Newark and Jersey City with Manhattan. Electrified commuter service is available to and beyond Trenton and South Amboy along Conrail and Amtrak tracks, and to Summit, Gladstone, and Morristown and other locations on Erie-Lackawanna rails.

In addition, the region is well-served by airports, highways and freight shipping lines. Newark Airport is a major facility accommodating commercial passenger jet traffic. Other airfields, principally Linden and Teterboro, handle smaller craft.

The major road network of divided, limited access highways (built or under construction) is extensive and effectively covers the entire region (See Figure 10), although it does not provide efficient travel between Hudson River municipalities. The Garden State Parkway extends the entire length of the region on its inland side, connecting with the New York State Thruway to the north and the rest of the New Jersey coast to the south. The New Jersey Turnpike passes by Newark Airport, Port Newark-Elizabeth and Newark, then crosses the Hackensack Meadowlands, connecting with Manhattan via the George Washington Bridge and Lincoln and Holland Tunnels. These are major routes to Manhattan and to the New England states for traffic originating at many points south of the region. To the south it links the area with the Jersey shore, Trenton, Camden, southwest New Jersey, Pennsylvania and Delaware. The Palisades Interstate Parkway runs north along the Hudson River between the George Washington Bridge and New York State. At its southern end it connects with I-95 leading to I-80, which traverses the northern sector in an east-west direction heading for Pennsylvania. Route I-280 links the Parsippany-Troy Hills area with Newark, while I-78, when completed, will transect the southern sector in an east-west direction leading to Pennsylvania. The Staten Island Expressway (I-278) provides access to Long Island from the Turnpike via the Goethals and Verrazano Narrows Bridges. Other state and interstate superhighways lace the region. Much of the traffic on these highways passes through the region to New York City or to points north and south, causing pollution and traffic congestion for local residents without any associated benefits.

Opportunities and Constraints

Although the superhighway system is elaborate throughout the region, it is often subject to severe congestion. At the beginning and end of weekends and at rush hours, traffic is often bumper-to-bumper. The weakness is not with the highway system, which is normally underutilized, but with the very nature of the automotive transport system that is intrinsically ill-suited for sharp peaks in volume. Besides straining nerves and aggravating the already severe automotive contribution to air pollution, the transportation situation hampers access within the region and from the region to more southern parts of the State.

The existing rail transport between Manhattan and New Jersey is quite good where PATH lines exist in Hudson County. Diesel commuter service is provided in most other directions. These commuter rail lines function relatively well for commutation from New Jersey to New York, but suburban rapid transit lines capable

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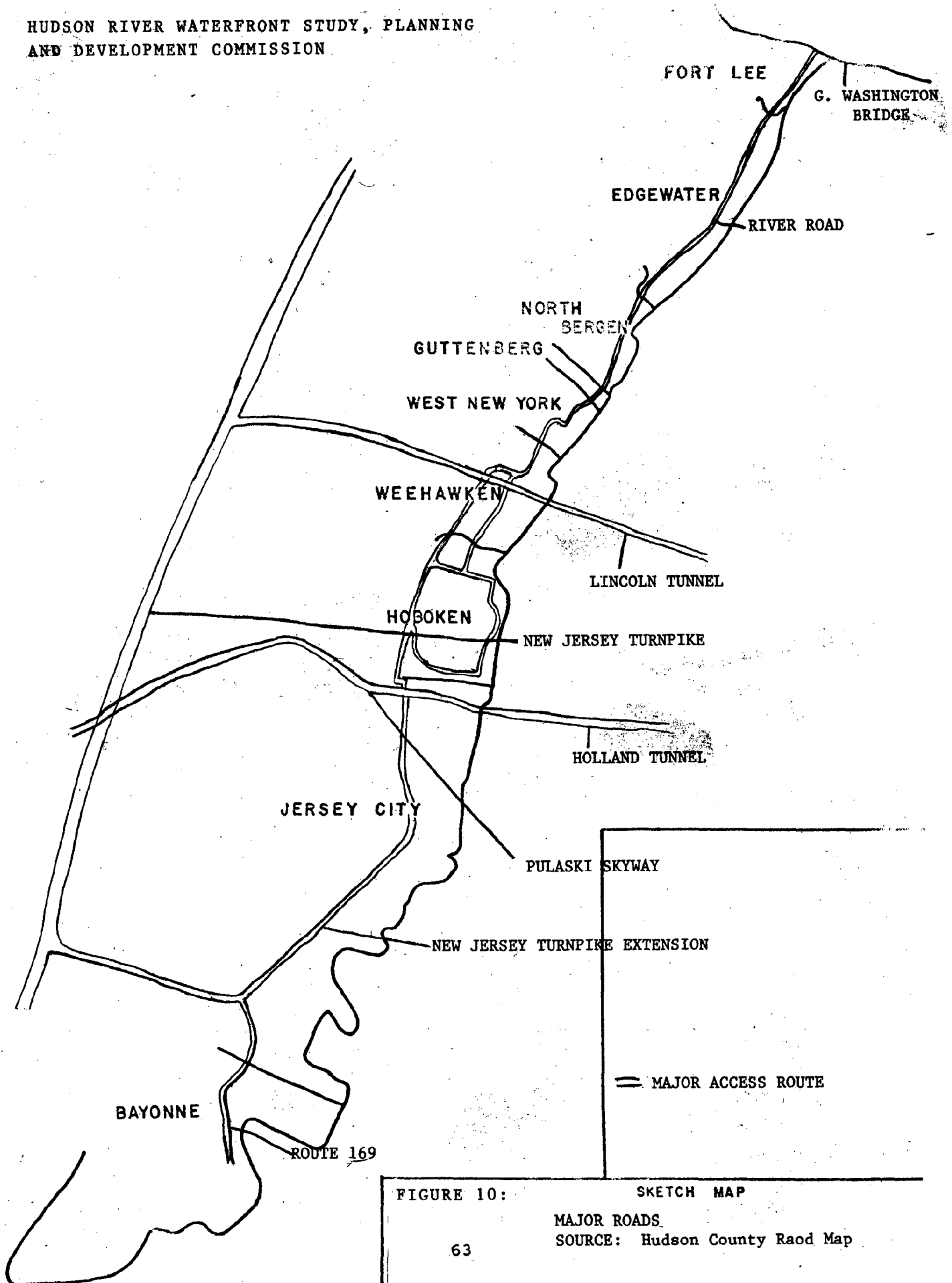


FIGURE 10:

SKETCH MAP

MAJOR ROADS

SOURCE: Hudson County Road Map

of accommodating wide load fluctuations do not exist, and are not planned in the immediate future, and passenger rail travel within Hudson and Bergen Counties is extremely limited, again with the exception of PATH.

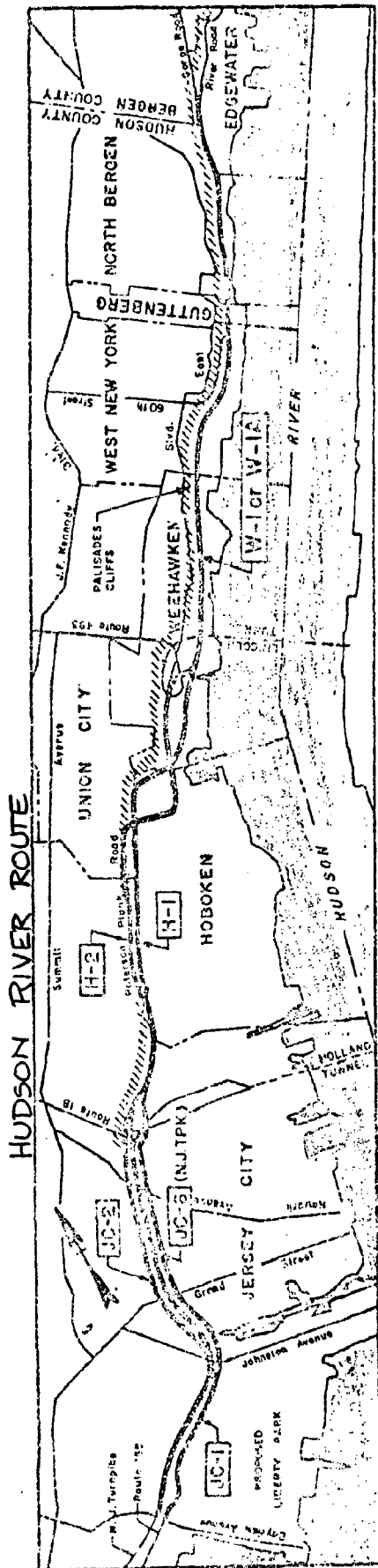
The potential for redevelopment could be greatly increased if this system was extended throughout the region. The Port Authority, however, does not consider expansion of the PATH system to be legally or financially possible. To the north in Bergen County, east-west rail lines never came to fruition. Most of the mass transportation systems in the area are bus routes. Expansion of these bus services may be hindered by the already heavy traffic on bridges and tunnels at peak hours. With the use of incentives and alternate solutions such as bus lanes or off-peak hour travel, some of the difficulties in expanding bus service may be alleviated.

Access from the northern to the southern end of the waterfront area is quite limited. Only River Road connects the Bergen County with the Hudson county waterfront towns. In order to travel from Bergen to Hudson County, via all transportation modes other than automobiles, it is necessary to travel through New York City.

Four major transportation projects are currently under study or construction by the New Jersey Department of Transportation (NJDOT) to help alleviate these problems. It should be noted that all but one of these proposals is related to auto transit, and therefore further research on alternate modes of transportation is necessary in the future.

The following are the four proposals:

- 1) The much debated Hudson River Route between Jersey City and the George Washington Bridge, between the Palisades and the Hudson River is still in the early planning stage. The consultant for the project is Hardisty and Hanover, of Jersey City who is currently developing a draft environmental impact statement to be published early in 1981. Community meetings will be held in the Fall of 1980. The purpose of this proposed route would be to serve north-south local trips between waterfront communities, draw commercial traffic from residential streets, and to facilitate access to underutilized waterfront land. (See Figure 11 for alternative alignments)
- 2) The Route 169 and Route 185 Expressways are land service roadways between Bayonne and Jersey City. The consultant for the project, which is already underway, is Edwards & Kelcey of Newark. The purpose of constructing Route 169 and Route 185 is to relieve city streets in Bayonne and Jersey City of truck traffic. (See Figure 12 for alignment)
- 3) The practicability of widening Routes 1 and 9 (Tonnele Avenue) between the traffic circle in Jersey City and Route 46 in Palisades Park, is presently being studied by the firm of Howard, Needles, Tammen and Bergendoff of Fairfield, New Jersey. At present, two study schemes have been developed. (See Figure 13 for alternative alignments) The results of the feasibility study will be the basis for the NJDOT decision of whether to undertake a more detailed study and evaluation.



PRELIMINARY ALTERNATIVE SELECTION

SEGMENT

JC-1 A four-lane road extending northward from Bayview Avenue parallel to and east of the New Jersey Turnpike Extension.

JC-2 A four-lane road extending northward from Bayview Avenue parallel to and east of the New Jersey Turnpike Extension until it reaches the vicinity of Johnston Avenue where it passes under the Turnpike and follows the Turnpike on its west side.

JC-5 Use of the New Jersey Turnpike Extension from the vicinity of Bayview Avenue to the approaches to the Holland Tunnel.

H-1 A four-lane road at the base of the Palisades Cliffs utilizing railroad right-of-way from the Holland Tunnel approaches to the Lincoln Tunnel approaches.

H-2

A four-lane road using the proposed widened Paterson Plank Road to the 14th Street Viaduct; and the use of existing Park Avenue and Boulevard East to the Lincoln Tunnel approaches.

W-1

A four-lane road following the base of the Palisades Cliffs from the Lincoln Tunnel approaches to River Road in West New York. The roadway then utilizes River Road widened to four lanes until it terminates at the Gorge Road intersection in Edgewater.

W-1A

Same as W-1 except ends at Hudson/Bergen County border.

NO-BUILD ALTERNATIVE

Included as one alternative in this study is the "no-build" alternative. This alternative would entail no roadway improvements and the continued reliance on the existing transportation network and facilities.

FIGURE 11:

HUDSON RIVER ROUTE

Source: N.J. Dept. of Transportation

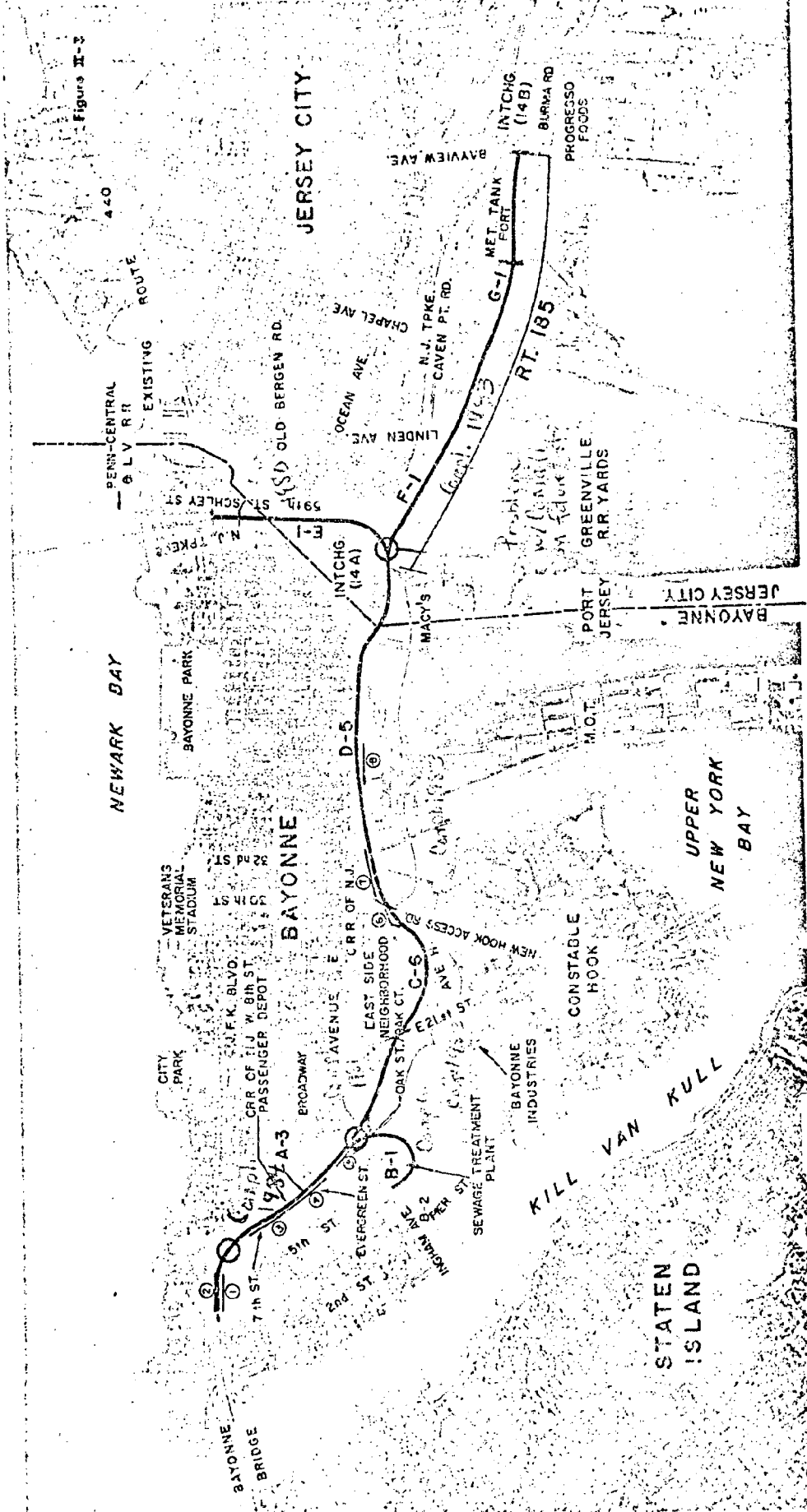
- 4) The 7-1/2 mile Bayonne - Jersey City light-rail transit link was proposed in a 1977 study done for the New Jersey Department of Transportation. (See Figure 14 for alignments) It would run along existing railroad rights-of-way between Journal Square in Jersey City and 8th Street in Bayonne. It would be intended to improve transit along the Bayonne peninsula. It is estimated that the rail line would accommodate 22,500 trips per day. There would be eight stations in Bayonne and five in Jersey City. The total travel time from Journal Square to Bayonne would be 17-1/2 minutes. To date, no state funds have been allocated to the project primarily because the proposed alignment (the old Central Railroad of New Jersey right-of-way, now Conrail) does not serve the most densely populated sections of the two cities and therefore would necessitate an extensive feeder bus service. These conditions also make the project unlikely to receive federal funding. Nevertheless, the State has recently taken great pains to keep open, or acquire, existing CNJ/Conrail tracks in case the light rail transit service is deemed necessary in the future.

Summary

Inadequate and/or non-existent transportation was cited by many of the people who testified before the Commission as the major obstacle to waterfront redevelopment. The problems include an existing transportation network which does not serve, and often directly blocks off, the waterfront, limited public transportation within the area and crowded roads making passenger travel and truck transport both difficult and time-consuming.

Traditionally, major highways and transportation routes have become barriers between the downtown and the waterfront in many cities. Future planning should avoid these pitfalls wherever possible. In addition, emissions from any transportation route should be controlled as discussed in Chapter Four, Environmental Resources, so as not to diminish the enjoyment of waterfront recreational activities.

The ferry terminals and the ferries themselves are valuable not only in terms of their value to tourists because of their history and lavish design, but as a possible transportation mode. The Staten Island Ferry is an example of a ferry still used by commuters. Thousands still travel on it between Manhattan and Staten Island everyday. Ferries running north and south along the riverfront could bring visitors from Liberty State Park to Exchange Place and to Hoboken and sites further up the river which would help to alleviate the north-south access problems. If the speed and fuel efficiency of these ferries were improved, this mode of transportation might help alleviate some of the area's serious auto congestion. In order to expand the transportation network of the area, the potential for incorporating improved technology into an updated ferry system should be investigated. In an area where traffic congestion is a tremendous problem, the concept of waterborne transportation would make a good deal of sense, if it proves to be economically feasible.



ROUTE 169 LAND SERVICE ROAD AND ROUTE 185

New Jersey Department of Transportation
Edwards and Kelcey, Inc.

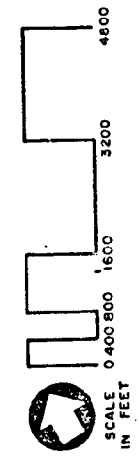
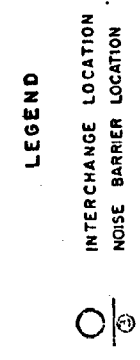


FIGURE 12:
Routes 169 & 185
Source: N.J. Dept.
of Transportation



U.S. ROUTES 1&9 (TONNELE AVENUE)

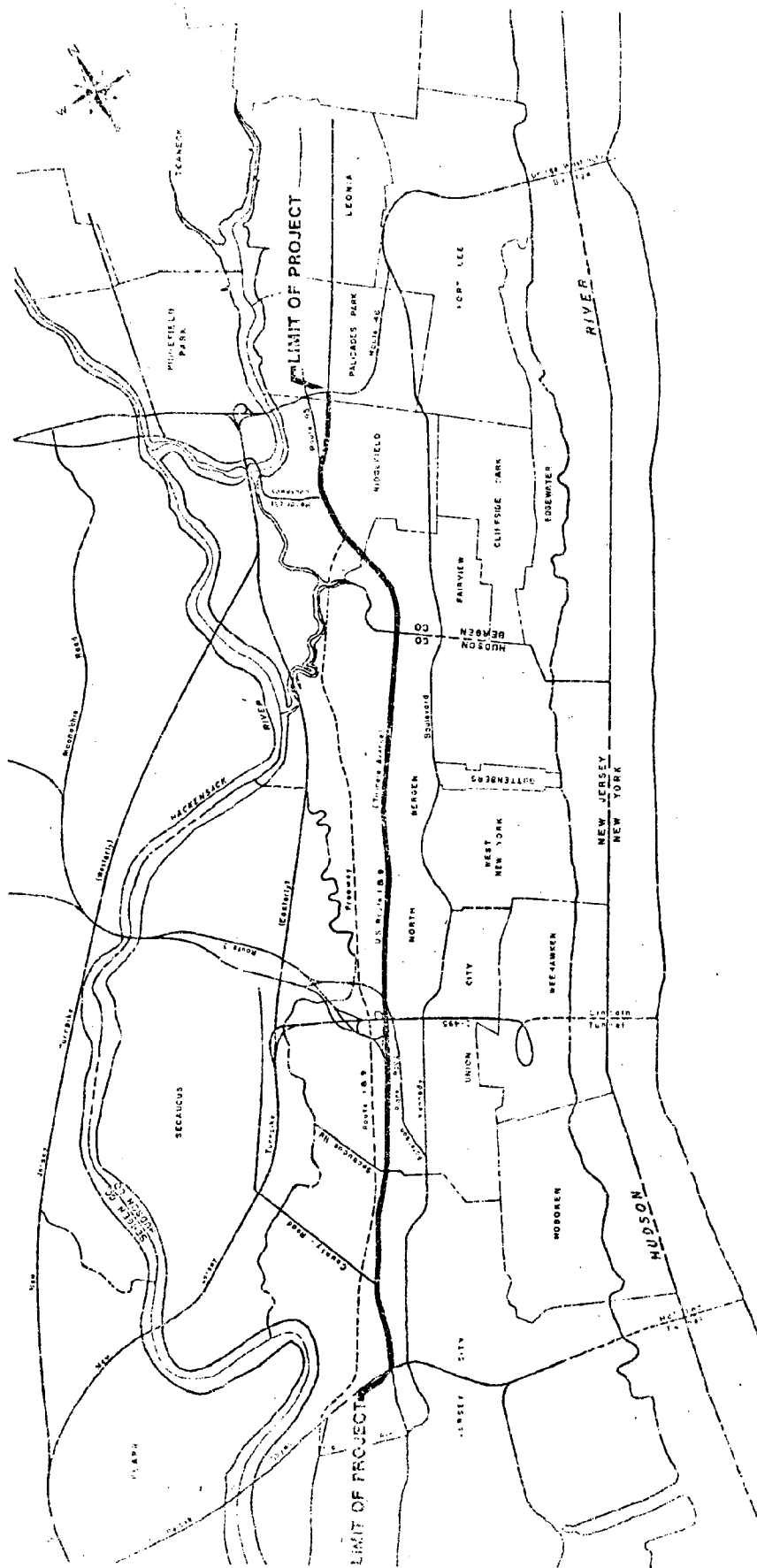
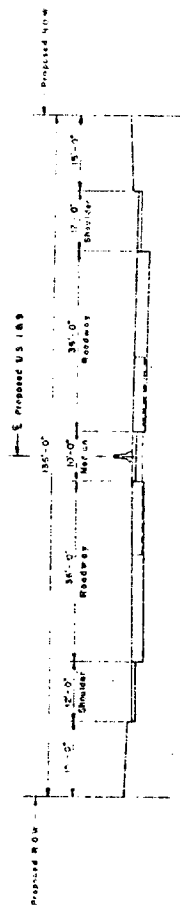
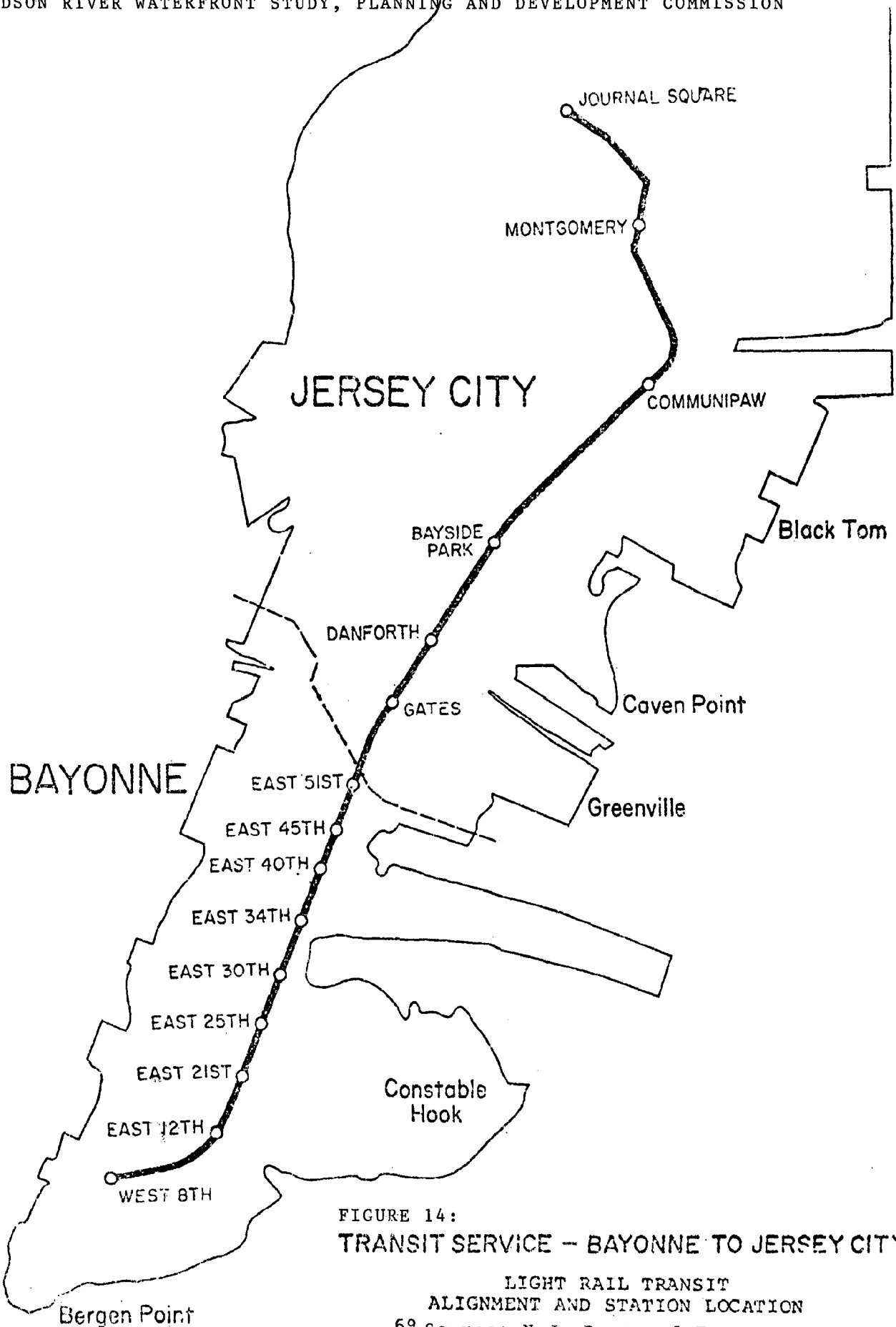


FIGURE 13:
U.S. Routes 1 & 9
Source: N.J. Dept. of
Transportation



The Commission recommends (Executive Summary, 13) that the Department of Transportation prepare a transportation master plan which would stress the development of mass transit systems in the Hudson River region, including reliable, coordinated metropolitan bus and rail transit. In light of rising energy costs, and due to the inherent problems in the highway system described above, mass transit options will become increasingly desirable in the future. Special emphasis should be placed on systems which prove to be energy efficient, convenient and economical. The problems in the waterfront region are especially great because limited space allows little room for development and transportation routes. In planning for interstate routes across the Hudson, the possibility of interstate coordination to develop the use of other modes of transportation such as the hovercraft or hydrofoil should be investigated.

An economical, efficient and non-polluting transportation system would greatly enhance all redevelopment efforts and encourage much more active revitalization of the waterfront than if efficient links do not exist between one town and another.

Chapter Nine: ENERGY FACILITY SITING

Energy uses include facilities, plants or operations which produce, convert, distribute, or store energy. The Hudson River waterfront, easily accessible for ocean going vessels because of its 45 foot depth, has attracted one of the highest concentrations of energy facilities in the country. In the Hudson River area and surrounding region (Bergen, Hudson, Union and Middlesex Counties), there are seven electric generating plants, electric transmission facilities, two oil refineries (one of which is currently not operating), and numerous oil and gas pipelines and storage areas (See Figure 15 for Petroleum terminals). Several of the many marine terminals in the region receive crude oil, refined petroleum products and a wide variety of petrochemicals. However despite enticing financial returns, the adverse environmental and health effects associated with many types of energy facilities has made proposals for additional energy facilities extremely controversial and have led to the rejection of proposals in the Hudson River area in recent years.

The competition for limited land and water resources is particularly apparent in urban energy facility siting conflicts. Furthermore, the need to improve air quality is being recognized as an increasingly serious constraint to development in Hudson County. Between 1972 and 1976, five separate applications to construct oil storage facilities in the vicinity of the Hudson River waterfront were rejected by the municipality. (see Table 4 and Figure 16). Citizen groups spearheaded the resistance to the proposed projects. To many residents, the waterfront holds the key to the area's future well being. Underutilized and abandoned railroads, as well as other remnants of a once thriving industrial enclave, occupy space which offers potential for employment and recreation. The location of unsightly and potentially hazardous energy facilities was viewed as a first step towards petrochemical domination of the waterfront. Further, it was felt that such development would preclude more environmentally desirable and economically beneficial development in the future.

TABLE 4:
Rejected Energy Facilities in Hudson County, New Jersey
(1972-1976).

<u>Facility Type</u>	<u>Applicant</u>	<u>Location</u>	<u>Date of Final Rejection</u>
Deepwater terminal for storage of bulk fuel oil	Steuber Corporation	Jersey City/Bayonne	1976
Terminal for storage of bulk fuel oil	Metropolitan Petroleum Corporation	Jersey City	1976
Deepwater terminal for storage of bulk fuel oil	Cosmopolitan Terminal Corporation	Hoboken/Weehawken	1975
Oil refinery and facility for storage of bulk petroleum products	JOC Oil Corporation	Jersey City	1974
Desulfurization facility and storage terminal	Super Marine Inc.	Hoboken/Weehawken	1972

Although local citizen groups successfully defeated the five proposed energy facilities from 1972 to 1976, several key differences between past conflicts and others are likely to arise in the 1980's. First, future pressure for energy facility development will stem directly from Outer Continental Shelf (OCS) oil and gas development. Although frequently clouded in controversy, it is now clear that U.S. production of oil and gas is increasingly deficient relative to demand. This comes at a time when foreign sources are increasingly unreliable and costly. Thus, if commercially recoverable quantities of energy resources (crude oil and natural gas) are found offshore in the Mid-Atlantic region, they may be landed and processed in New Jersey. While it is improbable that the Hudson River waterfront will be sought out to support a major gas processing facility, or pipeline, the area may attract interest in developing an onshore service base to support offshore OCS operations.

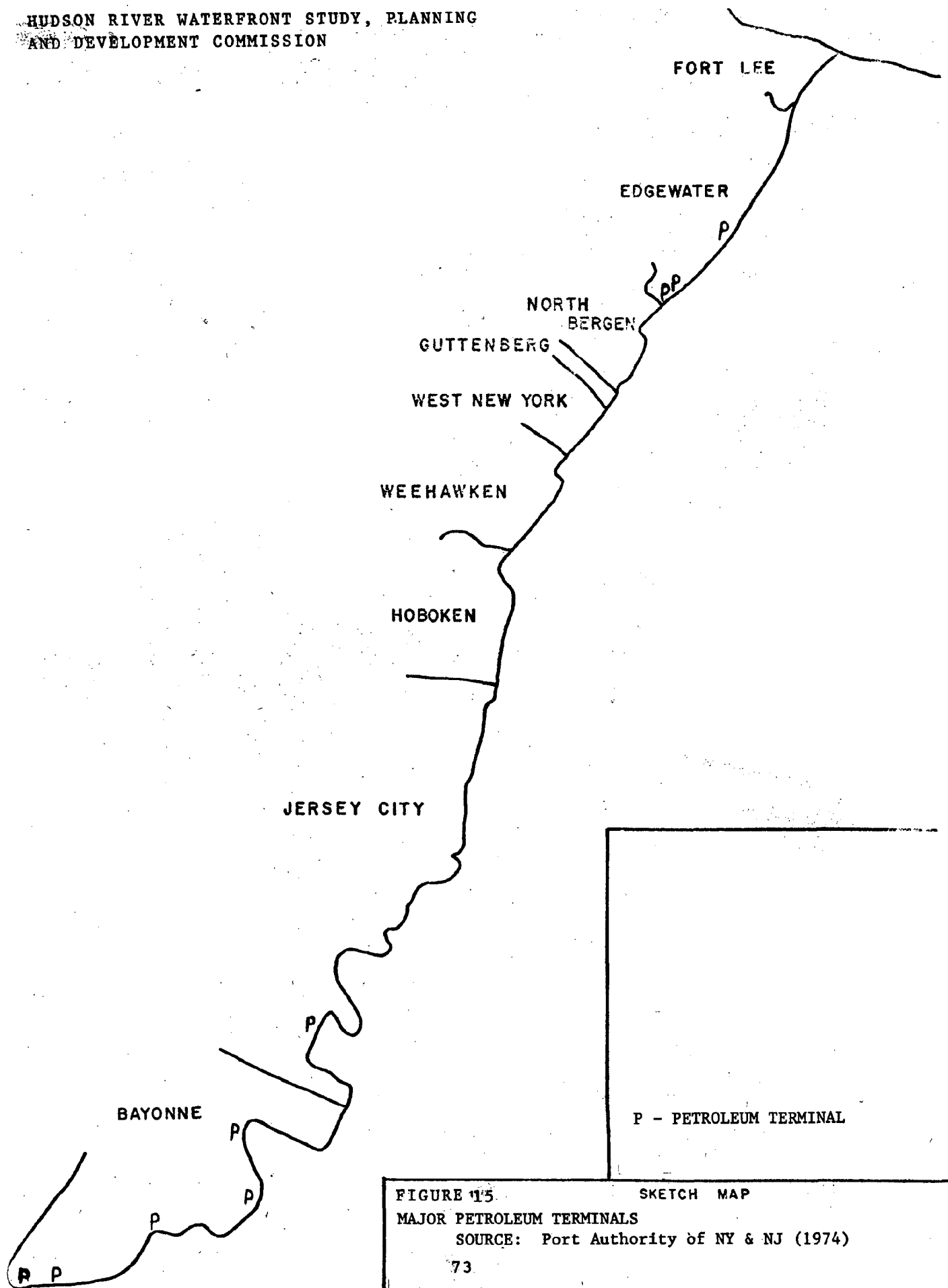
The location of oil storage, transfer and refining facilities potentially affected by OCS development are also controversial because the facilities can add significant amounts of pollution to the air. Some argue that these facilities should not be located in areas which have not attained satisfactory air quality or at the water's edge. Others feel that Hudson County is a prime site for such development because similar facilities are already present in the region.

Second, as the environmental consequences and safety hazards of energy uses are better understood, and as environmental safeguards are developed, opposition to energy facility development may lessen. Increased involvement of state and local government, providing an important link between the citizenry affected by energy facility siting decisions and state and federal agencies, may also serve to increase the acceptability of some types of energy facilities. Recent government involvement in New Jersey includes the following activities:

- Development of the New Jersey Coastal Management Program,
- Creation of the New Jersey Department of Energy and development of the New Energy Master Plan,
- Enactment of the New Jersey Spill Compensation and Control Act, and
- Research conducted by NJDEP, NJDOE, County Planning Boards, Rutgers University Center for Coastal and Environmental Studies, Princeton University Center for Energy and Environmental Studies and others

Third, the U.S. energy shortfall with its severe political and economic ramifications represents a pervasive national concern for the 1980's. As a result, conflicts regarding energy facility development will draw the attention of a constituency considerably larger than the citizens of the Hudson River waterfront area. This scenario contrasts with past energy facility siting conflicts in which local residents opposed a singular, although formidable, oil interest seeking what it estimated to be a sound business investment. If OCS oil and gas resources are found in commercially recoverable quantities, the question of energy facility development will not be "if", but rather "where".

HUDSON RIVER WATERFRONT STUDY, PLANNING
AND DEVELOPMENT COMMISSION



To address the locational question, it is useful to identify those OCS-related facilities which may be proposed for the Hudson River waterfront. In a preliminary analysis by the Hudson County Office of Planning, OCS-related facilities were identified according to: 1) probability of developers finding a desirable location in the County for OCS-related development, and 2) availability of suitable land recommended (by the County Office of Planning) for such development. Table 5 presents the results of this analysis.

TABLE 5
Types of OCS Facilities - Local Feasibility for Hudson County

Probable and Recommended

1. Temporary Service Base*
2. Permanent Base*
3. Repair and Maintenance Yard

Probable and Not Recommended

1. Marine Terminal (Tank Farm)

Improbable and Recommended

1. Steel Platform Installation Service Base*
2. Installation Service Base*

Improbable and Not Recommended

1. Pipe Coating Yard*
2. Pipeline and Landfall
3. Steel Platform Fabrication Yard*

Extremely Improbable and Not Recommended

1. Concrete Platform Fabrication Yard*
2. Partial Processing Plant
3. Gas Processing and Treatment Plant
4. Refinery
5. Petrochemical Complex

* Indicates facility is waterfront dependent requiring wharf space and water depths of varying amounts.

One important point demonstrated by the Hudson County analysis and by other analyses of energy facilities is that there are a large variety of energy facilities which may be proposed for locations in different parts of New Jersey that each have different impacts. Some facilities, though energy related, would have minimal importance and could be acceptable in a densely populated area while others would clearly be inappropriate.

HUDSON RIVER WATERFRONT STUDY, PLANNING
AND DEVELOPMENT COMMISSION

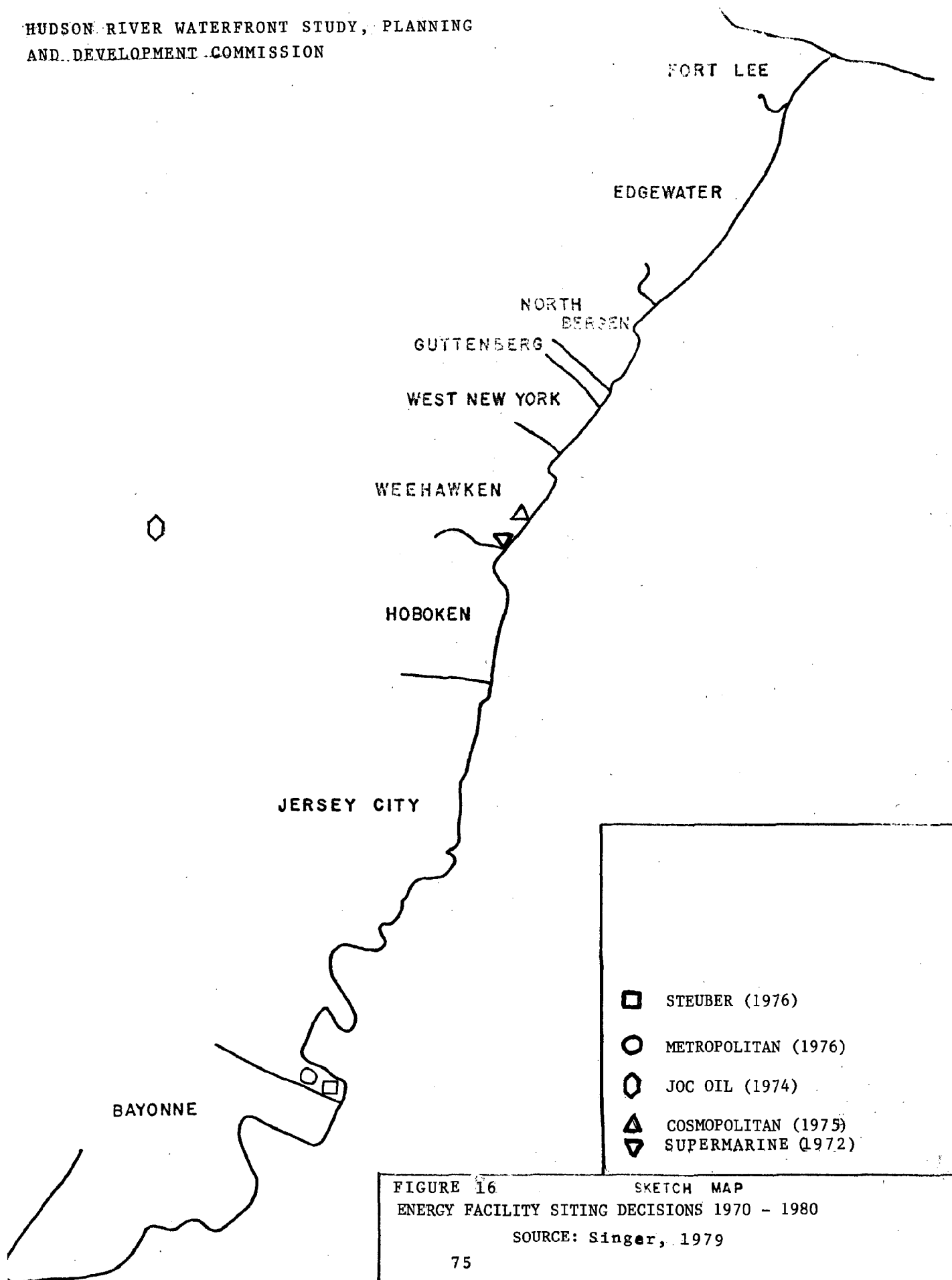


FIGURE 16 SKETCH MAP
ENERGY FACILITY SITING DECISIONS 1970 - 1980

SOURCE: Singer, 1979

In short, there is currently strong social, economic and political incentive for energy independence which extends well beyond the Hudson River waterfront and the State of New Jersey. While national interests call for expanding and expediting the exploration and development of domestic energy resources, local environmental costs and economic benefits must be accurately assessed. Based on the location of both offshore areas of high resource potential and existing gas pipelines, it appears that major OCS-related development, such as gas processing plants will occur elsewhere in New Jersey. Thus, the extent of energy facility development along the Hudson River waterfront is likely to be limited to a service base to transfer personnel, equipment, and supplies from land to vessels needed offshore, which are more labor intensive and less polluting.

Summary

The Commission recommends (see Executive Summary, Policy Recommendation 14) that non-water dependent energy facilities be sited inland, and that energy conservation and efficiency be encouraged. Too often energy facilities have been located unnecessarily in the coastal zone. These valuable locations should be utilized to the greatest benefit of the urban population. Therefore, only those facilities which must have a waterfront location should be sited on the coast. The policies of many federal and state agencies are in agreement on this point and through the new authority that the Study Commission recommends, the enforcement process could be simplified.

The possibility of on-site generation of necessary energy resources and the use of alternate technologies such as solar power should be thoroughly investigated so that any waterfront use is as energy self-sufficient as possible. In light of increasing energy costs and decreasing energy supplies, conservation should be part of all planning and development. Any new energy facilities should be designed to be compatible with existing or proposed recreational, residential and commercial development at the waterfront. Facilities should be buffered to the maximum possible extent, including landscaping.

Chapter Ten: WASTEWATER TREATMENT FACILITIES

The treatment of sewage in Hudson and Bergen Counties is a serious problem. Several plants in the area provide only primary treatment and are operating over capacity, dumping almost raw sewage into the Hudson River.

As mandated by the Federal Water Pollution Control Act Amendments of 1972 and the Clean Water Act of 1977 (33 USC 466 et seq.), an intensive nationwide effort is underway to abate pollution from wastewater facilities. To assist local governments in meeting stringent water quality standards, the federal and state governments provide a significant portion of the capital funds required to construct or upgrade facilities. This cooperative program is being administered by the United States Environmental Protection Agency (EPA) and the Division of Water Resources in the New Jersey Department of Environmental Protection. Over time, these improvements are expected to have a marked effect on the water quality of the region.

A Water Quality Plan developed according to Section 201 of the federal Clean Water Act is a comprehensive and implementable strategy for the control of water pollution in a county or multi-county area. Hudson County's plan was developed by the Hudson County Utilities Authority which is required to plan, acquire, construct, operate and maintain wastewater treatment facilities to meet the County's present and future needs.

Each 208 plan or Areawide Water Quality Management Plan is the key planning element and is to consist of a set of policies and a management system detailing how and by which agencies these policies will be enforced. The Hudson River Waterfront Area is addressed by the Water Quality Management Plan for North-eastern New Jersey.

The 208 Plan for this area calls for the Edgewater wastewater treatment plant to be upgraded and expanded from a 3.0 MGD (million gallons per day) primary plant to a 3.3 MGD secondary plant.

The North Bergen, Guttenberg and West New York plants will be phased out. The areas will be served by the Hoboken facility, as recommended in the facilities plan for this area. The Hoboken plant will be upgraded and expanded from a 20.8 MGD primary facility to a secondary facility with a capacity of 21.1 MGD, as shown in Table 6.

The Jersey City East plant will remain in operation and will serve those areas currently served by the North Bergen North and Jersey City West plants along with the flows from Secaucus greater than 2.25 MGD. The 46.6 MGD primary facility at Jersey City East will be upgraded and expanded to a 56.3 MGD secondary plant. The Bayonne plant will also be upgraded. (See Figure 17 for locations and Table 6 for planned future capacities).

Table 6

MAJOR WASTEWATER DISCHARGES INTO HUDSON RIVER BETWEEN
GEORGE WASHINGTON BRIDGE AND BAYONNE

Industrial

<u>Name</u>	<u>Location</u>	<u>Average Flow (MGD)</u>
1. Colgate-Palmolive	Jersey City	11.3
2. Lever Brothers	Edgewater	0.9

<u>Existing Conditions</u>			<u>2000 Conditions</u>		
<u>Treatment Plant</u>	<u>Capacity (MGD*)</u>	<u>1976 Flow (MGD)</u>	<u>Capacity (MGD)</u>	<u>Treatment level</u>	<u>Recommended Action*</u>
1. Edgewater	3.0	2.2	3.3	Secondary	Expand and upgrade
2. West New York	10.0	8.7	-	-	Phase out to Hoboken
3. North Bergen-Guttenberg	3.3	-	-	-	Phase out to Hoboken
4. Hoboken	20.8	14.5	21.1	Secondary	Expand and upgrade
5. Jersey City	46.6	36.7	56.3	Secondary	Expand and upgrade

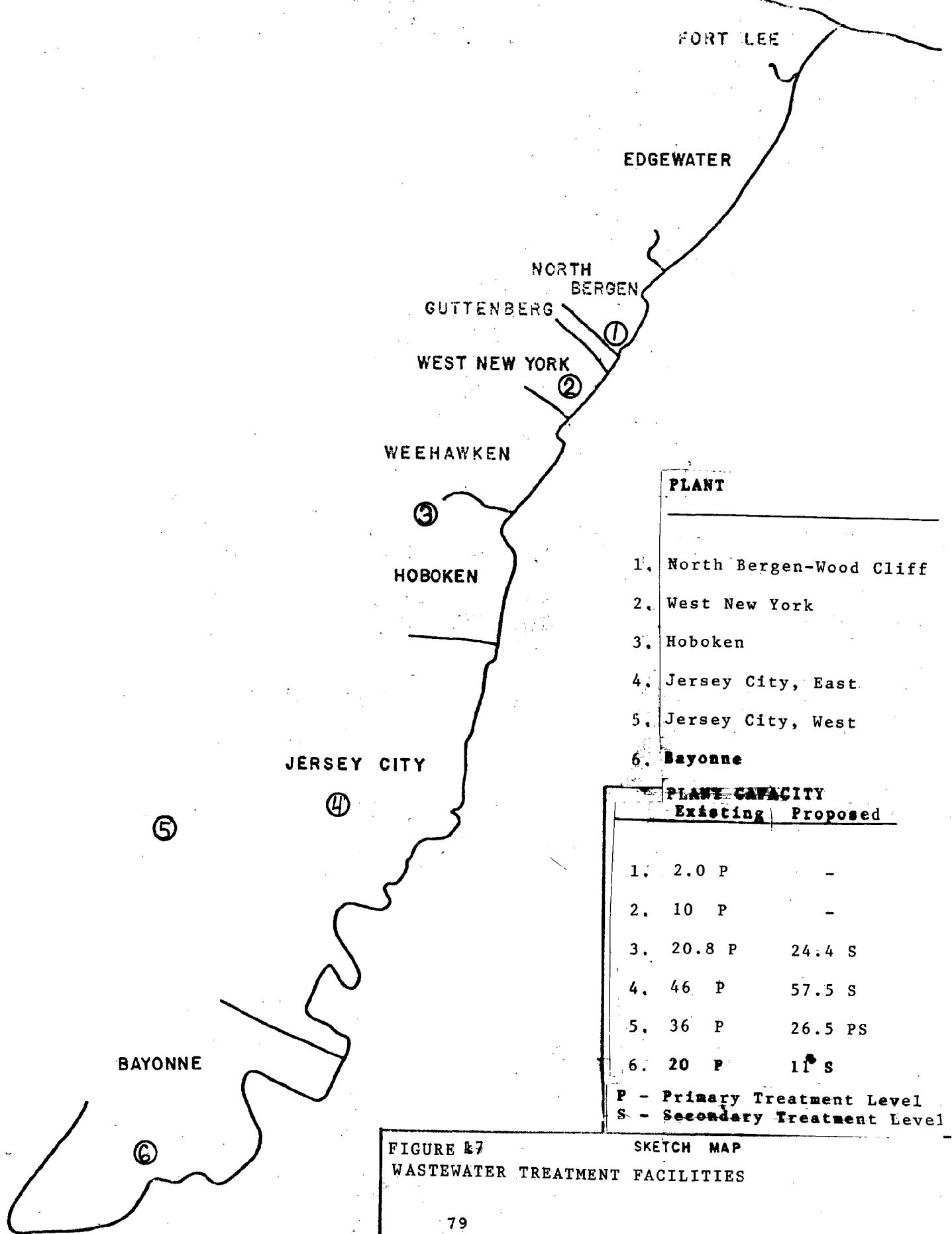
*MGD = million gallons/day

By the year 2000, each of the remaining facilities is to provide a secondary level of treatment.

The plan also delineates environmentally sensitive areas including flood hazard areas, wetlands, highly erodible soils, steep slopes and wildlife habitats. (See Figures 3-7 in Chapter 4). The delineation of environmentally sensitive areas in the Hudson County Plan is complete. DEP-Division of Water Resources is presently reviewing the Hudson County 201 Plan and evaluating the appropriateness of delineating the Hudson River floodplain as an environmentally sensitive area. Environmentally sensitive areas are currently being delineated for Edgewater and Fort Lee as part of the Bergen County 201 Plan.

EPA may deny federal funding for new and expanded treatment facilities to provide capacity for new development in environmentally sensitive areas and DEP-Division of Water Resources may deny permission for such development to connect with the regional sewerage system. State and federal guidelines are not yet firm, but it now appears that new development in environmentally sensitive areas must demonstrate that no feasible alternative construction site exists if sewerage service is to be permitted.

HUDSON RIVER WATERFRONT STUDY, PLANNING AND DEVELOPMENT COMMISSION



The Commission also heard many comments regarding the affect of discharges from several prominent buildings in New York City on the river, but concluded that this is an area outside of its jurisdiction to be resolved by EPA, New York City and New York State.

Summary

In order for development to occur in the waterfront region, existing wastewater treatment plants must be upgraded to discharge effluent of the highest quality practicable. It will be necessary to develop methods of coping with larger quantities of sewage that will result from future development. Methods of greater future improvement of effluent quality that are economically feasible should be thoroughly investigated. The Study Commission recommends (Executive Summary, Policy Recommendation 16) that efforts to upgrade sewage treatment facilities be supported, and that on-site sewage systems be developed provided that the effluent is of a consistently high quality.

Chapter Eleven: SOLID WASTE

Under the New Jersey Solid Waste Management Act and the Federal Resource Conservation and Recovery Act (RCRA, P.L. 94-580), every county in the State as well as the Hackensack Meadowlands Development Commission must draft a solid waste management plan. After the plans are adopted, they will control the siting of solid waste disposal facilities. RCRA states that for a plan to receive EPA implementation funds, it must provide that all solid waste be recycled or disposed of in sanitary landfills meeting federal requirements.

The Hudson County Solid Waste Management Plan recommends the development of a 1,500-2,500 tons/day integrated energy and materials recovery facility to be put into operation by 1983 to handle the County's solid waste. In the Plan, one of the recommended locations is the Greenville Yards area of Jersey City. The facility would convert municipal, commercial and processable industrial refuse into steam or electric power for use by new industries to be located within the area. The facility might also process dewatered sewage sludge from the County Utilities Authority. Caven Point and Port Jersey are mentioned as alternative sites for this facility, although Caven Point has also been discussed as a possible wildlife refuge or recreation area by some Jersey City residents. (For more information on Caven Point, see Appendix E).

The Hudson County Solid Waste Management Plan also discusses an intermediate scale (500 tons per day) energy recovery facility in Hoboken adjacent to the wastewater treatment facility. This facility is considered a lesser priority sub-area alternative to the Greenville Yards facility. It would process municipal and non-hazardous industrial refuse and dewatered sludge from the North Hudson area to produce steam and electric power for use in the wastewater treatment plant and by adjacent industrial plants or for sale to Public Service, Electric and Gas Company.

The Bergen County Solid Waste Management Plan does not propose any facilities for the Hudson River waterfront.

Summary

Sludge disposal is a growing problem in the waterfront region, necessitating new developments to limit accumulations. One possible solution to this problem is to re-use sludge as an energy resource. In developing the Riverfront Plan, the recommended new authority should work with DEP's Solid Waste Administration, which is mandated to prepare regulations which will develop regional solutions to solid waste management problems.

The Commission recommends (Executive Summary, Policy Recommendations 17 and 18) the exploration of the feasibility of the use of solid waste conservation techniques such as recycling, resource and energy recovery and volume reduction, and the use of site generated solid waste and sludge as on-site energy resources.

Chapter Twelve: FINANCES

Introduction

The development or redevelopment of the Hudson River waterfront is at close to a standstill. Only in Edgewater and at Liberty State Park in Jersey City is any significant construction or active conservation taking place.

This situation can be more easily explained than it can be solved. When the first generation of development along the water was abandoned by the railroads and outmoded industries which built it, the area was left in a condition more difficult and more expensive to develop than never-used land. Furthermore, the complicated bankruptcies of the railroads in particular has made ownership of the land difficult to establish and to change.

In addition, and perhaps more importantly, the Hudson River waterfront is shared by a number of cities which face the severe economic crisis affecting most urban areas. These cities have difficulty attracting new development to any area, and generally feel unable to offer financial incentives sufficient to overcome developers' fears of urban decline, crime, etc.

Yet, the Hudson River waterfront also has tremendous potential. Leo Molinaro, President of the American Cities Corporation, described this paradox when he stated before the Commission on November 27, 1979:

Your region has more history, more capital investments, more experience in economic development, more assets to develop than any other region in the U.S. Your region may also have more problems than any other in the U.S."

Existing Situation

Most cities, including all of those along the Hudson River waterfront, have decreasing tax bases and rapidly increasing expenses for service delivery. City and state government can easily become trapped into what Leo Molinaro, calls a "custodial" approach to problems, trying "to make certain that everyone gets his fair share of a diminishing regional economic pie". The "custodial" concept emphasizes regulation, as opposed to the social and economic value creation of an "entrepreneurial" approach.

The existence of the waterfront provides great development opportunities to the Hudson River municipalities, but their financial situation helps shape the ways in which they can realize the opportunities. They cannot afford to build and maintain additional large parks, for example, unless those parks are accompanied by, or stimulate new jobs and tax revenue producing development. This is despite the fact that open space development can help change the image of the waterfront and make the attraction of other development easier.

Put simply, the Hudson River waterfront municipalities need labor intensive commercial and industrial development, residences and recreational facilities which are all environmentally sensitive, designed to benefit existing residents, residents of the surrounding region and others who may be attracted to the area. These problems are amplified in the Hudson River area by transportation access problems, which further discourage private developers from locating in portions of this area. (See Chapter Eight, Transportation).

In recent years, a large number of government programs have been created which can be used to fund Hudson waterfront projects. Even after a city becomes aware of the programs, it must still confront the often confusing and time consuming process of applying for the grants and receiving them in such a way that they can be used to support each other and generate the largest possible amount of private investment.

The Commission has examined successful waterfront development and operating regional governments in California, Maryland, Minnesota, Ohio and New Jersey. (See Appendix G). Two of the agencies studied, the Hackensack Meadowlands Development Commission (HMDC), and the San Francisco Bay Conservation and Development Commission (BCDC), have power to issue bonds. Only the HMDC and the Twin Cities Regional Agency in Minnesota have mechanisms for sharing property tax revenues between municipalities.

Examination of these other agencies has led the Commission to conclude that successful pilot developments are crucial for stimulating significant regional redevelopment, and that private investment, creatively combined with public funds, is the key to producing model developments.

The Commission believes that the existing public funds and other public programs are not being fully utilized to promote the redevelopment and greater use of the Hudson River waterfront. This is, at least in part, because of the numerous rules, regulations and deadlines which must be understood and coordinated by often understaffed municipal governments.

The existing property tax structure in New Jersey does not help the State to meet its objectives of urban redevelopment in general or of waterfront revitalization in particular. The municipalities, which need the maximum possible available revenues, are often forced to make their decisions to approve developments on narrow short-term grounds which must discount the regional or statewide benefits which such development might provide. This situation is even more striking as it affects proposals for public acquisition of land for parks or use of the land by non-profit agencies. Furthermore, municipalities often feel forced to grant tax abatements to attract developers, which minimizes the direct economic benefit they can enjoy. The individual municipalities which may appear insensitive to regional goals, often simply cannot afford to provide them.

Summary

The issue of financing redevelopment projects transcends waterfront redevelopment to form a key factor in a successful urban strategy. The Commission recommends (Executive Summary, Policy Recommendation 19) that the Governor ask the Department of Treasury to comprehensively explore revision of the tax code as it applies to waterfront redevelopment as well as to new development of other urban areas and suggest changes to promote revitalization of the Hudson River Waterfront. Among the possibilities which should be studied are a statewide or region wide property tax, and state funding to reimburse municipalities for abatements granted for projects which meet specific state goals, including the revitalization of the Hudson River waterfront.

Any projects which creatively combine public funds with private investment should be actively promoted by the new authority to create a favorable economic climate and to encourage significant and continuing regional redevelopment. In addition, the new authority should be responsible for attracting private developers by securing and packaging federal and State grants and loans and issuing bonds in order to make the redevelopment possible.

Chapter Thirteen: RESIDENTIAL, COMMERCIAL AND MIXED-USE DEVELOPMENT

Introduction

One of the major lessons of successful waterfront redevelopments in other parts of the country is that residential, commercial and mixed use developments must be attracted to both draw nearby residents to the water and to provide tax revenues to the cities. The design of such projects can vary with the site, but they should take advantage of their waterfront location and provide public access to the water.

First, it is important that mixed use, sometimes referred to as multi-use waterfront redevelopment, be properly defined. Mixed-use redevelopment involves the appropriate mix of commercial, recreational, residential and water-enhanced uses, assembled in an economically viable, physically attractive and environmentally sound fashion to open waterfronts of the region to the urban population. In general, industrial facilities are not part of such projects. Such programs should be viewed as an economic development opportunity of the highest order. Their accomplishment in a meaningful way requires strong public leadership and the creation of an investment climate attractive to private developers. As applied to the New Jersey Hudson River waterfront, it must be viewed as an opportunity to put into productive use those areas of unutilized or underutilized properties which have become economically fallow. Mixed-use projects will not be attracted, however, unless developers gain confidence in the potential of the area and of the likely timetable for its development. Through the development of the Riverfront Plan, a new authority would create this climate by promoting the attributes of the area.

Mixed-use waterfront redevelopment is not a new technique. It has been employed effectively in a number of major cities, both in the United States and around the world. Examples of successful waterfront redevelopment can be found in San Francisco, Baltimore, Boston, Philadelphia, Toronto, San Diego, Oakland and other cities as well. In New Jersey, mixed-use development has not been built at the waterfront primarily because of an inability to establish the climate necessary to make such private investments attractive. In addition, the degraded condition of the region's environment has also been a major obstacle to mixed use development.

Another major factor inhibiting development has been the control of large amounts of waterfront land by railroads. Now that resolution of railroad company bankruptcies is a reality, large tracts of land in Jersey City, Weehawken, and West New York are being offered for sale. It will be important to determine what types of development on these sites would provide the greatest regional benefit, and what incentives, if any, would be necessary to attract appropriate developers.

Opportunities and Constraints

The opportunities on the New Jersey waterfront are significant. The availability of land with a magnificent view and with mass transit available to New York, and the momentum begun by the development of Liberty State Park are advantages unique to the Hudson River waterfront. In addition, the Study Commission was established and members from broad-based backgrounds were included in recognition of the importance of coordinated development of the waterfront and of the urgent

need for public/ private partnership in advancing such programs. The Study Commission's recommendations for the establishment of a permanent regional authority and for the preparation of a binding master plan provide further incentive to begin and continue active redevelopment of the region.

New Jersey's harbor waterfront could include a variety of facilities, including marina/ residential complexes, restaurants and shops, cultural and recreational activities, theme parks, hotels and other commercial enterprises, that would generate new investment and employment opportunities as well as enhance the quality of life in the region. Project development emphasizing commercial and recreation re-use of the waterfront should be fostered to assist in regional revitalization by turning now tarnished waterfront assets into an area of vitality, employment and investment.

Within this context, it is important to recognize that while opportunities for mixed-use waterfront redevelopment are present, there are limitations from a marketing point of view as to the number of such mixed-use projects that might be economically feasible. Detailed marketing studies to determine the potential for such mixed-use projects are vital. It certainly is unlikely that each of the New Jersey municipalities represented in the Hudson River Waterfront Commission could sustain its own mixed-use waterfront redevelopment complex. In developing the Riverfront Plan, a new authority should determine the optimum sites for mixed-use development.

Two other factors are important for increasing the potential for successful mixed-use waterfront redevelopment. First, is the ongoing Harbor Clean-up program of the U.S. Army Corps of Engineers and the N.J. DEP which has made important progress in cleaning up large sections of the New Jersey waterfront, particularly in the Liberty State Park area. (See Harbor Clean-Up in Appendix E). This is a project designed to remove derelict vessels, abandoned piers and other obsolete waterfront structures as a prelude to redevelopment of these waterfront areas. The Commission urges that this program be accelerated in the Hudson River as visible proof to prospective private sector developers and to the public at large of the State's serious intent to see investment take place.

Secondly, if waterfront mixed-use redevelopment is to reach its full economic development potential, it is essential that the waterfront be accessible to the largest possible number of people who would come to use and enjoy the facilities available. Thus, public transportation is a necessary component of successful and attractive mixed-use redevelopment.

Other Waterfront Land Uses

In spite of the potential of mixed-use waterfront redevelopment in stimulating economic activity in waterfront municipalities, it is clear that the demand for such development could not possibly utilize all of the available waterfront areas. It is important, therefore, that other important land uses that might be developed in this critical waterfront area be recognized. These include, beyond mixed-use redevelopment, the need for industrial development in this urban complex to attract jobs, income and taxes of benefit to both the municipalities and the State. Planning must also take into account that certain areas of the Hudson River waterfront such as the existing port and industrial facilities at Port Jersey in Bayonne/Jersey City and the Seatrain Container Terminal in Weehawken, are more

suitable for shipping and related industrial support-facilities. Park and recreational uses, beyond those which might be a part of mixed-use redevelopment or the already-planned and highly promising Liberty State Park, must be encouraged as discussed in Chapter Three. Similarly, housing presents important challenges which need to be considered throughout the waterfront.

For all development in this area, it is important that thoughtful and high quality designs be solicited and used so that the ensuing construction benefits the region and attracts attention, praise and potential subsequent high quality development. One means the Commission recommends to accomplish this is a design competition for selected sites in the area. With respect to multi-use development in particular, such competition should only take place after sites have been selected and uses determined on the basis of market research and development potential studies. In addition, design standards for redevelopment should be established and enforced as part of the new authority's riverfront plan.

The type of redevelopment discussed above can only be achieved on a regional basis. The new authority should carry forward the redevelopment of New Jersey's waterfront. An authority would be able to approach the need for coordinated planning for the redevelopment of this section of New Jersey's waterfront on a truly regional basis. Mixed-use waterfront projects could then be treated as site-specific development opportunities within that larger institutional context.

Finally, it should be stressed again that strong public/private partnerships are essential to make mixed-use waterfront redevelopment successful. Through the auspices of a regional authority, the public role would be clearly defined. Private investment is a critical ingredient; it is not likely to be achieved, however, without strong public support of an agency capable of providing the strength, stability and climate to effect the waterfront's revitalization.

Summary

The major conclusion which flows from consideration of mixed-use development, including a mix of commercial, recreational, residential and water-enhanced uses is that such development should be promoted, but that only a limited number of mixed use developments are likely to be supported by the region. Attention should be focused on target areas to draw attention to, and stimulate continued investment in the region which will encourage growth and redevelopment of the waterfront area. Coordinated public entrepreneurial action will stimulate the growth and redevelopment of the area now inhibited by years of decay and inactivity.

A wide variety of concerns must be addressed in developing plans for mixed-use projects, including improving the environment and improving the transportation network. Programs such as the Harbor Clean-Up Program which continue to enhance the natural environment will further encourage developers to invest in the area, and therefore should be continued.

The development, construction, and operation of a number of waterfront projects intended to be showpieces, such as marina/residential complexes or waterfront marketplaces, would serve to attract other projects and continue the redevelopment of the waterfront.

These positive developments are needed to attract interest in the region, and together with the establishment of a regional authority and the development of a riverfront plan, they will serve to encourage future development, and to create a favorable economic climate.

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PART III - MANAGEMENT OF THE WATERFRONT

Chapter Fourteen: LAND USE DECISION-MAKING PROCESS

Introduction

A regional approach to the Hudson River waterfront is an idea which has been proposed by a variety of groups and individuals over at least the last fifteen years. Like national health insurance and a number of other social goals, many people have supported the general concept without ever defining, debating, or agreeing to the specific composition and authority of the necessary regional agency or group. As a result, the idea of a regional agency has been kept alive and occasionally reinvigorated, but it has never been formally considered in the political arena so that it could be either adopted or rejected.

Based upon an examination of the existing land use decision-making process, the value of the waterfront resource, and the lack of redevelopment to date, the Study Commission has concluded that a regional approach to management of the Hudson River waterfront region and Palisades is necessary to achieve the desired goal of a revitalized waterfront. The Commission's recommendation to the Governor and the Legislature for a permanent regional authority is presented in the Executive Summary of this Report. This recommendation is based upon a compromise between recommendations of a number of Commission members, and discussion at several full Commission and Executive Committee meetings. Dissenting views of individual Commission members are presented in the Supplement following this chapter. In this chapter, the existing decision-making process, is viewed, and then several aspects of the recommendation for a permanent regional authority are discussed. While the Commission recommendations include the Palisades which are discussed in Chapter Five, this chapter is focused only on the Hudson River waterfront.

Existing Decision-Making Process

To develop a piece of land along the Hudson River waterfront today, one must receive approval from the municipal government, sometimes the county government, several divisions of at least one state agency, and, in many cases, at least one federal agency. In addition, an increasing amount of successful urban development throughout the country, particularly along waterfronts, is relying upon the technical and financial resources of an even wider variety of public agencies and private groups. The interested parties include a large number of federal and state funding programs as well as regional agencies ranging from the Port Authority of New York and New Jersey with the ability to construct and operate marine-related facilities to the Tri-State Regional Planning Commission with the power to influence public opinion and some governmental decisions involving federal funds. Other active participants include private foundations and, perhaps, most importantly, private developers.

The roles and responsibilities of these different actors are described in Appendix H. The dominant participants are the eleven municipalities with land directly along the Hudson River or on top of the Palisades. They are each required under the Municipal Land Use Law to prepare a site-specific master plan broadly describing desired uses in the city including the waterfront and they have the

zoning power to block proposals inconsistent with their plan. Nevertheless, they are often unable to create or promote desired development in part because of lack of cooperation, delay or active opposition from one or more of the myriad groups with funding or regulatory authority for waterfront development.

Federal and state agencies, including most notably the U.S. Army Corps of Engineers and the N.J. Department of Environmental Protection, can establish regulatory guidelines, performance standards and policies for certain types of development in limited areas, but no agency is empowered to design and enforce a master plan for the entire Hudson River waterfront area.

All those governmental powers not vested in the federal government reside with the states under the United States Constitution. The incorporation and powers of municipalities and counties must be granted by state governments. Although the municipal form of government has always existed in New Jersey, the first general grant of municipal power was made under the Home Rule Act of 1917. Since that time, additional state legislation has delegated added authority and responsibility to municipal governments.

Today, there are a number of developers and government agencies exploring the possibility of building on several waterfront sites in the Hudson River area. The success of Liberty State Park and the new availability of railroad land for development may stimulate further interest. The Commission hopes that these explorations lead to construction, but recent history does not give cause for optimism. As Table 7 shows, waterfront sites have been developed in only four of the nine Hudson River municipalities with land directly along the waterfront since 1970 (this does not include Cliffside Park or Union City, which are included as part of the Commission's jurisdiction because of their land in the Palisades region). This is in contrast to the development patterns on the Palisades shown in Chapter Five, Table 3.

Table 7
Recent Hudson River Waterfront Development (1970-1980)
(See Chapter Five for development in the Palisades region)

<u>Municipal</u>	<u>Project</u>	<u>Date Completed</u>
1) Fort Lee	No development (All parkland south of George Washington Bridge)	
2) Edgewater	Binghamton restaurant Racquetball club/movie theatre Waters Ebb Apartments	1974
3) North Bergen	Palisades General Hospital	1977
4) West New York	No development	
5) Weehawken	No development	
6) Guttenberg	No development	
7) Hoboken	No development	
8) Jersey City	Liberty State Park Exchange Place-Colgate Palmolive Park	1976-present 1979
9) Bayonne	No development	

The Proposed Regional Authority

Governments are, by nature, imperfect in part because they are often given tasks at which the private sector has already failed. Finding flaws with the existing decision-making system, therefore, does not argue for change, unless a better alternative can be suggested.

The Study Commission, therefore, adopted a specific recommendation for a new permanent regional authority. This authority would have the power to develop a Riverfront Plan which would become binding upon the sections of the eleven municipalities, which fall within the boundaries of the Waterfront Region and the Palisades Region as described in Chapter Two, when approved by two-thirds of the Commission members, including two-thirds of the Hudson County and two-thirds of the Bergen County representatives.

The 26 authority members would be selected as described in the Executive Summary, with additional details such as term of office and a deadline for completion of the plan to be supplemented by the Legislature.

Several positive aspects of the existing decision-making system can be identified, that when incorporated into plans for a new authority, support the creation of such an agency in order to develop a regional Riverfront Plan to serve the needs of the region as effectively as possible. These aspects are:

1. The master plans for the waterfront are made by municipal governments, which are generally the level closest to the people. In developing the Riverfront Plan, the regional authority should identify the aspects of municipal master plans which are beneficial to both the region and the individual municipalities involved.
2. Plans and projects for a municipality's waterfront can be designed and considered as integrated parts of the municipality's overall master plan. Similarly, the municipalities can promote the development of particular waterfront sites in accord with their development plans for other areas. Therefore, the new authority should work with the municipalities to develop the Riverfront Plan so that it is as consistent as possible with the regulations for the rest of the municipality.
3. The reliance by municipalities on property taxes for revenue gives them a direct financial interest in the development of unused or underutilized sites, including those along the waterfront. One of the Study Commission's recommendations is that the Department of Treasury fully explore revision of the tax code as it applies to waterfront redevelopment. (See Executive Summary, 19).
4. Federal and state agencies have the power to enforce regulatory guidelines which limit certain types of development in particularly sensitive areas, such as wetlands, and require compliance with relevant performance standards for air and water. This serves to establish minimum environmental standards which must be met regardless of where land use decision-making rests. Any regulations established by the new authority will be required to meet existing federal and state environmental standards, so that no environmental degradation will occur as a result of the authority's formation.
5. Many services including schools, sanitation, fire and police are administered by municipalities and can be directly affected by what does or does not take place along the waterfront. This can keep the municipality aware of important concerns to consider in land use planning and decision-making. Once the Riverfront Plan is approved, the municipality will have the opportunity to comment on any plans adversely affecting these services and revise plans as necessary.
6. Municipalities are governed by elected, rather than appointed officials. The new Commission will also have elected representatives. The majority of the representatives on the recommended authority will be either Hudson and Bergen County elected officials, or selected by them or citizens of the counties.

In addition to the authority's ability to incorporate the resources of the municipality already available within the existing system, the new authority would have benefits not available under the existing government decision-making system:

1. Through promotion and making known the availability of land within the waterfront region, the authority would actively encourage the development of the waterfront, where, at present, a large amount of the land is not being used to the maximum benefit of the region.

2. The Riverfront Plan would serve to coordinate development in all of the waterfront municipalities, avoiding unnecessary duplication and potential conflict. The master plans of the nine riverfront municipalities and the two municipalities with land in the Palisades region are not now formally coordinated or linked so that one municipality can pursue and develop a waterfront project considered undesirable by a neighboring municipality. In addition, several of the Hudson River municipalities either do not have master plans for the waterfront or have plans that are too general or too outdated to be useful.
3. The authority would be able to secure grants and loans from a variety of funding sources for the region as a unit. In addition, the authority would have the power to issue bonds. The waterfront when viewed as a single resource has problems and opportunities which are often distinct from the issues raised in the other sections of the municipalities. The result of planning at the municipal level is unnecessary repetition of some time-consuming activities, such as identifying federal funding sources for the waterfront, and a piecemeal, uncoordinated approach to other tasks, such as seeking to attract potential developers to the Hudson River Waterfront. Other activities, including exploration of the possibility of attracting new industries such as fish processing to the area and the feasibility of new or improved forms of transportation both to and within the area are virtually neglected. The latter tasks cannot easily be pursued at the municipal level.
4. The development of a waterfront park in one municipality often provides benefit to the entire region, yet the sponsoring municipality receives nothing in return from the other municipalities. Similarly, municipalities can often suffer from the impact of commercial or industrial facilities which produce pollution and traffic congestion for the region while providing direct economic benefit only to the municipality in which it is located. Through the development of a Riverfront Plan, and the exploration of tax sharing mechanisms both positive and negative affects of development could be shared.
5. The authority would have an executive director and full time staff with waterfront planning responsibilities. Many of the municipalities do not now have any staff to plan for the waterfront. Of the nine municipalities along the Hudson River, only Bayonne and Jersey City have a planner whose responsibilities include waterfront activities. Fort Lee, West New York, North Bergen and Hoboken hire consultants to do planning-related work, and Weehawken, Edgewater and Guttenberg have no planning staff or consultants.
6. Developers with prospective projects would be able to work with the authority which would assist them in obtaining all other necessary approvals. The current system presents a complex and often forbidding bureaucratic network to a developer seeking a waterfront site or seeking to predict whether the necessary permits and funding can be secured for a particular project.

Summary

The primary purpose for a change in the existing decision-making process would be to create a process by which development in the Hudson River waterfront area could be stimulated, promoted and efficiently approved on the basis of a comprehensive regional plan which incorporates the views of local citizens and officials.

Based upon review of operating regional governments and waterfront Commissions, several alternatives, including maintenance of the existing system, delegation of responsibility to an existing regional agency, or creation of a new regional agency with varying degrees of decision-making power were examined. The Working Draft Report (March, 1980) formed the basis for discussion by Commission members over the following four months, to decide what recommendations should be sent to the Governor and the Legislature.

The decision that an alternative to the existing decision-making process was needed in order to stimulate redevelopment of the waterfront was a difficult one. The Commission spent many hours discussing the existing system in comparison to a number of different regional approaches. The final decision to recommend the authority proposed in the Executive Summary was a result of intensive work, and compromise by all concerned, in order to best serve the region as a whole.

The Commission recognizes that the new regional authority proposed in this report is not perfect, nor does it meet the complete approval of all the Commission members involved in its preparation and development. It is, however, a basis for continued work and refinement to develop a permanent regional agency with the ability to stimulate new development and to revitalize the waterfront in a coordinated, consolidated approach rather than a piecemeal fashion. The supplement to this Chapter of the report presents individual statements by members of the Commission who disagreed with at least some aspects of the Commission's recommendations for a permanent Hudson River Waterfront Commission.

SUPPLEMENT TO REPORT

Each member of the Hudson River Waterfront Study, Planning and Development Commission was given the opportunity to submit an individual statement concerning the work of the Commission. Such statements were prepared by Chairman Kenneth D. McPherson, Sally Aaronson, Mayor Dennis Collins, Thomas Hickey, Grace Singer, Susan Sullivan and Mayor Thomas Tansey and are included in the following pages.

Individual Statement by Kenneth D. McPherson

I am taking advantage of this forum, offered to each Hudson River Waterfront Commission member, to explain my differences with the Commission's recommendations. As Chairman of the Commission, I am proud of this report and I also recognize the spirit of compromise which enabled the diverse membership of the Commission to arrive at the recommendations. While I fully support the Commission's Policy Recommendations, I do not believe the regional authority recommended by the Commission is sufficiently strong to best accomplish its goals.

I have served as the attorney for a number of developers in New Jersey. In this capacity, I have had first-hand experience with the development review processes of municipalities, State agencies including most notably the Department of Environmental Protection, and the regional Hackensack Meadowlands Development Commission (HMDC). I have found that the HMDC is best able to combine the financial and staff resources necessary to provide an efficient, analytic review, with the site-specific knowledge necessary to impose wise policies. This is a combination which proves very attractive to major developers both from New Jersey and from other parts of the country. I do not say that the HMDC and its Master Plan are without fault, but I do believe that the Hudson River Waterfront is more likely to be developed in the manner desired by the Commission and the vast majority of people who testified before us, if aspects of the HMDC are adapted and applied to a Hudson River waterfront authority.

I support many of the provisions of the Commission's recommendation including the following:

1. A regional agency should be established with staff and offices in Hudson or Bergen Counties;
2. The agency should prepare a Master Plan which is binding on all development within its jurisdiction;
3. The Agency should have the powers to acquire land, provide technical assistance, promote development in the area, issue tax exempt bonds, assume the regulatory authority now administered by DEP under the Waterfront Development Law, and recommend to the Legislature a program to divide property tax revenues from new development among municipalities in the region;
4. The agency should provide early and continuous opportunities for comment and input by municipal and county officials and the general public.

While I support the above provisions, I believe that the authority will be best able to achieve the goals we all agreed to in the policy recommendations, by the inclusion of supplementary powers.

My concern is based on three issues; The relationship between the authority and the municipalities, the size of the authority and the process for approval of the Riverfront Plan.

First, I believe it is necessary to simplify the development review procedure in order to encourage good developers to consider coming into the area. The existing system should be changed so that potential developers are required to receive approval only from the regional authority and not from the municipality as well. The authority proposed by the Commission would be able to stop development proposals that were not consistent with the regional plan it prepared, but it would lack corresponding positive power to see that projects consistent with the plan were actually built. The extra checks and balances built into the Commission's recommendation serve to confuse and lengthen the regulatory approval process without further benefiting the public interest. Once a regional plan for the waterfront is prepared, publicly debated, and adopted, that plan should become the policy for development in the area. Otherwise, the time and money invested in preparing the plan will have been wasted.

I would, therefore, prefer to see a regional authority established with the power to approve, condition or deny any construction proposed in the waterfront and Palisades areas on the basis of the regional plan, and to have that approval replace all approvals needed from county or municipal agencies.

Second, I am convinced that the 26 member authority proposed by the Commission is too big to be effective. As Chairman of the Commission, I found it extremely difficult to conduct detailed, substantive discussions with 39 members. While some Commissioners argue that a large agency is necessary to reflect the diverse interests in the waterfront, I believe that this is not the best approach to government. I would recommend that the Legislature consider establishing a small authority, with less than 10 members, and that the authority be required to meet with representatives of any group with an interest in the future of the waterfront.

Several members of the Commission believed that it was important for the authority to have a large percentage of members who were not elected officials. This is not a concern I share. Specified elected officials, gubernatorial appointees, or a combination of both could all be acceptable methods for choosing the authority membership. Again, however, I believe the appointment process should be simple and clear.

Third, a complicated process for approval of the Riverfront Plan may delay the work of the authority. I am convinced that a relatively simple procedure can be designed to allow approval of the regional plan after full and open public review and debate.

In conclusion, I think that a regional authority for the Hudson River waterfront should be created to design specific standards and policies to define and protect the public interest, and that the authority should then be given the necessary power to promote, encourage, and assist potential development which meets these standards. Such an attitude will attract good developers to New Jersey and will lead to the rapid revitalization of the waterfront.

I hope that the recommendations and report of this Commission, including the individual statements made by myself and others, will help the Legislature and Governor to achieve this goal.

Individual Statement by Sally E. Aaronson

As a "citizen member" on the Commission, I was pleased to provide a sort of interfacing between elected and other official appointees and concerned citizens who were not made Commissioners. I listened closely to what the citizens had to say, since I found them to be knowledgeable as well as interested. At the public meetings and privately I heard an outcry for two things: open space and local control. The people of Hudson County, the most densely populated county in the United States, crave public parks and access along the entire Hudson River waterfront. The people of Bergen County, though not as crowded, yearn for the preservation of the Palisades Cliffs as well waterfront open space reclamation. Citizens want the waterfront's future to remain under local control, although they understand the need for a regional overview.

I strongly emphasize that the Commission's clients are the people who live in Hudson and Bergen waterfront communities. Their needs and desires must be considered with sincerity if the produce of any waterfront effort is to be satisfactory. Along these lines, the open space and citizen Commissioner selection portions of the final recommendations are critical. Along these lines, all development must be conceived with the existing population in mind and at heart.

It was gratifying to serve on the Commission, and especially to find a willingness among the Commissioners to cooperate and compromise in order to progress. For myself, I am generally pleased with our final recommendations. Were the case different, this statement would be more extensive:

That is not to say that I do not have criticisms of the proceedings and the product. The management of the Commission was laden with problems. Inadequate staffing prevented us from giving the attention to the needs, issues, resources and solutions that was necessary in order to do a top quality job. Staff independence led me to the conclusion that all the report is not the product of the Commissioners, and all the Commissioners' work is not included in the report. Mayor Tommie Smith's Financing Committee, for instance, conducted extensive research, which was left out. Meanwhile, I never heard mention of many of the items printed in the report.

More seriously, I maintain that the Commission did not fulfill its obligations according to Governor Byrne's Executive Order No. 69 which stipulated, among other things, that we complete an analysis of the area down to the costs and benefits of various alternatives. No way did we come close to such a detailed and thorough undertaking. The pressure to rush through to a final product undermined the comprehensiveness and quality of our work. We ended up focusing largely on the next Commission rather than on waterfront objectives themselves.

As for points regarding the final recommendations, specifying a minimum amount of open space (say, 30%) would have gone further to guaranteeing that the open space needs of the people in the area will be met. Suggesting that the linear part switch to the western riverfront in Bayonne without having studied the situation closer is questionable. Neglecting to even mention subsidized housing makes one question who the benefactors of any new construction might be. Given the displacement occurring in many of these waterfront municipalities - Jersey City and

Hoboken being two - such neglect appears to be irresponsible. I have grave concern that the cry for tax ratables might dominate future development decisions at the sake of other objectives. Financial assistance from the State is necessary to compensate municipalities for giving up ratables in favor of public areas.

The Commissioners were universal in their appreciation of the promise offered by the Hudson River waterfront. May we use our opportunity wisely.

Individual Statement by Mayor Dennis P. Collins

Although the concept of a regional plan for the Hudson River is still valid, I do not feel that the Regional Commission Proposal adopted July 23, does more than deliver a consensus, at least from Hudson County, that some sort of Regional Planning Commission should be established to rationally redevelop the New Jersey side of the Hudson River. A coalition of Civic Waterfront Mayors and state officials convened by Governor Byrne failed to consider what impact existing state agencies might have on the problems of underutilization of waterfront properties. Instead, they concentrated on establishing a permanent full time commission responsible for not only planning but also developing the waterfront.

A full time effort should certainly be given to the planning of the redevelopment of this area, which is one of the states great natural resources. Since the decline was due partially to the previous policies of the state legislature, it only seems fitting that the state absorb the costs of this planning process and expedite approvals and planning of this development. However, the state authority must have no agency of which all established by it should be given the authority to usurp by recalling Land Use Rights vested in each community. These are important rights that allow small groups of neighborhoods to protect cities from particular types of uses. Some areas may be ideally suited for new park development, while others seem appropriate for industrial expansion. The decisions of land use can best be made from the local perspective where the impact will most directly be felt.

There is still a need for a planning agency to propose development of waterfront communities. The cities should be given the right to consider the impact of the proposal before deciding to accept. The available state resources could and should be used to make the proposals more attractive, but an agency should be given the authority to prevent development of one type over another without the prior approval of the responsible community.

This can be accomplished only after an extensive public planning process, where no master plan for the Hudson River Waterfront could be established in conjunction with the various local ordinances is permitted. Only then can the municipality be expected to accept development and allow the agency certain expeditious authority.

The magnitude of the task at hand is enormous. It is the consequence of years of decay brought about by the decline of the railroad and the obsolescence of existing facilities as public financing was used to construct new ones in direct competition with those along the Hudson River. The advantages that will result from the effort are enormous. Governor Byrne is to be commended for beginning the process. It is now the legislature's responsibility to establish and fund a planning capacity as opposed to a development agency that could assume the responsibility of developing the area on its own.

Individual Statement by Thomas J. Hickey

I wish to offer the following comments concerning the Commission's final recommendations.

First, with respect to the Policy Recommendations. Numbers 2.e and 7 are impotent statements of the principle that the grandeur of the Hudson River Palisades is a national treasure that must be neither obscured nor defaced. The feebleness of these recommendations is, fundamentally, a direct consequence of the geo-political boundaries which were drawn up in accordance with the circumstances of another era. At the time these boundaries were drawn, the developments we fear today were undreamed of. The question which exposes the sincerity of these recommendations is: If there were not municipal boundaries of any kind throughout the length of the Palisades, would visual impedance by new development merely "be examined for its effect on visual acces to and from the river" or would it be forbidden? I think the latter response would prevail.

It is time for a state-wide re-examination of municipal boundaries in the light of today's social, technical and environmental realities. Most of these artificial geographical limitations, drawn up prior to radio, automobile, telephone and computer, are insupportable as we enter the twenty-first century. Worse, these artificial dimensions continue to produce paranoid, circle-the-wagons-type defenses of invisible lines.

Second, with respect to the proposed statutory Regional Commission, the recommendation is an unrealistic patchwork quilt of the status quo re-shuffled.

1. Regardless of its composition, a twenty-six member commission, at best, is cumbersome and, realistically, unworkable. The best evidence of this is the inclusion in the recommendation of a seven-member executive committee. My belief is that nine should be the maximum number of statutory members.

2. The recommended composition of the statutory commission membership is a mass of conflicts.

The scenario of the "nameless, faceless" tyrants of the "autonomous proposal" was so effectively played that the resulting "home rule" component in the proposed commission caused the Bergen County "delegation" to demand protection from its fellow Hudson County home-rulers in the form of two-thirds approval/veto power.

Further, the recommended membership of the commission is so replete with elected officials, as to constitute a sub-County government. These officials, in my estimation, are in a dual-conflict role: loyalty to either their municipalities or the commission must often suffer if any far-reaching or imaginative projects or programs are to be undertaken. Otherwise, stultification and mediocrity will prevail.

I would recommend that no elected or appointed officials be members of the commission and that the standard for selection be competence and fairness, not one's street address.

3. The power to veto the Regional Master Plan by one municipality is inherent in the recommended plan. Since each municipality is unique, it is extremely unlikely that without special adaptation, a development project will fit well into more than one community comfortably. Thus, the initial rejection "by a duly adopted ordinance or zoning code" would effectively reject the development, as approved in the Master Plan, for the entire region at least until another planning cycle is accomplished.

The proper zoning power structure would place the Commission in a superior position to that of the municipality.

Finally, I believe that the statutory commission should have the power to undertake a contract for any development or project it finds necessary to develop, and to redevelop, improve or reclaim land within its boundaries. In order to facilitate this power, the commission should be empowered to exercise eminent domain under defined guidelines.

I thank all the members of the Commission for your unselfish giving of time and effort. I am grateful for having had the privilege to participate in what can be a great effort for our region's future.

Individual Statement by Grace L. Singer

The report reflects a good compromise, most of which I find agreeable. I would, however, like to address the following specific points:

1. The Hudson River waterfront area under consideration is unique for reasons stated in the report and should be treated differently than other New Jersey urban coasts, e.g., Perth Amboy, Linden, Elizabeth, which are primarily devoted to heavy industry.
2. The linear pathway recommended by the Commission should be implemented expeditiously by a separate mechanism not dependent on the formation of a new Commission or riverfront plan since piecing together the pathway will be a time-consuming venture transcending municipal boundaries and requiring federal and state funds. The pathway can serve as an early visible unifying entity.
3. In Bayonne we should not preclude the possibility of having the linear pathway on the Hudson River and/or a Hudson River waterfront park. Newark Bay, where parks are now located in Bayonne, is not a real substitute for the vistas offered by a Hudson River location.
4. Reconsideration should be given to "Wild and Scenic" designation, in an urban framework, to the Hudson River. This recommendation appeared in drafts of the report but was removed as a policy recommendation without due consideration by the Commission.
5. Emphasis must be placed on mass transit rather than the individual automobile if we are to avoid serious congestion, additional air pollution and wasteful energy consumption in the area. Mass transit should be built into every plan for waterfront development.

Individual Statement by Susan S. Sullivan

The Regional Commission proposal adopted by the Hudson River Waterfront Study, Planning and Development Commission at its final meeting on July 23, 1980 has my strong support in all respects except one, the proposed organizational structure. While sharing the goal of a broad and balanced membership, I firmly believe that an alternative commission structure would be more effective. Specifically, I recommend the following:

- 1) Smaller membership. The proposed 26 member (27 vote) body is too large to be workable. The same constituencies could be as well represented in a smaller body with greater accountability and efficiency and substantial cost savings.
- 2) Alternative method for selection of citizen commission members. The proposed method for allocating and selecting commission members has serious drawbacks. I have reservations about a system which at the outset would assign 7 of the 12 citizen seats to a single interest group (in this case, environmental group representatives) and specify the remaining 5 seats to be divided among minority and civic groups representatives. I personally question this type of allocation and believe that it could not only acerbate intergroup conflict, but perhaps more importantly, it could prevent the appointment of individuals who do not view things from a single perspective and who could bring a diversity of experience and wisdom to the task of conserving and developing the Hudson River Waterfront. I recommend the adoption of the following alternative, as originally proposed by the staff.

"The Governor shall choose twelve citizen representatives to be members of the Commission who shall be representatives of the areas indicated under "Organization" above and who shall include the representatives of environmental, civic, business, industry and neighborhood groups and viewpoints. The Governor shall accept suggestions from, and consult with, organized local groups and the Mayors of the municipalities in which potential nominees reside."

In conclusion, I would like to express my sincere appreciation for the opportunity to serve on the Hudson River Waterfront Study, Planning and Development Commission. I am hopeful that the sense of purpose and optimism which marked the final meetings of the Commission will continue to guide efforts for the revitalization of the Hudson River waterfront in the future.

Individual Statement by Mayor Thomas Tansey

This Minority Report is being submitted by the Borough of Edgewater along with the Majority Report under the rules expounded by the Honorable Kenneth D. McPherson, Chairman of the Hudson River Waterfront Study, Planning and Development Commission.

First, any report would be incomplete if no mention was made of the untiring and conscientious efforts of all the Commissioners of the Commission and especially those of Chairman McPherson who patiently handled the difficult task of welding the diverse views of Commissioners into a final report which could be accepted by the majority of the Commissioners.

I also would like to thank all the private and public organizations which supplied valuable input to the Commission.

Special notice should also be made of the diligent work of the staff supplied by the N.J.D.E.P., particularly Mr. John Weingart and Barbara Kauffman.

We also wish to congratulate Governor Brendan Byrne for his genuine concern for the Hudson River Waterfront which initiated his formation of this Commission.

The Borough of Edgewater agrees with the overall aim of cleaning up the Hudson River Waterfront in order to make the shoreline area more attractable for both development and recreation purposes. One way to accomplish this goal would be to expedite monies to municipalities already mandated by the people of New Jersey under the Waterfront Clean-Up Act of 1977.

Our recreational park is easily the largest of all of those of the other municipalities included in the boundaries of the Hudson River Waterfront Commission when compared on either the per capita or percentage of land area of the municipality. The Borough of Edgewater within the last decade has added more than ten (10) acres of land for recreational activities.

The geographic jurisdiction of the proposed Commission should be limited to the County of Hudson, as Hudson County has been a historical and political subdivision of the State and has many common ties which should ensure a successful and harmonious Waterfront Commission.

The Borough of Edgewater would cooperate with the Commission and would have a non-voting representative at all the meetings of the Commission, if invited. The representative would be the Mayor of the Borough of Edgewater or his representative, or possibly a Freeholder of the County of Bergen, or both, if this was the wish of the Commission.

By eliminating the municipalities of Bergen County, funds of Hudson County could be used to maintain the parks, police the area and support the publications and other necessary expenses of the Commission and augment the monies provided by the State of New Jersey. There are many other facilities of the County of Hudson such as personal, offices and equipment that would alleviate duplication of work and costs which would free more funds for the actual improvement to the Hudson Waterfront.

The Borough of Edgewater in submitting this Minority Report would like to emphasize that because of our waterfront location, our geographical location between two major arteries leading into New York city, and the drastic need for housing in the East Bergen Area, the Borough of Edgewater feels that our land is prime property that can be properly developed without any major assistance from the State of New Jersey.

APPENDICES
TO
HUDSON RIVER WATERFRONT STUDY, PLANNING AND DEVELOPMENT COMMISSION
FINAL REPORT

APPENDICES

EXECUTIVE ORDER NO. 69

WHEREAS, the redevelopment of the Hudson River Waterfront south of the George Washington Bridge presents an opportunity for New Jersey to create a unique urban, environmental, recreational and commercial resource for the citizens of New Jersey and the Nation; and

WHEREAS, the redevelopment of the Hudson River Waterfront south of the George Washington Bridge must be based on sound regional planning; and

WHEREAS, the analysis of comprehensive regional planning and redevelopment alternatives should be undertaken by public citizens and government officials representing a wide range of interests;

NOW, THEREFORE, I, BRENDAN BYRNE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created a Commission to be known as the Hudson River Waterfront Study and Planning Commission consisting of the Commissioner of the Department of Community Affairs, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Transportation or their designated representatives, and such members who may be appointed by and shall serve at the pleasure of the Governor. Among such members the Governor shall appoint two State legislators from Hudson County, one State legislator from Bergen County, one representative each of the governing bodies of Hudson and Bergen counties, and the mayors of Bayonne, Cliffside Park, Edgewater, Fairview, Fort Lee, Guttenberg, Hoboken, Jersey City, Leonia, North Bergen, Palisades Park, Ridgefield, Union City, Weehawken and West New York. Other members shall be appointed by the Governor from a broad spectrum of the citizenry of the State. The members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties subject to the availability of funds therefor.

2. The Governor shall designate a chairman and vice-chairman of the Commission from among the members of the Commission. The chairman shall preside over the meetings and affairs of the Commission and shall create an executive committee and such subcommittees as he deems appropriate to carry out the functions of the Commission. The chairman shall have such further powers and duties as may be conferred upon him by the Governor. In the absence of the

chairman, the vice-chairman shall have all the powers and duties of the chairman. The Commission may retain or designate an executive director.

3. (a) The Commission shall conduct a thorough study and investigation of the various alternatives for the planning and redevelopment of the Hudson River Waterfront south of the George Washington Bridge. In conducting the study, the Commission shall fully consider the following:

- (1) appropriate regional governmental institutions for implementing the alternatives;
- (2) environmental, social and economic impact of the various alternatives;
- (3) impact of the various alternatives on existing transportation systems and requisite improvements that the various alternatives will require;
- (4) jurisdictional boundaries appropriate for comprehensive regional planning and development;
- (5) capital costs of the various alternatives;
- (6) operating costs of the various alternatives;
- (7) sources of funds available for capital and operating costs;
- (8) phasing of the development of the various alternatives;
- (9) compatibility with concerns of local governments and residents;
- (10) any legislative changes needed to implement the alternatives; and
- (11) such other factors as the Commission shall deem relevant.

(b) In conducting its study and investigation, the Commission shall review such reports and studies as may exist in connection with the Hudson River Waterfront. The Commission may conduct such further studies and hire such additional consultants as it shall deem necessary to fulfill its duties hereunder, subject to approval of financing arrangements by the Treasurer and the availability of funds.

(c) In conducting its study and investigation, the Commission shall fully consider the feasibility of private investment in redevelopment of the waterfront.

4. The Commission shall proceed promptly with its study and investigation and upon completion of its work the Commission shall render to the Governor a full report of its findings and recommendations. Said findings and recommendations shall be made as soon as practicable, consistent with the nature of the study

and investigation to be undertaken.

5. In order to carry out its functions, the Commission shall conduct public meetings and hearings and shall solicit information from, and consult with, relevant public and private agencies and groups, including county and local governing bodies, planning boards, environmental, business, housing and transportation groups. Notice of public hearings shall be given in such manner as the chairman may direct to provide full opportunity for interested members of the public to be heard.

6. (a) The Commission is authorized to call upon any department, office, division or agency of the State to supply such data, program reports, and other information, personnel or assistance as it deems necessary to discharge its responsibilities under this Order.

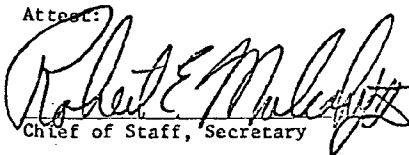
(b) Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commission and to furnish it with such information, personnel and assistance as necessary to accomplish the purposes of this Order.

7. This Order shall take effect immediately.



GIVEN, under my hand and seal this
11th day of January, in the
year of Our Lord, one thousand nine
hundred and seventy-nine, and of the
Independence of the United States the
two hundred and third.


GOVERNOR

Attest:

Chief of Staff, Secretary

FILED

JAN 11 1979

DONALD LAN
SECRETARY OF STATE

Appendix B: COMMITTEES OF THE COMMISSION

After the Hudson River Waterfront Commission's first meeting, Chairman Kenneth D. McPherson formed eleven sub-committees to allow the 39 Commission members to discuss waterfront issues in relatively small groups. A Regional Planning Committee was later merged with the Land Use Decision-Making Committee, leaving ten committees.

Executive Committee

Chairman: Kenneth D. McPherson
Jersey City

Members: Gerald A. Calabrese, Mayor
Cliffside Park

Jerry F. English, Commissioner
Department of Environmental Protection

Saul Fenster, President
NJ Institute of Technology

Jim May (for Freeholder Director Jeremiah O'Connor)
Bergen County

D. Bennett Mazur, Freeholder
Bergen County

William V. Musto, Mayor
Union City

Walter Sheil, Senator
District 31, Jersey City

Thomas F. X. Smith, Mayor
Jersey City

2. Transportation

Chairman: Joseph L. Walsh-Russo (for Commissioner Gambaccini)
Department of Transportation

Members: Byron M. Baer, Assemblyman
District #37

Vito Borelli, Mayor
Ridgefield

Gerald A. Calabrese, Mayor
Cliffside Park

Steve Cappiello, Mayor
Hoboken

William V. Musto, Mayor
Union City

Morris Pesin
Jersey City

Mario Schettino, Mayor
Fairview

3. Environmental Resources

Chairman: Morris T. Longo, Freeholder
Hudson County

Members: Joan Ehrenfeld, Ph.D.
Middlesex

Thomas J. Hickey
Paramus

Robert F. Sabello, Mayor
Guttenberg

Grace L. Singer
Princeton

Susan S. Sullivan
Princeton

Joseph S. Weisberg
Jersey City

4. Port and Industrial Development

Chairman: Dennis P. Collins, Mayor
Bayonne

Members: Anthony M. DeFino, Mayor
West New York

Frederick W. Devine
Piscataway

Anthony DiVincent, Mayor
North Bergen

Saul Fenster, President
NJ Institute of Technology

Fr. Edward Glynn, President
St. Peters College

Edward S. Olcott, Director
Planning and Development
Port Authority of New York and New Jersey

Thomas F. X. Smith, Mayor
Jersey City

5. Residential, Commercial and Mixed Use Development

Chairman: Edward S. Olcott, Director
Planning and Development
Port Authority of New York and New Jersey

Members: Frederick W. Devine
Piscataway

Wally P. Lindsley, Mayor
Weehawken

Harry W. Massey, Freeholder
Hudson County

D. Bennett Mazur, Freeholder
Bergen County

Susan S. Sullivan
Princeton

Thomas J. Tansey, Mayor
Edgewater

Joseph L. Walsh-Russo (for Commissioner Gambaccini)
Department of Transportation

6. Utilities, Energy, Waste Disposal and Wastewater Treatment

Chairman: William V. Musto, Mayor
Union City

Members: Nicholas Corbiscello, Mayor
Fort Lee

Thomas J. Hickey
Paramus

Donald B. Jones
Trenton

Harry W. Massey, Freeholder
Hudson County

Robert P. Pallotta, Mayor
Palisade Park

Grace L. Singer
Princeton

Joseph S. Weisberg, Ed.D
Jersey City State College

7. Financing: Public and Private and Tax Revenues

Chairman: Thomas F. X. Smith, Mayor
Jersey City

Members: Sally Aaronson
Hoboken

Byron M. Baer, Assemblyman
District #37

Richard Binetsky (for Commissioner LeFante)
Department of Community Affairs

Nicholas Corbiscello, Mayor
Fort Lee

Wally P. Lindsley, Mayor
Weehawken

Jim May (for Freeholder Director Jeremiah O'Connor)
Bergen County

8. Land Use Decision-Making

Chairman: Commissioner Jerry F. English
Department of Environmental Protection

Members: Romeo Aybar
NJ Society of Architects

Richard Binetsky (for Commissioner LeFante)
Department of Community Affairs

Steve Cappiello, Mayor
Hoboken

Christopher J. Jackman
Assemblyman, District #33

Donald B. Jones
Trenton

D. Bennett Mazur, Freeholder
Bergen County

Walter Sheil, Senator
District 31

9. Recreational, Open Space and Public Access

Chairman: Morris Pesin
Jersey City

Members: Romeo Aybar, President
NJ Society of Architects

Vito Borelli, Mayor
Ridgefield

Anthony DeFino, Mayor
West New York

Joan Ehrenfeld, Ph.D.
Middlesex

Fr. Edward Glynn, President
St. Peters College

Morris T. Longo, Freeholder
Hudson County

Mario Schettino, Mayor
Fairview

10. Waterfront District Delineation

Chairman: Anthony M. DeFino, Mayor
West New York

Members: Steve Cappiello, Mayor
Hoboken

Dennis P. Collins, Mayor
Bayonne

Anthony DiVincent, Mayor
North Bergen

Christopher J. Jackman, Assemblyman
District No. 33

Arthur F. Jones, Mayor
Leonia

Thomas J. Tansey, Mayor
Edgewater

Appendix C: PRELIMINARY OBJECTIVES OF THE COMMISSION
Adopted Unanimously November 27, 1979

The ten committees of the Hudson River Waterfront Study, Planning and Development Commission have each met and discussed the needs and opportunities presented by the Hudson River Waterfront from the George Washington Bridge to Bayonne in which the Governor has asked that we "conduct a thorough study and investigation of the various alternatives for ... planning and redevelopment". Through these meetings, and two public hearings, the Commission has identified a number of preliminary objectives and findings which will shape the direction of its future work.

First, we have found that the tremendous potential of the Hudson River Waterfront area, for a wide variety of activities is not being realized.

Second, we have found that this region has been frequently studied and that the Commission should focus its attention upon those problems which have led to a deterioration of the waterfront and which present obstacles to future waterfront use and development. The Commission must also address the local and regional needs arising from such use and development.

Third, we have identified a number of specific problems which thwart many redevelopment projects throughout the region. This includes the following:

- a) Automobile congestion throughout the area is a major deterrent to new development and possibilities for mass transit should be studied.
- b) Absence of a coordinated effort to attract potential new industries, such as fisheries, to the region.
- c) Inability to mobilize the many governmental decision making agencies to support, promote, and authorize new development of benefit to the area.
- d) Continued construction of new development which blocks, or does not provide, public access to, or view of the water.
- e) Difficulty for waterfront municipalities to approve tax abatements often necessary to attract new development due to need for tax revenues.
- f) Reluctance of municipalities to turn down development proposed on the waterfront which might better be located inland for fear the developer will choose to locate in another municipality.
- g) Reluctance or inability of municipalities to approve new waterfront parks due to loss of potential tax revenues.
- h) Environmental degradation is a major inhibiting factor to development.

Among the areas the Commission will explore are:

1. Policies to ensure public access to all areas of the waterfront.
2. The means of assistance, through tax reform, to waterfront communities cooperating in waterfront development.
3. Examining the powers and responsibilities of a waterfront commission or similar agency.
4. The means of developing mixed use of the waterfront in each municipality.
5. The feasibility of preserving the Palisades.

APPENDIX D: PROFILES OF MUNICIPALITIES IN THE HUDSON RIVER WATERFRONT

This appendix contains background information on the waterfronts of the cities within the Commission's jurisdiction, prepared by the Department of Environmental Protection, Division of Coastal Resources. The profiles provide brief sketches of the character, present land use and future plans in the nine towns that border the Hudson River in New Jersey. The following towns are included: Fort Lee, Edgewater, North Bergen, Guttenberg, West New York, Weehawken, Hoboken, Jersey City and Bayonne. Cliffside Park and Union City which are within the jurisdiction of the Commission are not profiled here since they have no land directly along the Hudson River.

Fort Lee Municipal Profile

1. County: Bergen
2. a. Land Area - Total : 2.5 sq. mi. = 1600 acres
- b. Waterbodies and Waterfront Footage: Hudson River - 6,000 ft.
- c. Riparian Land (footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-Owned</u>
Hudson River	4937	200	0	863

3. Master Plan - Fort Lee adopted its master plan in 1978. The plan designates the entire Hudson River waterfront within the borough as part of the Palisades Interstate Park.
4. Zoning - The zoning ordinance of Fort Lee is consistent with its master plan and zones its waterfront as public land.
5. Existing Land Use - The Palisades Interstate Park occupies the entire waterfront of Fort Lee. It includes Ross Dock, which provides access by car to the Hudson River, and the Fort Lee Historic Park.
6. Growth Pressures and Opportunities - The Palisades Interstate Park is a permanent establishment; a change in the waterfront use is unlikely.
7. Waterfront Park - The entire waterfront of Fort Lee is included in the Palisades Interstate Park. Fort Lee Historic Park provides a view of the Hudson River.

Edgewater Municipal Profile

1. County: Bergen
2. a. Land Area - Total : 0.7 sq. mi. = 448.0 acres
- b. Waterbodies and Waterfront Footage: Hudson River-25,000 ft.
- c. Riparian Land (footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-Owned</u>
Hudson River	15,529	1172	560	7739

3. Master Plan - Edgewater's master plan and zoning ordinance were enacted in 1935. A new master plan was drafted in 1967, but it was never adopted. The plan designates the northern section of riverfront land for low density residential use, with high density residential, open space or park and commercial districts in the central riverfront section. The southern half of Edgewater's waterfront is planned for industry.
4. Zoning - Edgewater's zoning ordinance is basically consistent with its draft master plan. Two properties in the northern segment are zoned for high-rise apartments, but one of the sites is occupied by 3-story buildings. The rest of the northern waterfront is residential, where up to 4 family houses are permitted. Small light industry and commercial areas, and a large heavy industry district along the southern waterfront account for the remaining land.
5. Existing Land Use - The northern portion of Edgewater's narrow coastal zone includes single family homes, two marinas for small pleasure crafts, under-utilized docks and decaying piers. A high rise apartment complex, a municipal playground, a racquetball club, a movie theater and a floating restaurant complex account for the central waterfront. Edgewater's southern waterfront is dominated by industrial uses, including Hess Oil tanks and piers, factories of Hills Brothers Coffee and Lever Brothers, railroads, and an industrial park.
6. Growth Pressures and Opportunities - Approximately 30 percent of Edgewater's waterfront is vacant (around 50 acres of scattered parcels). The Borough has considered many waterfront construction plans over the years. Town officials are now interested in development and redevelopment of abandoned areas to develop a tax base for the Borough. Because the area along the River is zoned for high rise apartments and heavy industry, and these uses are economically desirable, the township is likely to encourage their location along the River.
7. Waterfront Park - Edgewater has one park directly adjacent to the Hudson River, which is a municipal playground for Edgewater residents only.

North Bergen Municipal Profile

1. County - Hudson
2. a) Land Area - Total: 5.4 sq. mi. = 3456 acres

b) Waterbodies and Waterfront Footage:
Hudson River 4000 ft.

c) Riparian Land (footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-Owned</u>
Hudson River	3471	0	0	529

3. Master Plan - None exists; one is being developed
4. Zoning - North Bergen's waterfront is zoned light industrial and special development area. The special area allows light industry and marinas, boat clubs, and multiple family residences. Any outdoor storage areas may not abut any residential district.
5. Existing Land Use - The waterfront area is divided into the two above mentioned zones by a rail line and River Road. The waterfront itself is very narrow and now houses a new public hospital. Vacant land exists in this area for development, but not in substantial quantities. Access to available land is relatively limited.
6. Growth Pressures and Opportunities - The vacant land's development potential is limited due to poor access, and residential and park developments nearby may also put restrictions on acceptable uses. A large amount of fill would have to be added to accommodate any major developments, as was done for the new hospital.
7. Waterfront Park - No park exists along the Riverfront. However, North Hudson Park, at the top of the Palisades on the northern Hudson County border, is a major recreational and open space area overlooking the New York skyline.

Guttenberg Municipal Profile

1. County - Hudson
2. a) Land Area - Total: 0.2 sq. mi. = 128 acres

b) Waterbodies and Waterfront Footage:
Hudson River 1000 ft.

c) Riparian Land (footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-Owned</u>
Hudson River	865	40	0	95

3. Master Plan - None exists
4. Zoning - A waterfront recreation area is proposed
5. Existing Land Use - Light industry is located here, serviced by a rail line along the waterfront. Some underutilized land, owned by railroad interests exists.
6. Growth Pressures and Opportunities - High rise development has taken place upland of the waterfront along the Palisades. Without the existence of land use controls, this kind of development could move onto the waterfront. However, the city is strongly in favor of using this area for recreation.
7. Waterfront Park - The city hopes to designate the entire 5.8 acre waterfront parcel for recreational purposes.

West New York Municipal Profile

1. County - Hudson
2. a) Land Area - Total: 0.9 sq. mi. = 576 acres

b) Waterbodies and Waterfront Footage:
Hudson River 5000 ft.

c) Riparian Land (footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-Owned</u>
Hudson River	4429	0	0	571

3. Master Plan - West New York's original Master Plan was updated in 1975 and 1976. In November 1978, an updated Land Use Plan was adopted by the Planning Board.
4. Zoning - A revised Zoning Ordinance based on that Land Use Plan was adopted by the Town in January, 1979 according to the requirements of the State's Municipal Land Use Law. In the adopted Land Use Plan and Zoning Ordinance the waterfront is zoned as "Controlled Waterfront Development", a category which allows a mix of low density residential and compatible non-residential land uses provided that 30% of the waterfront, contiguous to the water, must be used for public park use.
5. Existing Land Use - The West New York waterfront, approximately 140 acres, is primarily vacant railroad-owned land with some railroad sidings to serve industries north and outside of West New York, and some deteriorating piers. There are a few non-railroad storage operations on small sites at the north end.
6. Growth Pressures and Opportunities - Several development firms have prepared mixed use plans, featuring residential, light industrial, and recreational land, for the above mentioned sale site. Recent municipal meetings reflect a change in attitude from this type of development to a mix of industrial and recreational uses. No major construction has taken place on the waterfront recently; new development hinges on the sale of the railroad holdings.
7. Waterfront Park - No park exists contiguous to the water. The adopted Land Use Plan, however, shows a public strip across the entire Waterfront, a schematic representation of the 30% public land requirement of the new Zoning Ordinance that is described above.

Weehawken Municipal Profile

1. County - Hudson
2. a) Land Area - Total: 0.78 sq. mi. = 499.2 acres
b) Waterbodies and Waterfront Footage:
Hudson River 11000 ft.
c) Riparian Land (footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-Owned</u>
Hudson River	6690	0	0	4310

3. Master Plan - Weehawken adopted a Land Use Plan in 1976, which is part of an overall master plan still being developed. This sets aside the northern section of the waterfront for mixed use development; industrial, office, residential, recreation and commercial. At the southern end, the Free Trade Zone, (where SeaTrain is located) would remain. Plans include parks, an outdoor recreation area, a shopping mall, renovation of piers, a waterfront walkway, and provisions for almost 22 acres of low and high rise office buildings in a park development along a new road. The cliff face of the Palisades is designated as open space amounting to 18.5 acres.

Under a Planned Development option, a minimum of 300 and a maximum of 700 residential units would be permitted in the northern most section (office and recreation areas). The southern third of the waterfront is planned for a mixture of industrial and office park and indoor and outdoor recreation use.

4. Zoning - The zoning ordinance reflects the industrial park, office park and recreational areas proposed in the Land Use Plan, as well as the optional residential use planned for the northern most section of the waterfront. The waterfront had previously been zoned for all heavy industrial use. In the northern two-thirds of the waterfront, a Planned Development Option is available under which small clusters of high-rise offices are permitted in exchange for permanent open space. It is through this device that the Township hopes to secure the setting aside of the Palisades cliff face and park area. Weehawken prohibits tank storage and petroleum refining along its entire shoreline.

At the end of December, 1979, the town voted to create a five member Port Authority of Weehawken, which includes the Mayor. The Authority was created to protect Weehawken's shoreline from undersirable development such as storage tanks. It is also involved in planning for the waterfront area.

5. Existing Land Use - Existing land use on Weehawken's waterfront is divided fairly equally between railroad, industrial, and commercial (Seatrains) uses. There are some major industrial operations taking place in the southern portion. Penn Central has approximately 368 acres of land both above and below water for sale, comprising most of the northern waterfront, and including some of the cliff face.

According to the township of Weehawken, development is possible on 74 acres of existing land and 46 acres of water which can be filled, but Conrail has reserved about 10 acres of this for its own use. Development over 16 additional acres of main stem railroad might also be possible.

6. Growth Pressures and Opportunities - A 1974 plan by Gruen Associates of New York for the Penn Central land proposes industrial and office uses. High rises are allowed in this area. Local zoning provides for public access to the waterfront and also some form of open space, either public or commercial outdoor recreation. Penn Central has not authorized changes in the plan to include permitted residences.
7. Waterfront Park - None exists however, cliff top and waterfront park areas and waterfront walks totaling 20 acres and an open space cliff face area of 18.5 acres are included in the master plan. A proposed Frontier Park has been suggested for the foot of Pershing Road.

Hoboken Municipal Profile

1. County - Hudson

2. a) Land Area - Total: 1.3 sq. mi. = 832 acres

b) Waterbodies and Waterfront Footage:

Hudson River 11000 ft.

c) Riparian Land (Footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-Owned</u>
Hudson River	6720	0	0	4280

3. Master Plan - Hoboken completed its new land use plan element in 1978. The plan differs from its 1956 master plan, which called for the majority of Hoboken's waterfront to be used for industrial purposes, in that it includes a "Waterfront Area". The 1978 plan says that some of this area should be developed as either a public park or a private park with public access. The Waterfront Area includes two categories of use; 1) Principal Permitted Uses - A two-story height limit is imposed for a marine terminal, the university or public uses. 2) Conditional Uses: These uses, subject to special review, are planned unit development, residential and commercial. This "Waterfront Area" covers about one half of Hoboken's waterfront; industrial and transportation facilities are planned for the remaining land.
4. Zoning - The 1967 zoning ordinance of Hoboken calls for industrial use of the waterfront except for the area east of Stevens Institute, which is zoned River Campus Educational Research. This permits college related uses as well as offices and multi-family dwellings.
5. Existing Land Use - Private industries, including Maxwell House and Bethlehem Steel, occupy the northernmost part of the waterfront and prohibit public use of their property, limiting waterfront access. Much of its industrial areas are underutilized and disconnected from other prospering industrial areas. The Hoboken piers, which are leased by the Port Authority were active shipping piers until recently, and, also occupy waterfront land. The Educational Research district lacks sufficient uplands for its designated purposes and has been used mainly for a parking area. Hoboken lacks waterfront recreational areas. The Erie Lackawanna Terminal is used partially as a parking lot for Conrail employees. The waterfront also contains areas owned by various industries, and the Port Authority but are now vacant, or underutilized.
6. Growth Pressures and Opportunities - Due to the designation of a waterfront area on the master plan and the potential of the underutilized industrial areas, future development seems likely. Underutilized areas could be converted to other needed uses such as residential, recreational, or office complexes. The City of Hoboken has considered plans to change the Erie Lackawanna terminal into an activity center. Proposals for a shopping mall, marina, or garden apartment complex have also been suggested. The City has also been coordinating with the Port Authority (see Appendix E) on the possible re-use of the piers for commercial and recreational activities. The land which is now vacant, but owned by industries, will be promoted for additional industrial development.

7. Waterfront Park - None exists, but a waterfront park area is proposed for one of two sites in the master plan, either to the east or to the west of Stevens Institute.

Jersey City Municipal Profile

1. County - Hudson
2. a) Land Area - Total: 14.65 sq. mi. = 9376 acres

b) Waterbodies and Waterfront Footage:

Newark Bay	8000 ft.
Upper New York Bay	40000 ft.
Hackensack River	16000 ft.
Hudson River	22000 ft.

c) Riparian Land (footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-Owned</u>
Newark Bay	2400	0	0	5600
Upper New York Bay	5283	0	0	34717
Hackensack River	15,467	0	0	500
Hudson River	8987	0	0	13013

3. Master Plan - Jersey City is currently updating its master plan, which was completed in 1966. Plans for special areas, such as the Northern Waterfront urban renewal area and the Liberty Harbor urban renewal area take precedence over the master plan. The plan designates approximately the northern 20% of the waterfront for residential and commercial uses, the central 40% for recreation (Liberty State Park), and the southern 40% for industry.
4. Zoning - Jersey City's zoning ordinance is basically consistent with its master plan. Mixed use is permitted along the northern waterfront, while the central area is zoned for parkland, and the southern area is an industrial park zone.
5. Existing Land Use - Most of Jersey City's waterfront is either vacant or consists of underutilized railroad yards, except for a large area which comprises Liberty State Park. Railroad interests own approximately 35 percent of the waterfront. At the present time, only 20-30% of the Greenville Yards property is utilized for railroad purposes. Near Exchange Place, the rail yards are used for delivery of freight, and the yards north of these are used for storage of autos. The Lehigh Valley Railroad trackage, now owned by Conrail, and the Schavone-Bonomo scrap metal operation are located at the Claremont Terminal. Old industrial facilities, abandoned railroad facilities, vacant land and a dry dock are found in the Tidewater Basin area. Port Jersey, the site of a large container operation and industrial and warehousing facilities, is an active industrial area of approximately 300 acres. At Exchange Place, Colgate-Palmolive is still an active industry and Harborside Terminal is partially used.

Most of the Caven Point Army Terminal is vacant or underutilized. Of the 657 total acres, 440 acres of upland and the tidal flat are owned by Jersey City, and the remainder is owned by the State of New Jersey except for a small area still retained by the U.S. Government.

6. Growth Pressures and Opportunities - Several proposals have been suggested for the Hudson waterfront over the past few years. The transportation-oriented waterfront has been suggested as an area for industrial redevelopment by the Port Authority of New York and New Jersey because disbanding railroad operations make more land available. Much of the Greenville Yards area will be available for use, potentially for industrial redevelopment. Development interest has been shown in the Caven Point area, including the land owned by Jersey City. New Jersey environmental organizations, however, feel that Caven Point Cove should be preserved as a wildlife area (see Appendix E). At Port Jersey, Todd Associates have proposed a twenty acre industrial complex funded partially through a UDAG grant to Jersey City. In addition, a private development firm has proposed a major project to include a shopping center, offices and possibly luxury apartment houses and a marina on the land north of the entrance to the Holland Tunnel.
7. Waterfront Park - The master plan for the future development of 800 acres, designated as Liberty State Park, and for the transformation of the abandoned Central Railroad of New Jersey Terminal into an activity center has been completed. Renovation of the Central Railroad of New Jersey Terminal is virtually complete. A small waterfront park located at the foot of York Street was funded by DEP-Green Acres and the Colgate-Palmolive Company.

Bayonne Municipal Profile

1. County - Hudson
2. a) Land Area - Total: 5.39 sq. mi. = 3449.6 acres

b) Waterbodies and Waterfront Footage:

Upper New York Bay	36000 ft.
Kill Van Kull	24000 ft.
Newark Bay	29000 ft.

c) Riparian Land (footage):

	<u>Granted</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-owned</u>
Upper New York Bay	6350	0	0	29650
Kill Van Kull	24,000	0	0	0
Newark Bay	20,441	0	0	8500 ft.

3. Master Plan - Bayonne's master plan was developed in 1963. The City is currently revising this master plan. It designates industrial uses for the eastern waterfront areas and along the Kill Van Kull. A linear park is also included along the Kill Van Kull.
4. Zoning - Bayonne's zoning ordinance reflects the planned uses for the areas as outlined in the master plan. It contains buffer requirements for non-residential zones. Bayonne is the only municipality in Hudson County to permit tank farms and storage of chemicals on any large scale.
5. Existing Land Use - The New York Bay side of Bayonne is highly developed industrially, with no public waterfront access or recreational uses. A portion of the waterfront along the Kill Van Kull is a linear park buffering residential development from the water. This residential area is bounded on both sides, however, by heavy industry and oil storage tanks which are located on the rest of the Kill Van Kull. Along Newark Bay, residential neighborhoods and three parks, including a Hudson County Park, are adjacent to the water. Industry is located in the southern portion of the Newark Bay waterfront. The only vacant land is around the Constable Hook Area. Approximately 400 acres, much of which is under water, is owned by Public Service of Bayonne. The city also operates a landfill and occasionally sells parcels of land in this area.
6. Growth Pressures and Opportunities - Industry will continue to concentrate on the Upper New York Bay side. Because oil and chemical storage are restricted in neighboring areas, interest in Bayonne for these heavy industrial uses will probably remain high. Bayonne relies heavily on tax revenues from the oil and chemical facilities, but some public opposition to any new facilities is present. The Newark Bay side will probably change little in the future. A Route 169 extension is planned for the east side of Bayonne, which would leave the Newark Bay area unchanged. There are virtually no areas open for recreational development on the Hudson River waterfront.

7. Waterfront Parks - Bayonne has a linear waterfront park along the Kill Van Kull, with two municipal parks, City Park and Veterans Park, and Hudson County Park, on Newark Bay. Bayonne has no waterfront access or recreational uses, however, on its Hudson River side, nor does it plan to have any.

Appendix E: CASE STUDIES ON RECENT AND PRESENT PROJECTS,
PROPOSALS AND ISSUES IN THE HUDSON RIVER
WATERFRONT

1. Liberty State Park
2. Greenville Yards
3. Caven Point
4. Exchange Place
5. Hoboken Terminal Joint Development Project
6. River Road Mall
7. Waterfront Clean-Up Project
8. New York City Waterfront Plans

This appendix provides a summary of a number of plans and developments which have influenced, or are intended to influence, the character of the Hudson River waterfront. The topics considered here clearly represent a selective list, but they include most of the recent projects which either appear to be most influential or which have been the subject of most controversy. Several proposals for energy facilities on the Hudson River waterfront, which fit in the later category, are described in Chapter Nine.

1. Liberty State Park

Liberty State Park is located on the Upper Bay of the New York Harbor in Jersey City. Its region is the highly urban northeast sector of New Jersey and the City of New York. The park is New Jersey's first urban State Park.

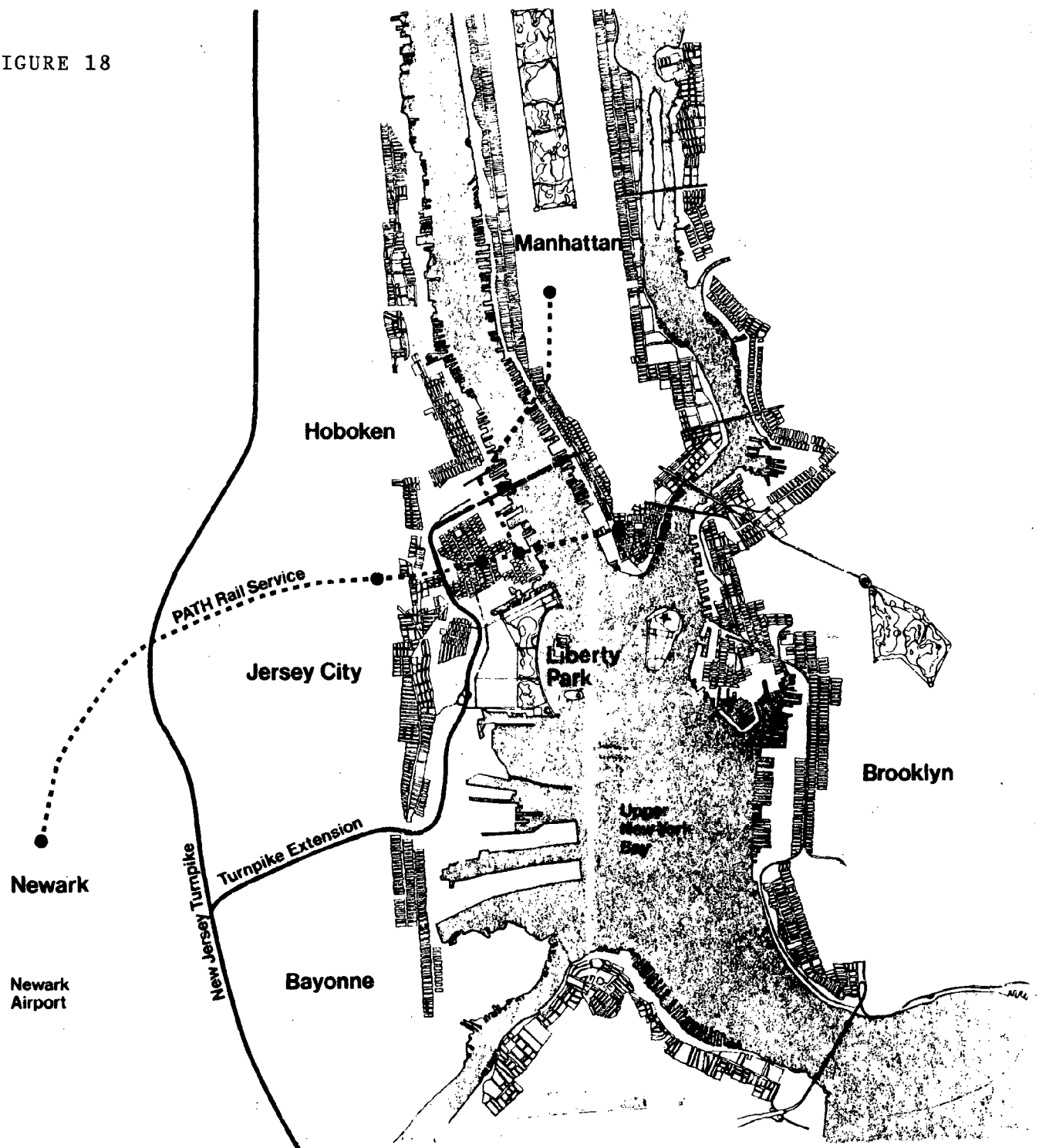
In conjunction with the two national monuments -- the Statue of Liberty and Ellis Island -- the park will complete a triad of attractions with not only regional, but national and international drawing power.

Located at the heart of New York/New Jersey metropolitan region, the park will serve as a catalyst for the revitalization of Jersey City and the older surrounding cities of the region. The park offers public access to the Harbor waterfront and provides the citizens of New Jersey and the region with a major recreation resource. (See Figure 18).

The location serves three types of users: first, the residents of the neighboring cities and counties, for whom the park is easily available for recreation and pleasure; second, the residents of the State and region for whom the Park will be the central park of the New York Harbor; and third, national and international visitors to the harbor and its two famous monuments.

The site has some of the most spectacular scenes in the state and region. It is the western shoreline of the harbor at the dramatic part of the Upper Bay, where the tip of Manhattan appears like the prow of a great ship. In the distance, the views are the harbor's great bridges, on the left the Brooklyn Bridge, on the right the Verrazano Narrows Bridge. The vast sweep of the Upper Bay is in the foreground. And, for unique visual and emotional impact, there are dramatic views of Ellis Island and the Statue of Liberty.

FIGURE 18



Master Plan - The Master Plan for Liberty State Park has been developed by the New Jersey Department of Environmental Protection's Division of Parks and Forestry and Bureau of Capital Planning and Improvements, and the Department of the Treasury's Division of Building and Construction, with the advice of the Liberty State Park Public Advisory Commission.

The Master Plan was prepared for the State of New Jersey by a team of consultants under the direction of Geddes Brecher Qualls Cunningham, Architects and Planners. The Planning Team included the following firms: Geddes Brecher Qualls Cunningham, Architects and Planners; Zion & Breen Associates, Inc., Site Planners and Landscape Architects; Alan M. Voorhees & Associates, Inc., Transportation and Planning Consultants; Economic Research Associates, Economic Planners in Recreation and Tourism; Taylor, Wiseman & Taylor, Consulting Engineers.

Environmental studies and designs for stabilization of the shoreline were prepared for the State of New Jersey by the Port Authority of New York and New Jersey.

Zones of Development - The development plan for Liberty State Park is composed of four zones unified by interdependent functions, integrated landscape design, and inter-related systems of Park circulation. (See Figure 19)

North Embankment - The Central Railroad of New Jersey Terminal is being restored and will become a focal point for cultural activities and visitor orientation. The waterfront around the Tidewater Basin will be a continuous band of landscaping with areas for sightseeing, trailer camping, and picnicking. Sites for active recreation, such as swimming and skating, will be developed along Johnston Avenue.

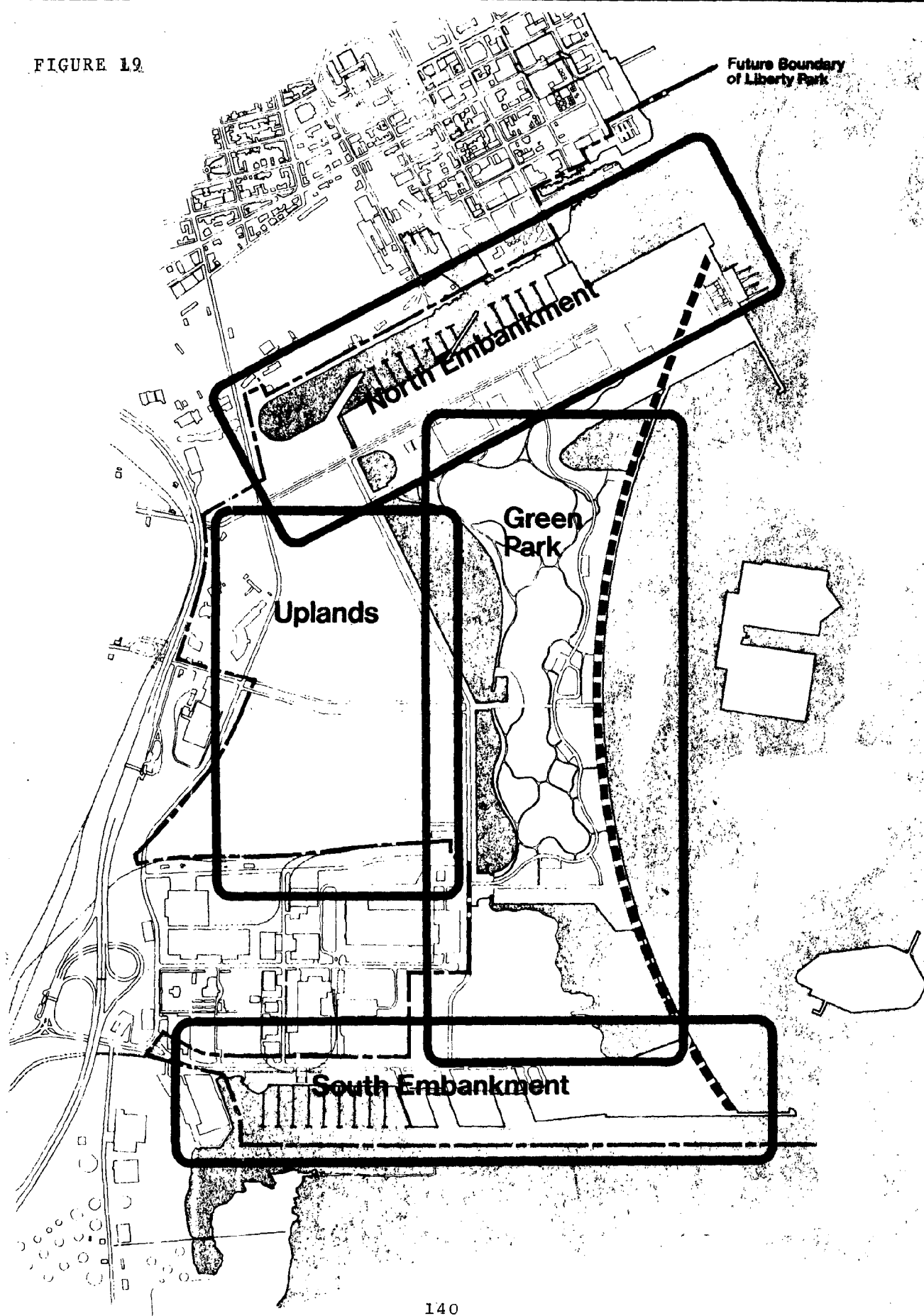
Greenpark - The crescent walk along the harborfront will be treelined promenade providing spectacular views of New York Harbor. Within the Greenpark, there will be picnic areas, open spaces for informal recreation, paved walkways and trails for nature walks. At the north and south ends of the Greenpark, large areas of existing wetlands will remain as wildlife preserves. The Inland Watercourse will be a major natural and recreational attraction in the inner reaches of the Greenpark.

South Embankment - The South Embankment will offer the most dramatic vistas of the Statue of Liberty and the Harbor. Facilities at the South Embankment will be related to the harbor activities and will include fishing piers, a large marina, waterfront restaurants, and picnic areas. The first phase of Liberty Park - a 35-acre landscaped overlook opposite the Statue of Liberty, was opened to the public in 1976.

Uplands - The areas along Phillip Street are closest to existing residential districts, and provisions will be made to satisfy local open spaces needs with such community amenities as playfields and garden plots. The inner portions of the Uplands will be developed in response to broad local and regional interests.

Access - There have been many kinds of access facilities planned for the park because of the park's attractiveness to local, regional, state and national visitors.

FIGURE 19



The existing highway network serving Liberty Park provides excellent regional access. The most important access is the New Jersey Turnpike along the park's western boundary, which provides northbound and southbound access via Exit 14B.

Mass transit is available to Park visitors by bus and PATH systems. Bus service to Liberty State Park is provided along both Johnston Avenue and Wolf Drive. The Grove Street and Exchange Place PATH stations in Jersey City would be within walking distance of the north embankment of the Park via a proposed pedestrian bridge over the Tidewater Basin at Washington Street. A potential future transit station at Communipaw would provide excellent pedestrian access to the park. Bayview Avenue and Wolf Drive provide direct access to the south end of the Park. Johnston Avenue allows excellent access to the north end of the Park. Improvements to Communipaw Avenue would create a third source of local access to the Park. Harbor boat service linking the Park to the national monuments and to Lower Manhattan will be available at the south and north embankments.

Conclusion - The next steps in the development of the Park were subject to some disagreement from some local residents and the U.S. Fish and Wildlife Service who contended that the present plans called for filling of too many acres of wetlands. This disagreement caused a delay in the approval of the Corps of Engineers '404' permit (see Chapter Four - Environmental Resources) to permit dredging. As a result, the plan was modified and the permit was granted in January 1980. Several of the local residents still believe that the park is being planned at a scale that is too grand and not suited to the need of current residents.

Liberty State Park, however, has been generally recognized as the developing showpiece of the northern Jersey waterfront. The aesthetic and recreational opportunities which the park will afford have been critically recognized throughout the region. Ada Louise Huxtable, writing in the Sunday New York Times, August 29, 1976, sums up an "Architecture View" column on Liberty State Park with the following,

"If the plan is vast and visionary, it is also rational and organized, and it is very well begun. Liberty Park could be the most dramatic open space in the metropolitan region in the next century."

The Park represents a cooperative effort among all levels of government. The state has provided Green Acres acquisition funds and management expertise. The City of Jersey City has donated city-owned land. Federal funds have been used for Harbor Clean-up and port construction.

2. Greenville Yards

The Greenville Yards in Jersey City are bounded on the north by Claremont Channel, on the east by the Upper New York Bay, on the south by Port Jersey, and on the west by the proposed Route 185. It is an area of about 265 acres, some of which is under water. As a large vacant waterfront site, it is receiving attention from City officials, nearby residents and the Port Authority for a wide variety of possible uses.

Conrail, the trustees of the Penn Central Railroad, and the trustees of the Lehigh Valley Railroad own portions of the site. Some of the Lehigh Valley land is leased to scrap metal operators. The entire area is zoned for industry.

This site is served by a water pollution control plant that provides primary treatment only, so that any use of the site could affect aquatic life in New York Harbor. The area does not now meet federal air quality standards. Soil stabilization is needed over portions of the site, and it may contain tidal wetlands.

The site is easily reached by rail, but auto access is possible only through secondary routes. Route 185, scheduled to be completed in 1983, would connect Greenville Yards with Route 169.

Present Land Use - The site is mostly underutilized railroad property. A scrap metal shredder and some carfloat activities are still operational. There is active industry to the south and houses are found to the west.

Proposed Land Use - The Port Authority of New York/New Jersey has selected this area as one of several potential sites for a proposed industrial park in New Jersey. Chapter 651 of the Laws of New York and Chapter 110 of the Laws of New Jersey (1978) provide for the Port Authority of New York and New Jersey to participate in a program of industrial development intended to help preserve the port district from further economic deterioration. (See Chapter Six, Industrial Development).

This industrial park would be at least 100 acres and would be supported by the use of resource recovery facilities. This proposed use has caused some controversy in the Jersey City area. Both Mayor Smith and the City Council have questioned the impacts of the resource recovery facility. The Port Authority has not yet decided which of several sites it will propose for an industrial park. The other sites in New Jersey are Doremus Avenue in Newark, and North Avenue in Elizabeth. The Port Authority has said that a site will not be selected without the agreement of the municipality.

A second proposal for the use of the property has come from the Greenville Yards Committee of the Positive Action Citizens Team (PACT), a citizens group in the Greenville section of Jersey City. As a result of their research, they have concluded that the area is best suited to residential development.

PACT supports a residential development here because they believe Jersey City needs to develop the kind of housing that now draws people away from the city to the suburbs, the new and attractive all-inclusive complexes. There are no other sites in the city large enough to create this 'village in town' concept. This type of development would encourage residents to remain in Jersey City, rather than joining the flight to the suburbs.

In addition, PACT argues that the area is well suited to residential development because of the view of the New York skyline, easy access to the turnpike, airport, New York City and Liberty State Park, and its proximity to downtown Jersey City. This location would reduce fuel consumption by reducing travel time to work. With the development of the Hackensack Meadowlands, new employees will need to find housing in the area. The Greenville Yards site would be quite attractive to them because of its central location.

The future of the site is now largely in the hands of Jersey City officials who will have to reach an agreement with the Port Authority to support an industrial park, change the site's industrial zoning to support a residential project such as that proposed by PACT or develop another alternative use of the site.

3. Caven Point

Caven Point in Jersey City was settled by the Dutch and English, who called the land "Kewan Point" and used it for farming and fishing. It had a beautiful cherry orchard and was also used by the Indians as a fishing ground.

When the area was first settled, there were many hundreds of acres of tidal flats similar to those still at the site. As a result of filling of the bay, the Caven Point tidal flats are now the last remaining unfilled flats in the Upper New York Bay. The extremely productive shallow water area is an essential link in the aquatic food chain; it is a nursery for juvenile fish species, and an overwintering area for many waterfowl species. Depths through most of the cove run less than 7 feet (mlw), except for docking areas as deep as 30 feet (mlw) maintained at the outer half of Caven Point pier. At low tide, a broad flat area is exposed along much of the shoreline. Caven Point's special value to fish life lies in its shallow depth and natural shoreline. The invertebrate organisms living in this habitat are a food source for fish. Much of the bottom sediments at Caven Point are sand, which is preferred by most species of crustaceans, of major importance in the diet of sports fish. The soft clam population provides a food source for winter flounder and overwintering fowl populations.

Invertebrate sampling has confirmed its value as a fish production habitat. Shrimp are numerous along the shoreline. The loss of this area would have a significant effect on a much larger area than the New York Bight since most of the fish species utilizing the cove are ultimately harvested in the ocean environment.

The importance of this area is well documented in a study conducted by Texas Instruments, for the Department of Environmental Protection (1975), and a study by the Environmental Protection Agency for DEP's Division of Fish, Game and Wildlife. These studies found the young of species such as striped bass, bluefish, fluke, blowfish, and alewife herring. The Environmental Impact Statement for Liberty State Park, prepared by the Heritage Conservation and Recreation Service in the U.S. Department of Interior details species found in the Liberty Park area. Many of these species were forced to move to Caven Point as a result of filling of the area to develop Liberty State Park.

The Texas Instruments study indicated sitings of 10,000 individuals of 18 species in the Liberty Park area in the winter of 1975-76. A comparison of sampling stations showed that wildlife were more abundant where there was an irregular shoreline with protected inlets and wooden structures extending out from the shore. Now that Liberty State Park will have a regular, crescent shaped shoreline, the Caven Point shore will be even more important. The natural shoreline aids invertebrate production by providing an intertidal zone where organisms are buffered from pollution and disturbance. Plant detritus is produced in this area, which is also a major food source.

The Caven Point area, as it is now known, can be subdivided into three separate sections. The upland 230 acres is owned by the city of Jersey City except for a small area still retained by the U.S. government. Jersey City also owns a 210 acre tidal flat area, which extends east to bulkhead line. The remaining 217 acres from the bulkhead line to the pierhead line, or the Riparian rights, are owned by the State of New Jersey. At the southern end of the cove, a 3/4 mile pier extends into Upper New York Bay. This pier was constructed in 1942 as a military embarkation point, at a cost of \$3 million.

Jersey City purchased Caven Point for industrial development when the U.S. Army declared it to be surplus property in 1970. At that time, the U.S. government donated surplus lands for recreational purposes, so that Jersey City could have received the property at no cost had it designated the area for recreation.

The State of New Jersey recently purchased the Caven Point pier, 21 upland acres and 279 underwater acres from Jersey City using contingency funds from the U.S. Department of the Interior.

In 1973, National Kinney Corporation and the United Housing Foundation developed a plan for the area called "Liberty Harbor," which was to be a "new community on Jersey City's waterfront". It would have encompassed a total of 3,000 acres, some of which are now a part of Liberty State Park, and would have required the filling of Caven Point Cove. The plan called for a residential community, to the north, with local shopping and community facilities, open space, schools, and an industrial park to the south all adjacent to Liberty State Park. The industrial section to the south would have included marine, shipping, containerport activities, offices and railroad yards, and would have required extensive filling in order to create 1,000 acres of new development.

The entire proposal was projected to cost \$1.5 million to \$2 million over a ten year period. Additional projections were that Jersey City's tax base would increase by over \$20 billion per year, 12,000 additional jobs would be created and housing would be provided for 60,000 additional residents.

Completion of the Liberty Harbor plan coincided with the energy facility siting controversies described in Chapter Nine. Some citizens opposed any development at this site that might bring in polluting industry. In addition, the developers were having difficulty raising the funds to complete the project. These two factors together prevented the project from getting started.

The future of Caven Point is now the subject of great debate. Jersey City officials would like to see the upland part of the site developed as an industrial area, while many environmental groups favor protecting the entire area as a wildlife preserve, possibly by adding it to the Liberty State Park. While state and federal agencies review at least part of any proposed uses for the site, the Mayor and Council of Jersey City currently have the major voice in determining what will or will not be located at Caven Point.

4. Exchange Place

Exchange Place is located on Jersey City's waterfront, just across the Hudson River from Manhattan. It is adjacent to the Colgate-Palmolive Company and Harbor-side Terminal Inc. Several blocks to the west, along Montgomery Street, is Jersey City's City Hall. Exchange Place is a stop on the PATH Line, which links it to New York, Newark, Hoboken, and the Journal Square business center in Jersey City.

Exchange Place has a long history as a financial district. The Hudson waterfront area was originally settled as a summer community for New York City residents, but because of its excellent location, accessible to the river, the harbor, and downtown New York, the image quickly changed, and the area developed as a major marine transportation center. Railroads grew quickly, linking the shipping

industry to areas further inland. Exchange Place became a center of transport systems and business as a direct result of its prime location. A ferry docked there which linked commuter rail passengers with New York City until tunnels were completed allowing the trains to continue directly to New York.

With the emergence of truck transport, there was a marked shift in industrial development away from the waterfront into New Jersey's suburban regions. The port areas gradually declined as the needs for pier facilities changed. Today much of the area at Exchange Place is rotting rubble and filled land. Despite this fact, the waterfront at Exchange Place is a popular lunch and fishing spot. The first step towards the revitalization of the area was recently completed, through the efforts of Colgate-Palmolive, working with the Green Acres Administration in the NJDEP. A 1.2 acre park along the waterfront now allows visitors to get to the waterfront and view the harbor.

The potential of Exchange Place is enormous, not only in terms of the immediate site, but also in terms of its affect on the entire waterfront, and Jersey City's downtown area. The pathway begun at Colgate-Palmolive could be extended so that city residents from many neighborhoods could come to walk close to the water's edge, and to view the skyline and the harbor. The Harborside Terminal pier adjacent to the site could eventually be redeveloped for commercial recreation ventures, which could further enhance the area as well as stimulating economic growth.

Current Plans and Proposals - As a result of the Army Corps of Engineers and N.J.D.E.P. Harbor Clean-up Project, the Port Authority's vent shaft for the PATH Station which is located at Exchange Place will be left unprotected. The Port Authority is willing to help fund the extension of the bulkhead in order to protect this structure and to help Jersey City build a waterfront park. They will provide the ten percent city contribution to ninety percent funding for development of the plaza from the Green Acres Administration.

In the initial stages of a Port Authority funded marketing feasibility study for several sites in the New York Harbor area, a 105 acre site included Exchange Place. The area of focus is now further north at the Hoboken/Jersey City boundary. The consultant for this project is the American Cities Corporation, a subsidiary of the Rouse Corporation. The full market analysis and a concept plan were completed in draft in May, 1980. This project is discussed later in this Appendix in the section on Hoboken.

In addition, Jersey City has explored the potential for the Exchange Place area using a \$30,000 grant from NJDEP made possible by New Jersey's participation in the federal Coastal Zone Management Program. The City awarded a contract to Bernard Albin Associates, who have completed a planning and design alternative study for Exchange Place. Jersey City selected the intermediate alternative of three draft concept plans prepared by Albin Associates for the use of Exchange Place and the surrounding area. The grant awarded by DEP was part of an informal agreement between the federal Office of Coastal Zone Management, Heritage Conservation and Recreation Service (HCRS) and the Economic Development Authority (EDA) to make the Exchange Place project a demonstration of funding coordination methods. The next steps are for Jersey City to obtain the necessary public funding and regulatory approvals from state, federal and regional agencies.

The proposal calls for extending the bulkhead to create a two acre urban plaza which would be a place for visitors to purchase refreshments from carts and sit at tables on the riverfront with a view of Manhattan, or just stroll along the waterfront. It would be an ideal lunch spot because of its proximity to the financial business district.

The simplest plan called for only a passive recreation area, and only enough filling to create a one-acre site, while the most complex (and costly) alternative included an enclosed restaurant on a restored ferry boat and a transportation terminal which would connect the plaza and the PATH station to Liberty State Park via aerial tramway or monorail. The selected plan is designed so that desirable aspects of the third plan can be added as funds become available.

5. Hoboken Terminal Joint Development Project

The Hoboken Erie-Lackawanna Terminal is a vital transportation facility on the Hudson River Waterfront. Owned by the New Jersey Department of Transportation (NJDOT), the facility is used by over 50,000 rail commuters daily as a key transfer point between the New Jersey commuter rail system and the PATH rapid transit system to New York City.

The NJDOT property encompasses 45 acres of buildings and rail yards with the terminal building itself enclosing 93,000 square feet of floor space. The unique architecture of the terminal and its historical significance as a major rail and ferry hub during the 19th and 20th centuries has stimulated widespread interest in its rehabilitation and preservation. Moreover, its location in the redeveloping city of Hoboken offers opportunities for joint development with the private sector both on the Terminal and on property adjacent to it.

NJDOT is now focusing its efforts both on the restoration of the station and on the potential development opportunities it presents. In September, 1979, the Department began a study in partnership with the City of Hoboken and the Port Authority (as part of its Waterfront Development Program) to assess the development potential and insure compatibility with the City of Hoboken's overall development goals. The American Cities Corporation, a subsidiary of the Rouse Corporation, was retained by the Port Authority to conduct a marketing feasibility study in the area which was expanded to include northern Jersey City from the Holland Tunnel to the city line in addition to the part of Hoboken which includes the Erie-Lackawanna Terminal. The study is guided by a Technical Advisory Committee composed of the three principal agencies as well as the Department of Environmental Protection and the New Jersey Department of Community Affairs. Meanwhile, rehabilitation of the Terminal building has begun with grants from the U.S. Economic Development Administration secured by the City to restore the copper facade of the terminal, repair the skylight and passenger waiting areas, as well as the train platforms and other improvements.

Preliminary results of the study show potential for a mixed-use development consisting of a substantial residential component, convenience retail establishments, office space, a hotel, a marina, a conference center and parking. Complete re-use of the terminal would follow revitalization of the surrounding area, once a market was created. This project would have to occur in phases, and would require government commitment and funding in addition to private sector investment.

6. River Road Mall

In 1979, Jaime Holding Company proposed development of a small shopping center, called River Road Mall, which would occupy 17.7 acres in North Bergen on River Road between 78th and 82nd Streets. The \$16 million mall, which would require a zoning variance is considered mixed use development because it would include a marina, a small waterfront park, two large stores, several smaller stores, and a restaurant. About 700 people would be employed in the complex.

North Bergen has applied for a \$3 million Urban Development Action Grant (UDAG) from the U.S. Department of Housing and Urban Development (HUD) to help fund the project. The municipality would have had to provide \$3 million to match this, and the developer would provide the rest.

A five person advisory board was proposed by North Bergen to supervise the funding of the project. Three of the representatives would be from North Bergen, one from Union City and one from West New York. Sixty percent of the revenues generated from this mall would go to North Bergen, and the remaining 40 percent would be divided equally between Union City and West New York.

This mall has sparked much debate among local residents. Some, especially West New York residents, argue that this mall would draw businesses from the well-established stores on Bergenline Avenue. Another major problem with the location was access to the mall. Although the developer promised to widen River Road at the mall entrance, residents agreed that it would cause more traffic congestion on the already heavily travelled road. The Tri-State Planning Commission is opposed to this mall because they believe automobile oriented malls should be discouraged. To date, the developer has been unsuccessful in getting the necessary approvals and funding to complete this project. HUD responded to the environmental assessment, stating that the negative impacts on the West New York shopping district would have to be mitigated before the project could be approved.

7. The New York Harbor Collection and Removal of Drift Project (Waterfront Clean-Up Project)

The New York Harbor Collection and the Removal of Drift Project is a U.S. Army Corps of Engineers (COE) water resources development project authorized by Section 91 of the Water Resources Development Act of 1976. (P.L. 93-251) It is a state/federal project, and is administered at the state level by the Bureau of Capital Improvements in DEP's Division of Fiscal and Support Services. New Jersey's participation in this project is in support of expanding commercial development and providing a clean, accessible shoreline.

The project was undertaken to increase navigation safety, enhance the environment, and decrease fire hazards through elimination of floating harbor drift by the removal of 2,230 deteriorated vessel hulks, 100 rundown piers and other shore structures totaling 23.5 million cubic feet, and the repair of 160 usable and productive structures.

A project coordinating committee was formed, made up of COE, Port Authority, State and municipal interests. The committee divided the region into more workable segments, or "reaches". To date, the Liberty State Park reach has been virtually completed. The remaining portion of Jersey City known as New Jersey Reach No. 1 is in the advanced stages of planning, and it is anticipated that a construction

contract will be awarded before the end of 1980. The segment which includes Exchange Place has been given special priority in order to facilitate work on the development of an urban plaza as described earlier in this appendix and will be completed as part of the Jersey City Reach No. 1. The sector from Hoboken to North Bergen, known as New Jersey Reach No. 2 is in the early stages of planning, and a contract will probably be awarded early in 1981. The completion date for the entire project is anticipated to be September 1988. (See Figure 20).

The local contribution is agreed to be: 1) payment of one-third of the removal cost (\$10 million from the 1977 Beach and Harbor Restoration Bond Issue is directly earmarked to provide the required local matching funds for clean-up), 2) responsibility for structural repairs, 3) provision of property access rights in work areas, and 4) enforcement of laws to prevent recurrence of conditions.

The State is currently developing a Five Year Plan in collaboration with seven counties and the municipalities of Bayonne, Jersey City and Newark. Future needs include continued federal appropriations at a level to keep pace with project needs.

8. New York City Waterfront Plans

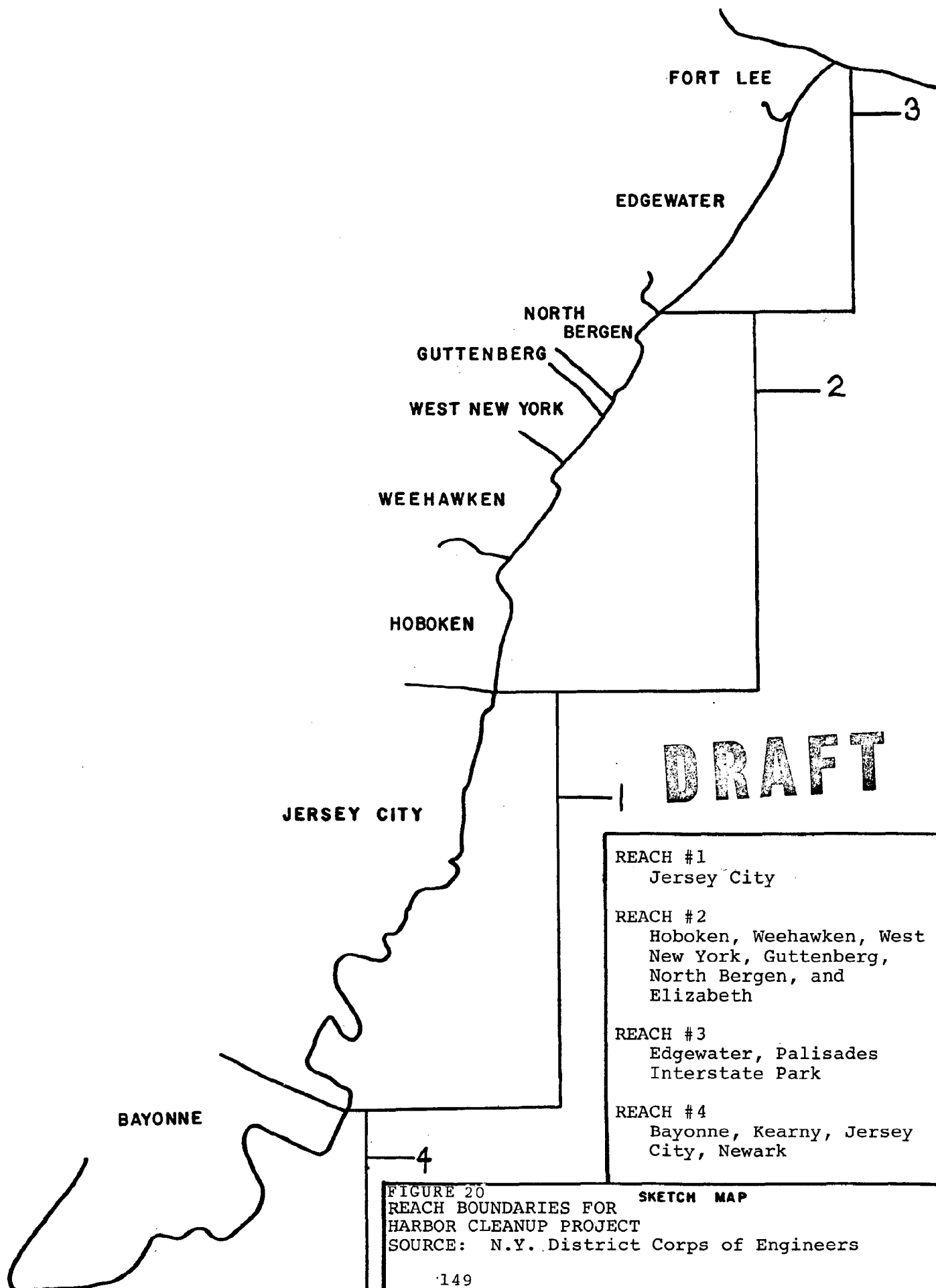
Mayor Edward I. Koch has made reclaiming the New York City waterfront a top priority of his administration, and this new focus on the waterfront has opened new opportunities for planning and redevelopment. Of particular interest to New Jersey are those proposed and planned projects for New York's side of the Hudson River which are outlined below:

Piers - Rehabilitation or renovation of unused piers is in progress along Manhattan's west side. Examples of these efforts are Pier 84 at 44th Street, which was recently rehabilitated as a recreational pier, and the plans for Pier A, north of Battery Park, which will be shared by the Fire Department and a restaurant.

Battery Park City - The City is currently reviewing a new proposal to develop Battery Park City on landfill created by the excavation of the World Trade Center. According to these plans, the American Stock Exchange and commercial buildings will connect with the World Trade Center, and apartments will be located at the northern end of the 91-acre landfill that stretches one mile along the Hudson River.

Westway - The possible building of Westway has been seen by the Koch administration as an opportunity to make a significant impact on Manhattan's deteriorated western waterfront. Present plans would remove abandoned piers, add 182 acres of landfill, remove the elevated West Side Highway, and provide a 92-acre park. Fifty acres will be available for commercial and industrial uses, and 35 acres for residential construction. This plan is the subject of considerable controversy.

Convention Center - A proposed plan has been set forth for a 25-acre site on underutilized Penn Central railroad yards at 34th Street. These plans, which are linked to the adjacent superliner terminals and docks for the Circle Line and day cruise tourist boats, may stimulate additional commercial and tourist-oriented development in the area.



North River Water Pollution Control Plant - Large-scale water pollution treatment programs undertaken by the City and State are expected to produce significant improvements in the quality of the Hudson River by 1985. The Interstate Sanitation Commission calls for water quality standards of four parts per million of dissolved oxygen and fecal coliform levels of not more than 200 per hundred milliliters. These water standards will be more nearly realized once the planned North River Plant, located on the west side of Manhattan north of 130th Street, is completed.

East River Development Project - A \$274 million multi-use complex, known as River Walk, was approved by Mayor Koch in July, 1980 for a site between 16th and 24th Streets along the East River. The primary emphasis of the River Walk project, which is a joint venture of the Toronto-based Cadillac-Fairview Corporation Ltd. and Related Housing Companies, Inc., is on housing. River Walk will extend 500 feet over the river and will transform the 30 acre site into a waterfront community which includes restaurants, stores, theatres, offices, a hotel and a marina in addition to apartments. The final approval rests with the Board of Estimate. If approved, the city would receive a minimum of \$10 million a year in rent and taxes beginning in 1985, when the project is scheduled to be completed.

New York City Coastal Zone Management Program - The local element of the New York State's coastal management program has been drafted by New York City's Department of Planning. Policies embodying the City's strategy for its waterfront include aesthetics, air quality, economic development, energy, fish and wildlife, flooding and erosion, impacts of outer continental shelf activity, public access, recreational resources, water quality, and solid waste disposal.

Waterfront Inventory - New York's Departments of Ports and Terminals and City Planning have begun a joint effort to compile information on the physical features of the waterfront land and structures. The increasing demand for waterfront properties for non-maritime use has made the availability of hard data on the coastal sites a necessity for economic development decisions. The findings of the study will aid private developers as well as governmental agencies.

Aside from new development initiatives, New York Hudson River residents enjoy the quiet of Inwood Park overlooking the Palisades, the recreational opportunities offered by Riverside Park, the 79th Street Boat Basin Marina, and various unused piers which have been taken over by residents for fishing and passive recreation.

Appendix F: HUDSON RIVER WATERFRONT PLANS FROM OTHER AGENCIES

An array of regional authorities, agencies, and commissions, both public and private, have prepared plans or proposed development policies for parts of the Hudson River waterfront.

The following summary of the most important findings and recommendations found in these publications, is divided into three sections: Statewide reports, reports focused on the northern waterfront in general or the Hudson River specifically, and county and municipal plans.

Statewide

The Department of Community Affairs has drafted a plan to direct the geographic pattern of the State's growth, while a cabinet committee has made an assessment of the State's urban policy. Both reports encourage development, especially redevelopment of the State's cities and depressed urban areas.

State Development Guide Plan: Department of Community Affairs, Division of State and Regional Planning; Preliminary Draft, September 1977: The plan presents the State's guidelines concerning the future direction of residential and industrial growth. It was prepared under Section 701 of the Housing and Community Development Act and presents four goals for development: maintain the quality of the environment, preserve the open space necessary for an expanding population, provide space and services to support continued economic expansion, and enhance the quality of life in urban areas.

The Plan's land use element calls for development to be concentrated in already developed areas or in areas which have the necessary infrastructure. Limited growth and preservation of agricultural lands are encouraged in the remainder of the State. The Department of Community Affairs is now working to revise the plan for publication later in 1980.

An Assessment of New Jersey's Urban Programs: Cabinet Committee on Urban Policy; 1978: This report surveys existing programs and recommends many policies for revitalizing New Jersey's urban centers. The majority of New Jersey's urban areas are along waterfronts.

The Committee's policies are focused on checking the economic decline of the state's older cities by increasing their attractiveness to investors and emphasizing their natural advantages of central locations, good transportation networks, large labor pools and a wide variety of public services. The Committee notes the operating state programs which, it estimates, contribute over \$1 billion dollars in current and potential resources toward the improvement of urban housing, transportation, health care, school facilities, park and harbor facilities, and industrial sites.

The Urban Task Force of the Governor's Office of Policy and Planning is coordinating responses to the publication from various state departments and will make public its findings in a later document.

New Jersey Coastal Management Program: The New Jersey Coastal Management Program (CMP) has been prepared by the Department of Environmental Protection to determine and describe New Jersey's strategy to manage the future protection and development of the coast.

The program is intended to promote the wise use of the State's coastal areas. The Coastal Management Program for the Bay and Ocean Shore Segment, beginning at the Cheesequake Creek in Middlesex County and including the area south of Sandy Hook to the tip of Cape May and then north along the Delaware Bay to near the Delaware Memorial Bridge received federal approval in September 1978. The most recent program issued in draft in May 1980 and a final form in August 1980 addresses New Jersey's entire coastal zone. This includes other tidally influenced waterfront areas in the northeastern part of the State, along the Hudson River and its related waters, in the Hackensack Meadowlands and along the Delaware River and its tributaries.

The program is being reviewed by the U.S. Department of Commerce, the Office of Coastal Zone Management for approval in late September 1980. This approval is necessary for the State to obtain the benefits of the Coastal Zone Management Act, which will result in an initial grant totalling \$21 million beginning October 1980.

In the northern part of the State, enforcement of the Coastal Management Program relies upon the 1914 Waterfront Development Law. Under the amended rules to this law which take effect September 26, 1980, all prospective developers must obtain State agency approval "for all plans for the development of any waterfront upon any navigable water or stream of this State or boundary thereon..." (N.J.S.A. 12:5-3). This will be applied to affect any development to the first public road or transportation route provided that boundary is a minimum of 100 feet and a maximum of 500 feet from the high water line. DEP will review all applications under this law on the basis of Coastal Resource and Development Policies which will be adopted as administrative rules effective September 26, 1980. These policies include specific criteria for approving, denying or conditionally approving waterfront development, and are consistent with the Policy Recommendations adopted by the Hudson River Waterfront Study Commission (see Executive Summary).

Guidelines for the Development and Financing of Liberty State Park; Liberty State Park Study and Planning Commission; December 1977: Guidelines provides a set of recommendations to DEP. The basic concept for the Park, according to Guidelines, should be as a green cornerstone in the heart of the urban waterfront. The Park is strongly influenced by its proximity to the Statue of Liberty and Ellis Island, but it should be more than a vantage point for these monuments. It must also serve the diverse active and passive recreational needs of the region.

Development in stages is foreseen for the park and described in Liberty State Park; Urban Regional Design Assistance Team, 1977. The Park will ultimately occupy 800 acres. The first stage, a 40 acre grassy overlook behind the Statue of Liberty is already open. (See Appendix E for further details).

Regional - Within the Northern Waterfront, the Tri-State Regional Planning Commission is the public planning agency recognized by the federal government for the purpose of A-95 review. Tri-State and the Regional Plan Association, a private citizens association, have both produced plans and reports which support preservation of coastal resources, revitalization of urban waterfronts and prevention of sprawl into undeveloped areas. The cities of Hoboken and Jersey City also have each produced plans for the revitalization of their own waterfronts, and the Center for Municipal Studies at Stevens Institute has produced a separate plan. State plans for Liberty State Park will also influence the development of the Jersey City Waterfront. The Port Authority of New York and New Jersey manages and develops extensive land areas along the waterfront, and has issued isolated public plans for the Northern Waterfront Area.

Regional Development Guide, 1977-2000: Tri-State Regional Planning Commission; March, 1978: This guide for growth in the New York Metropolitan Area, including all Northern Waterfront counties, proposes three general development objectives. First, the Guide recommends that development be prohibited or highly regulated in "critical lands" including land with steep slopes, poor drainage, or soils unamenable to development, flood areas; headwater areas; watersheds and aquifer recharge areas; wetlands; wildlife habitats and forest lands; parks and preserves; and historic sites. Second, development should be concentrated rather than dispersed. Third, development should try to balance housing, employment opportunities and services.

The Guide includes a land use element which, like the State Development Guide Plan, supports new development only in areas with existing development or infrastructure for development.

The Guide also reminds the reader that poor people -- blacks and Hispanics mostly -- are becoming an increasingly large proportion of the urban population. Tri-State argues that development decisions throughout the region, and especially in urban areas, must be particularly sensitive to the needs of these people.

The Tri-State Coastal Zone Management Perspectives: Tri-State Regional Planning Commission; April, 1975: In Perspectives, the Commission specifically addresses development in the region's coastal zone. Tri-State contends that coastal zone management should "accommodate the economic, cultural and leisure needs of the Region's people requiring location in the coastal zone, and guard, restore and enhance the natural character and functions of the coastal zone". The document recommends four general strategies for achieving these goals: establishing strict siting regulations for various activities in the coastal zone; reserving areas for necessary, water-dependent uses which could be environmentally disruptive, such as shipping and power generation; combining, where possible, these necessary economic uses with uses oriented toward preserving the natural environment, such as recreation and open space; and setting environmental tolerance standards -- acceptability thresholds for environmental degradation.

With these goals and strategies in mind, the Commission then discusses five particularly important uses of the region's coastal zone: conserving the marine environment, recreation, power generation, shipping and waste disposal. In Perspectives, the Commission raises issues regarding these five uses that an effective management program would have to address, but for the most part, does not recommend specific resolutions to those issues.

There is a theme expressed in Perspectives which recurs in every document written about the Northern Waterfront. Changes in transportation technology -- the change to containerization which has reduced the number of shipping ports and the lower costs of overland transportation -- and shifts in population and industry from the Northeast have left the once crowded waterfront with suprisingly large amounts of vacant land and with many underutilized and deteriorating facilities. Consequently, there is now ample space for the region's water-dependent needs. The management role is to locate them where they can do the most social and economic good and the least environmental damage.

Port Authority of New York and New Jersey Plans: Although the Port Authority owns and operates several extensive facilities in the harbor and will undoubtedly continue to be a key factor in the future development of the area, it has not written a development plan for the Port District. However, the Port Authority did outline broad strategies to guide the Port Authority's policies through the next decade (see Regional Recovery: The Business of the Eighties; Port Authority; June, 1979). Published with this report were the reports of five individual task forces: Regional and Economic Development, Transportation and Economic Development, Energy, Public Policy and Institutional Capacity.

The Port Authority has most recently proposed developing industrial parks on large unused sites in the Port District. Enabling legislation was passed in 1978 by the States of New Jersey and New York to empower the Port Authority to acquire, develop and lease land for industrial purposes in accordance with a yet to be developed master plan for port development. One of the three sites under consideration in New Jersey is Greenville Yards in Jersey City. (For more information on the Greenville Yards site, see Appendix E) Preliminary plans (see Industrial Revitalization in the New York-New Jersey Region; Port Authority, May 1978) call for resource recovery plants to transform municipal solid waste into cheap energy for industrial use at each site, and thereby provide a competitive advantage over suburban plants. If carefully located, these industrial parks could substantially revitalize parts of the urban waterfront. The master plan of potential sites (see Potential Urban Industrial Park Sites, Port Authority; July 1979) provides information on siting criteria and development potential in the Northern Waterfront. In addition it provides detailed information on each site and some public comment.

In 1977, the Port Authority released a study (Support Bases for Offshore Drilling: The Port of New York Potential; May 1977) of potential support base sites for outer continental shelf drilling operations. Four of the sites examined are in New Jersey: Greenville Yards, Jersey City; Port Kearny, Kearny; Port Newark, Newark; and the Arthur Kill, Perth Amboy. This latter site was also examined by a similar study undertaken for DEP with federal Coastal Zone Management Act planning funds (Onshore Support Bases for OCS Oil and Gas Development: Implications for New Jersey, Center for Coastal and Environmental Studies, Rutgers University; September 1977).

The Lower Hudson: Regional Plan Association; December, 1966: This fourteen year old report by the Regional Plan Association (RPA), the New York metropolitan area's major private planning organization, still has many pertinent findings and recommendations about the Hudson River segment of the Northern Waterfront.

RPA argues that the time has come to reclaim the waterfront for new uses -- uses oriented toward public access which has been cut off by industrial activities for so long, and which can replace the deterioration left behind when industry and commerce moved elsewhere.

RPA suggests three principles for guiding future development along the riverfront: 1) bring people to the river by encouraging uses like housing, parks, recreation areas, and community facilities, and by maximizing public access; 2) focus private design and attention on the river and provide visual access; and 3) encourage design and arrangement which "clarifies and reinforces" visual amenities, rather than obscuring or detracting from them.

RPA emphasizes that the Palisades are such important regional amenities that they should be preserved physically and visually as much as possible. In The Lower Hudson, RPA suggests specific designs and arrangements for preserving or enhancing the visual character of the cliffs, which are seen as natural counterparts to the tall, man-made walls on the Manhattan side of the river.

In this document, RPA envisions the New Jersey riverfront from the George Washington Bridge to Hoboken with highrise housing, parks and community facilities. From Hoboken to Jersey City, a pattern of mixed uses is suggested, while the waterfront from Jersey City to Bayonne should be reserved primarily for necessary industrial uses. The historic attractions of Hoboken and other riverfront areas and the possibilities for tourist-related development associated with these are noted. A hiking and bicycle trail along the entire New Jersey riverfront is seen as especially desirable. (See Chapter Three - Public Access and Open Space for further details).

The Second Regional Plan: Regional Plan Association; 1968: This twelve year old plan contains the basic policy framework which RPA recommends for the New York Region. It calls for concentrating new offices, shopping centers, higher education, health services and higher-density apartments in new and old downtown areas. It opposes commercial and residential development in areas that are not accessible to existing downtowns by public transportation.

New Jersey Cities, 1978 Current Conditions - Proposed Policies: Regional Plan Association; October 1978: RPA's most recent project has been a study of the problems and potentials of northern New Jersey's largest cities, many of which lie, at least in part, within the Northern Waterfront coastal zone. RPA has found sections of these cities suprisingly vibrant and attractive, and maintains that certain constellations of amenities can draw jobs and people back into the cities. Recreational, residential and retail developments that are compatible with existing neighborhoods should be encouraged, especially in downtown areas. Citizen and tenant organizations should be expanded since they have helped create a sense of community and have deterred crime.

Private businesses could "adopt" a city, as Johnson & Johnson has done in New Brunswick. A partnership should be developed between government, business, industry and community groups to collectively solve the remaining problems.

With these findings in mind, the urban waterfront can be seen as one of the potential magnets for drawing jobs and people back into the city and as a potential focus for a neighborhood, around which a sense of community can develop.

Urban Waterfront Policy for New Jersey: Center for Municipal Studies and Services, Stevens Institute: The Center for Municipal Studies and Services at Stevens Institute in Hoboken has written an "Urban Waterfront Policy for New Jersey", which emerged from Water Redevelopment Project, Report #2 (March, 1977), an analysis of redevelopment options for Hoboken's waterfront.

This document, like the other urban waterfront plans, begins with a discussion of how parts of the waterfront have become places of industrial decline and abandonment with vacant land and deteriorating facilities, and of their potential for restoration through new uses which encourage public access and enjoyment. The report argues that because a certain activity has happened in the past "does not mean it was, or still is, wise or beneficial".

In summary, the aforementioned reports stress the importance of providing public access and recreation in conjunction with ratables which provide jobs, the avoidance of polluting industries wherever possible, and the designation of areas of particular environmental concern.

County and Municipal Plans

Hudson County - Recognizing a shortage of recreational or open space land in the county, the Hudson County land use plan suggests areas which should be acquired for that purpose. Part of the area recommended in the plan for county acquisition extends along the face of the Palisades.

The Hudson County Plan suggests that much of the Hudson River waterfront, particularly the areas in Bayonne, Jersey City, Union City and West New York remain in, or be redeveloped for, industrial use. Some parts of Jersey City and Hoboken are suggested for a residential, commercial and industrial mix. For the most part, the county plan is designed to shape a healthy, vital waterfront in Hudson County. (See Appendix D for municipal profiles).

Bergen County - The Bergen County plan was adopted in 1973, based on a report completed in 1971. The plan is a general scheme for the county and contains no specific land use plans for the waterfront. The northern half of Edgewater is designated as a high density residential area and the southern half as a major employment area. It designates the Fort Lee waterfront which is a part of Palisades Interstate Park to remain as open space. The only open spaces included in this plan, in addition to the Park, are along tributaries to the Hudson River.

Jersey City Comprehensive Waterfront Plan: Jersey City Planning Commission; 1973: This massive draft plan prepared by the National Kinney Corporation and the United Housing Foundation for redevelopment of Jersey City's waterfront, recommended residential development north of Liberty State Park and filling and expansion of Caven Point and Greenville Yards to the south for industrial redevelopment. The Department of Community Affairs, Division of State and Regional Planning examined the problems of implementing this plan in Unified Development Plan: Jersey City Waterfront; prepared for HUD in December 1975.

In 1977 the City produced a new plan for the waterfront north of Liberty State Park. The plan calls for a residential, recreational, and industrial uses. It also proposes the removal of large amounts of railroad trackage, major bulkheading operations, and dredging for a marina and tug facility.

Appendix G: DECISION-MAKING SYSTEM FROM OTHER AREAS

1. Introduction
2. Hackensack Meadowlands Development Commission
(New Jersey)
3. Delaware and Raritan Canal Commission (New Jersey)
4. Pinelands Commission (New Jersey)
5. San Francisco Bay Conservation and Development
Commission
6. Minnesota Twin Cities Tax Sharing Plan
7. Baltimore Harbor Plan
8. Toledo Overlay Zoning District

1. Introduction

One of the Commission's first decisions was to investigate waterfront projects and approaches to the governance of a region which had been adopted in other areas, to see if they provided models and lessons for the management of the Hudson River Waterfront. The development of the proposal to the Governor and the Legislature was based in part on this examination of the experiences of other cities.

At its first meeting, the Commission saw a slide show prepared by the New Jersey Department of Environmental Protection which provided a brief look at successful waterfront projects in Seattle, Denver, Manhattan, Brooklyn, Baltimore, Newport, and Boston. In some of these cities, the successful projects were the result of collaboration between a visionary developer and a cooperative municipal administration while in others it also had required the actions of a state legislature to create a particular type of government structure which had the effect of promoting waterfront redevelopment.

This appendix includes descriptions of waterfront management in San Francisco and Baltimore since the process followed in these cities, particularly San Francisco, seemed most adaptable to New Jersey. In addition, other innovative land use decision-making processes including three employed in New Jersey and others in Minneapolis, St. Paul, Baltimore and Toledo, while not necessarily directed toward an area similar to the Hudson River waterfront, also offer techniques with elements which may be applicable to this area.

2. Hackensack Meadowlands Development Commission

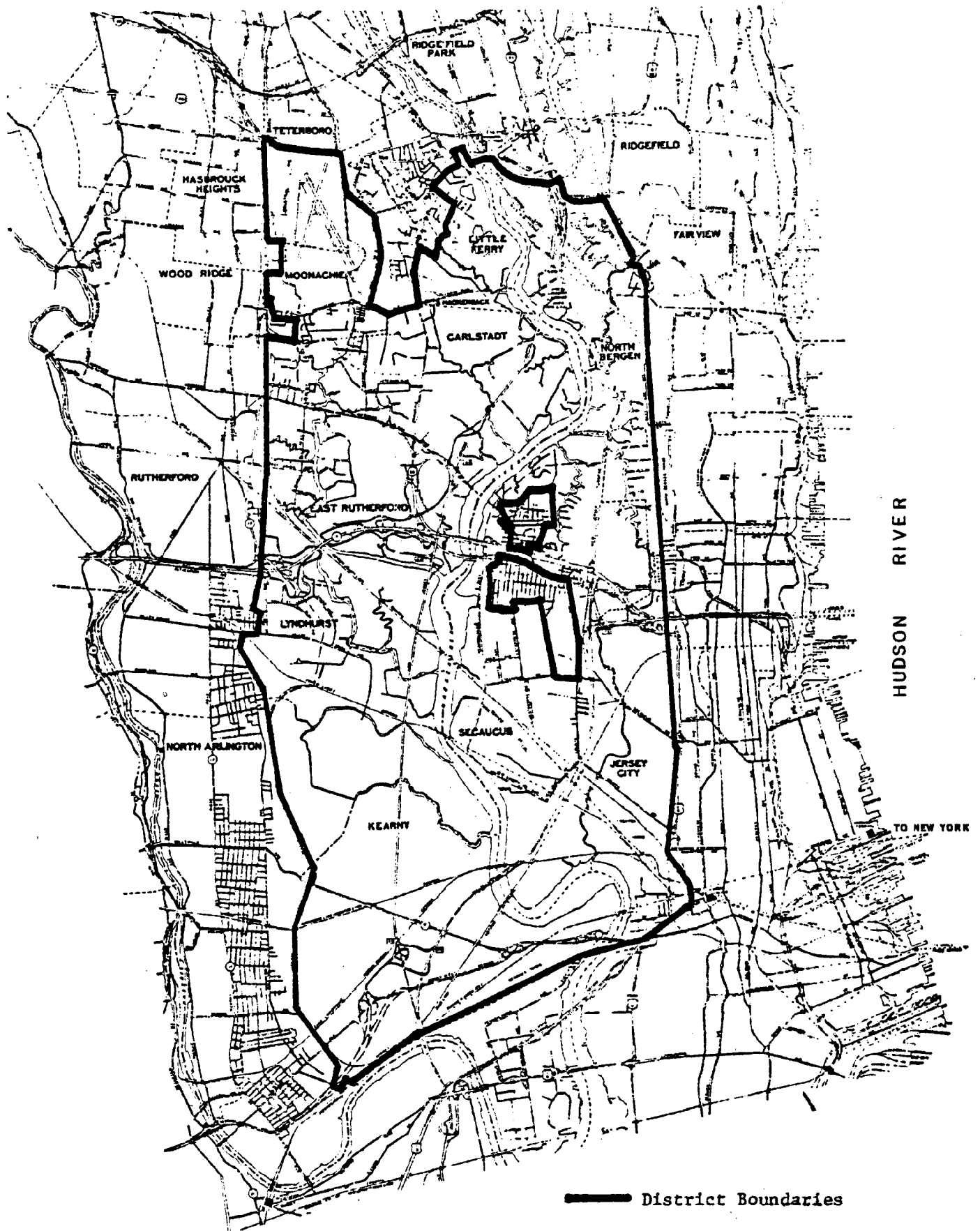
The Hackensack Meadowlands Development Commission was established by the State Legislature in 1968 in the Hackensack Meadowlands Reclamation and Development Act N.J.S.A. 13:17-1 et seq., which established the three goals of orderly development, solid waste management, and environmental protection in the District.

Despite a location six miles from midtown Manhattan, pre-1968 use of the Meadowlands was limited to an unplanned scattering of landfills, warehouses, and other uses not requiring dry soils. The region was underutilized, yet the uses present were severely degrading to the potentially valuable wetlands environment. Natural resource management and planned filling for development were both stymied by the division of the 31 square mile meadowlands into 14 separate municipalities in 2 counties. Because of the need for central planning direction if the wetlands environment were to be restored, and if the region were to meet its potential as a supplier of jobs and housing, the Legislature recognized the Meadowlands as a unique area where local zoning would have to be superceded by regional controls. The response was the Hackensack Meadowlands Reclamation and Development Act (N.J.S.A. 13:17-1 et seq.), which defined the boundary of the Meadowlands District and established a management system which led to the adoption of a Master Plan Zoning Ordinance in 1972 and other management plans defining policies for resource management and development.

Boundary - The boundary of the Hackensack Meadowlands District of the Coastal Zone is depicted in Figure 18. In general, the District extends to the first major road or railroad upland of the tidally influenced meadowlands. The area of the district is 19,730 acres of which, in 1971, 7,800 acres (40 percent) were developed, between 6,200 and 7,500 acres (31-38 percent) were vegetated coastal wetlands, and 1,400 acres (7 percent) were tidal waters. It includes 31 square miles previously under the jurisdiction of 14 municipalities in two counties. (See Figure 21)

The Commission - The Hackensack Meadowlands Reclamation and Development Act established the Hackensack Meadowlands Development Commission (HMDC) as a political subdivision of the State, in but not of, the Department of Community Affairs. Among the Commission's authorities are the power to issue bonds or notes, and to acquire or lease lands and to exercise the power of eminent domain; the power to reclaim, develop, redevelop, and improve the land in its district; the power to recover the cost of improvement by special assessments based on the resultant increase in property values; the power to establish an inter-municipal tax-sharing formula so that all municipalities will share equitably in the financial benefits of new Meadowlands development; and the powers to adopt and implement a master plan for the physical development of the District, to adopt and enforce codes and standards to implement the plan, and to review and regulate plans for any subdivision or development within the District. The HMDC is also both empowered and required to provide facilities for the disposal of the same large quantities of solid waste from within the State which was being deposited as of January 1969.

The HMDC consists of seven members, one of whom is the Commissioner of the Department of Community Affairs or an alternate. The other six members are appointed by the Governor, subject to the requirement that two be residents of Bergen County municipalities within the District, two be residents of Hudson County municipalities within the District, and the remaining two consist of one resident of Hudson County and one resident of Bergen County. No more than three of the gubernatorial appointees may be of the same political party. Commissioners appointed by the Governor serve a five-year term but may be removed for cause following a public hearing. Four members of the Commission constitute a quorum and the Commission may exercise its power through the affirmative vote of a majority.



HACKENSACK MEADOWLANDS DISTRICT

Figure 21

The HMDC is provided with technical support by a 23 member professional staff headed by an executive director. The executive staff is a multi-disciplinary team composed of a four member administrative branch, a thirteen member engineering branch, and a six member environmental branch. This staff is not subject to civil service hiring regulations.

The legislation creating the HMDC also created a Hackensack Meadowlands Municipal Committee consisting of the Mayor or elected chief executive of each constituent municipality of the District. The HMDC must submit the District master plan and amendments thereto, development and redevelopment plans, and improvement plans to the Committee for its review. The HMDC may not take final action on any proposal formally rejected by the Committee, except by a vote of five-sevenths of the full membership. A public hearing is also required before any change may be made to the master plan.

Principal Rules

1. The Master Plan Zoning Ordinance (1972; N.J.A.C. 19:4-1) delineates what, where, and how development may take place. The accompanying Open Space Map (1972) specifies which areas are to be left as marshland preservation and which are to be parkland, and identifies the water courses for special protection.
2. The Wetlands Order (1972) defines the manner in which those wetlands will be respected. Since most of the Hackensack Meadowlands District is privately owned, the Open Space Plan assembles a number of interdependent techniques--zoning, tax sharing, riparian claim, easements, and cluster principle planning--to maximize open space preservation without the infusion of extensive public dollars for purchase.

New Construction - Construction plans for major or minor subdivisions are reviewed by the Chief Engineer of HMDC for consistency with the Master Plan Zoning Regulations, the HMDC Subdivision Code, Building Code, Foundation Regulations, and the Wetlands Order. If the subdivision is to be built on lands to which the State has a riparian claim, the prospective developer must provide evidence of a riparian grant, lease, or license and of a Waterfront Development Permit if applicable. When the complexity of the proposal warrants, the Chief Engineer is assisted in his determination by a member of an Environmental Design Committee, a committee of professionals in the field of environmental and architectural matters appointed by the Commission. A written decision of the Chief Engineer may be appealed by the prospective developer to the HMDC, which can overrule the decision by a majority vote of a panel of at least three Commissioners.

Variances from HMDC Zoning Regulation are decided by the Executive Director, but full or conditional approval of a variance requires a concurring vote of a majority of Commission members. Appeals from variance disapprovals may be made to the Commission with a majority vote of at least four Commissioners required to overrule the Executive Director. Between 1973, the first full year during which the Master Plan Zoning Regulations were in effect, and 1977, 459 variance decisions were made. Seventy-two decisions involved applications for use variances, and 53 (74 percent) of these use variances were approved. The remaining applications sought variances to bulk requirements; 82 percent of these were approved.

Within the Meadowlands District, there are 12 Specially Planned Areas (SPA) where planning and development must be carried out in a unified manner for the entire area (100 to 600 acres) consistent with the HMDC planning process and in compliance with the purpose and specific requirements of the individual zones. Six are to be predominantly residential SPA's, of which one, Harmon Cove, is already partially developed. Of the remaining six areas, two are to be transportation centers accommodating major commuting transfer centers and office buildings; three are planned as special use areas for land uses of regional importance; and one is to be the Berry's Creek Center, intended to be a shopping, civic, cultural, and transportation center which would serve as the focal point of the Meadowlands.

A developer proposing a project for a Specially Planned Area must control at least 80 percent of the land in the SPA. Approval is granted in a multi-stage process with General, Development, and Implementation Plans as increasingly specific review stages. Such large projects typically are built in sections over a period of years. If a development is staged, all regulations applicable to the entire area must be satisfied by each stage.

The applicant must file a General Plan covering the entire Specially Planned Area. An environmental and socio-economic impact assessment in accordance with HMDC guidelines must accompany the applicant's General Plan, and a public hearing on the General Plan must be held. Action, in the form of approval subject to certain conditions, or disapproval must be taken by a Development Board composed of the Executive Director, the Chief Engineer, a Mayor of a constituent municipality selected by the Hackensack Meadowlands Municipal Committee, and two HMDC Commissioners selected by the Commission.

Following approval or conditional approval of a General Plan, the developer must file Development Plans for sections of the SPA in accordance with a timetable given by the Development Board in approving the General Plan.

Next, the prospective developer must file a highly detailed set of plans called Implementation Plans for each section of the SPA. The General Plan, Development Plans, and Implementation Plans must all include an assessment of the environmental impact of the proposed project. Should an Implementation Plan be approved in full or with conditions, construction may commence following approval of engineering drawings by the Chief Engineer, approval of a final plan by the Development Board and the municipality, and posting of performance bonds.

Tax Sharing - The Hackensack Meadowlands Reclamation and Development Act provides for an intermunicipal tax sharing program to protect constituent municipalities from loss of ratables due to acquisition of private property by a governmental body for a public use, and to ensure that all municipalities will share equitably in the costs and benefits of Meadowlands development. The law creates an intermunicipal account into which a municipality must contribute if, in a given year, it experiences an increase in the true value of its taxable property within the Meadowlands District. The amount contributed is a fixed percentage, not to exceed 50 percent, of the increase in true value multiplied by the municipality's effective tax rate*. Municipalities are paid out of the intermunicipal account when

*
$$\text{effective tax rate} = \frac{\text{assessed value of assessments}}{\text{market value of assessments}} \times \text{municipal tax rate}$$

they suffer a loss of ratables to public use, or experience an increase in number of school children. If funds remain in the intermunicipality account at the end of a year, they are dispersed proportionally to each municipality's percentage of the area of the Meadowlands District. If the intermunicipal account is in the red in a given year, disbursements from the account are reduced by whatever percentage would bring the accounts to balance. This is explained in greater detail by N.J.S.A. 13:17-60 to 76. An example follows:

HMDC TAX SHARING FORMULA FOR 1980

Municipality X

1.	1970 base year total true value of ratables	
	In Municipality's portion of Meadowlands District	\$200,000,000
	1980 base year total true value of ratables	<u>300,000,000</u>
	In Municipality's portion of Meadowlands District	
	NET INCREASE	\$100,000,000
	EFFECTIVE TAX RATE	X 2.00%
		<u>\$ 2,000,000</u>
		X 50%
	PAYMENT INTO INTER-MUNICIPAL ACCOUNT	\$ 1,000,000
2.	Increase in number of pupils living in municipality's portion of Meadowlands District 1970 to 1980	20
	Annual School cost per pupil	X \$ 3000
		<u>\$ 60,000</u>
3.	Corrected payment into inter-municipal account	\$ 7,000,000
		<u>-60,000</u>
		\$ 940,000
4.	Total Inter-Municipal Account (total payment by all municipalities)	\$ 10,000,000
	Municipality X's Meadowlands areas a percentage of Meadowlands District	X <u>10%</u>
	Municipality X's payment from inter-municipal account	\$ 1,000,000
	Municipality X's payment into inter-municipal account	<u>940,000</u>
	Municipality X's net payment from inter-municipal account	\$ 60,000

Accomplishments - Under the supervision of the HMDC, over \$600 million of new construction was undertaken between 1970 and 1977, almost two thirds of it by private enterprise. One of the 12 Specially Planned Areas, Harmon Cove is partially developed. This Island Residential SPA by Hartz Mountain Industries, Inc. now includes 626 townhouse units, a major hotel, a hospital, and office buildings. Across the Hackensack River from Harmon Cove is the New Jersey Sports Complex with a racetrack and a professional football/soccer stadium already constructed and an indoor sports arena being planned. Employment space for nearly 25,000 people has been created since 1970. A result has been a decrease in wetlands area, but the decrease is less than it would have been without the HMDC policy of wetland preservation in the SPA, encouragement of cluster development, and the policy prohibiting the horizontal expansion of landfills.

3. Delaware and Raritan Canal Commission

The Delaware and Raritan Canal Commission was created by the Delaware and Raritan Canal State Park Law of 1974 (N.J.S.A. 13:13A-1 et seq.) and given responsibility for planning for and protecting the new State park. The law directs the Commission to adopt a Master Plan for the park and establish a zone around it, wherein the Commission would have review authority over private and public projects that might adversely affect the park.

The Commission is composed of the Commissioner of the Department of Environmental Protection or an alternate, who is a member ex-officio, and eight citizens appointed by the Governor, with the advice and consent of the Senate. No more than four may be members of the same political party; at least four must be residents of the counties of Hunterdon, Mercer, Middlesex and Somerset; and one must be a mayor of a municipality appertaining to the Delaware and Raritan Canal State Park, but no more than one person may be selected from any one municipality. In making appointments, the Governor may consider the recommendations of concerned environmental groups; historical associations; water suppliers, real estate interests; and members of relevant professions. The Commissioners, with the exception of the Commissioner of DEP, serve five-year terms and may be removed by the Governor for cause following a public hearing.

In 1977, the Commission adopted a Master Plan for the Canal Park, and in 1979 Rules and Regulations for the Review Zone of the Park were adopted. The rules (N.J.A.C. 7:45- 1.1 et seq.) give the Commission review authority over public and private land-use projects, and certain state permits for land-use activities, within a review zone which includes the watersheds of all streams which enter the Canal Park. Within the Park itself and within 1,000 feet of its borders, the Commission reviews all projects for drainage and water quality impacts and noise impacts. Elsewhere in the review zone, the Commission only reviews projects for drainage and water quality impacts. Projects reviewed in this latter area are projects involving construction or redevelopment of twenty-five or more dwelling units, projects involving one or more acre of impervious land cover, and projects involving any of the following uses: (a) livestock pens, corrals, or feed lots; (b) pipelines, storage or distribution systems for petroleum products or chemicals; (c) liquid waste, storage, distribution or treatment facilities (excluding home septic systems and publicly-owned sewerage systems and their interconnection); (d) solid waste storage, disposition, incineration, or landfill; (e) quarries, mines or borrow pits; (f) land application of sludge or effluents.

4. Pinelands Commission

The Pinelands Protection Act of 1979 (NJSA 13:18-1 et. seq.) was enacted to establish a comprehensive management plan to protect the State's approximately one million acres of pinelands from uncoordinated development. The Act as amended establishes a Pinelands Commission and mandates it to prepare and adopt such a plan by December 15, 1980. This deadline was recently extended by the Legislature from August 8 to provide a longer review period before the plan is adopted. The plan is to implement the objectives of the National Parks and Recreation Act of 1978 (PL 95-625) for the area defined as a Pinelands National Reserve, including the preservation of an extensive and contiguous sub-area called the Preservation Area. Pending adoption of the plan, no state, county or municipal agency may grant a permit for construction, or for disturbance of land within the Pinelands without the approval of the Pinelands Commission.

The Commission - The Pinelands Commission consists of 15 members, one of whom is designated chairman by the Governor. Seven members are residents of the state appointed by the Governor, with the advice and consent of the Senate; seven members are appointed by the Board of Chosen Freeholders, County Executive, or County Supervisor from the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Ocean; and one member is appointed by the Secretary of the United States Department of the Interior. Members are appointed for three year terms, and any member may be removed by the appointing authority, for cause, after a public hearing. The members include residents of the pinelands area who represent economic activities, such as agriculture, as well as residents of the state who represent conservation interests. A majority of the total authorized membership must be present to exercise its powers at Commission meetings. Actions taken by the Commission are subject to veto by the Governor, who has ten days in which to act.

The Commission is assisted by an executive director, whom it appoints, and his or her staff.

The following powers have been granted to the Pinelands Commission:

- a. To adopt, amend and repeal suitable by-laws for the management of its affairs;
- b. to adopt and use an official seal;
- c. to maintain an office in the Pinelands area;
- d. to sue and be sued in its own name;
- e. to appoint, retain and employ officers and staff;
- f. to receive public or private grants and loans for the Commission's authorized purposes;
- g. to enter into agreements and contracts;

- h. to conduct examinations and investigations;
- i. to make recommendations to the Commissioner of Environmental Protection for water quality standards for surface and groundwaters in the Pinelands Area;
- j. to promulgate rules and regulations, as necessary to implement the Pinelands Protection Act;
- k. to appoint advisory boards, commissions, or panels to assist in its activities;
- l. to recommend lands for public acquisition;
- m. to receive assistance from State or local governments, as required for its authorized purposes.

Pinelands Municipal Council - A Pinelands Municipal Council has been created as an advisory body to the Pinelands Commission. The Council consists of the mayor, or his designee, of each municipality located, in whole or in part, within the Pinelands Area. The Comprehensive Management Plan for the Pinelands Area is subject to the Council's review, as are any other matters which the Council elects to make recommendations concerning. The Pinelands Commission is not bound by the recommendations of the Council.

Comprehensive Management Plan and its Implementation - The Pinelands Commission is required to prepare and adopt a Comprehensive Management Plan by December 15, 1980. The Pinelands Protection Act states that the goal of the Plan "with respect to the entire Pinelands Area shall be to protect, preserve and enhance the significant values of the resources thereof in a manner which is consistent with the purposes and provisions of this act and the federal Act." With respect to the Preservation Area, the goal of the plan shall be to "preserve an extensive and contiguous area of land in its natural state, thereby insuring the continuation of a Pinelands environment which contains unique and significant ecological and other resources representative of the Pinelands area."

Once the Comprehensive Management Plan has been adopted, no application for development within the Pinelands Area may be approved by any municipality, county, or state agency for the construction of any structure or the disturbance of any land within the Pinelands Area, unless such approval conforms to the provisions of the Plan. The Pinelands Commission may review any final municipal or county approval for construction, within 15 days after approval is granted. Within 45 days of notification that it intends to undertake such review, it may overrule such approval if it finds that the proposed development does not conform with the Comprehensive Management Plan or minimum standards contained therein, or if it determines that such proposed development could result in substantial impairment of the resources of the Pinelands Area.

The Commission may allow variances to the Plan if it determines that a variance is necessary to alleviate extraordinary hardship or to satisfy compelling public need, and when the variance would not be inconsistent with the purposes and provisions of the federal Act, and would not result in substantial impairment of the resources of the Pinelands Area.

Within one year of adoption of the Plan, municipal master plans and zoning ordinances, and county master plans are to be brought into consistency with the Comprehensive Management Plan, and any minimum standards which it may set. In the event that any county or municipality fails to bring its plan into conformity with the Comprehensive Management Plan, the Pinelands Commission shall adopt and enforce such rules and regulations as may be necessary to implement the minimum standards of the Comprehensive Management Plan.

Moratorium - Prior to adoption of the Comprehensive Management Plan, no state, county, or municipal agency may grant a permit for construction, or for disturbance of land within the Pinelands, without the approval of the Pinelands Commission. The only exception to this moratorium are the construction of single-family homes, where the lot was owned on February 7, 1979 by the person who would occupy the residence, provided the lot is at least one acre in size or is within the service area of a sewerage treatment facility with adequate capacity. Applications for construction during the moratorium are to be reviewed by the Executive Director and his staff, and his recommendations must be approved by the full Pinelands Commission. Approvals may be granted only when the Commission satisfies itself that there is a compelling public need, the construction is necessary to alleviate extraordinary hardship, and the construction is consistent with the federal Act. Within the preservation area, the Commission must also make the determination that the construction would not result in substantial impairment of the resources of the Pinelands area.

5. San Francisco Bay Conservation and Development Commission

The San Francisco Bay Conservation and Development Commission (BCDC) was established by the California Legislature in 1965. The Commission was authorized to develop a comprehensive plan and make recommendations for the protection of the Bay. It was made permanent in 1969. It is a 27 member agency, and possesses regulatory control over the Bay and an adjacent 100 foot band of shoreline. Its authority is coextensive with the more than 30 municipalities and nine counties that ring the Bay.

Within certain areas of the Commission's jurisdiction, only specific water-oriented priority land uses; ports, water-related industry, airports, wildlife refuges, and water-oriented recreation are permitted. In the remainder of the shoreline band, the BCDC's power is limited to requiring the provision of maximum feasible public access.

The Commission was the result of strong and persistent public displeasure over the almost unchecked filling of the Bay's shallow waters. It is estimated that between 1850 and 1960, 250 of San Francisco Bay's 680 square miles of surface area have been filled. A small citizens group, the "Save the Bay Association", formed in the 1960's and initiated an intense public debate over the Bay's future. In 1965, the Legislature responded to this pressure by creating the BCDC. At that time, the Commission was only a study group, but one year later it was established on a permanent basis and was given permit authority.

The Commission's membership is comprised of 27 people including nine county representatives (one from each county), four city representatives (elected city officials appointed by the Association of Bay Area Governments, representing four Bay regions), seven members of the general public (five appointed by the Governor,

one by the Senate Rules Committee, one by the Assembly Speaker, all to be area residents and subject to confirmation by the Senate), the Administrator of the State's Resource Agency, the State's planning officer, the State's Highway Transportation Administrator, one member of the State Lands Commission (appointed by the Commission), one member of the San Francisco Bay Regional Water Pollution Control Board (appointed by the Board), one member of the Bay Area Transportation Study Commission (appointed by the Commission), and one representative each from the U.S. Army Corps of Engineers and the Department of Health, Education and Welfare (non-voting).

Permit applications are reviewed by the entire Commission, and are approved or denied by simply majority vote.

In addition to its permit authority, the BCDC conducts on-going planning, and makes periodic recommendations to the Legislature on land acquisition. Its operations are funded by the State partially through the State's Coastal Zone Management Program, and no revenue-sharing takes place among the affected municipalities.

The BCDC is quite powerful and was created through an unique set of circumstances. However, it may be useful to consider some aspects of the makeup and functioning of this Commission. One of the key factors in the success may be a result of the staff's abilities and their consistency in permit review. The Bay Plan inventoried environmental resources, and then identified areas for certain types of development rather than a specific blueprint or a master plan. An essential part of this plan was that it stressed the importance of public access and set certain standards for minimum public access, depending upon the type of development. The Plan succeeded in unifying an area divided into many jurisdictions with a broad variety of interests, in order to protect San Francisco Bay.

6. Twin Cities Minnesota Tax Sharing Plan

In order to remedy the disparity of municipal revenue within the Minneapolis metropolitan area, including many independent suburban towns, the state legislature of Minnesota enacted a tax-sharing plan in 1974. Under the plan, 40 percent of the increased revenue resulting from property tax on commercial and industrial property throughout the metropolitan area is pooled and redistributed to communities in the area on the basis of their fiscal capacity and population.

This statute is quite complex (Minnesota S.A. 473F). Each term has been given a precise and specific meaning under the statute. The statute is administered by one of the seven concerned county auditors on a rotating basis. Nineteen seventy-one is used as a based year for all computations even though, due to court challenges, the act was not effective until 1974.

It is important to note that:

1. For all property on the tax rolls before 1971, the locality has full discretion in setting local taxes.
2. The tax-sharing component only applies to commercial and industrial real property improvements made after 1971.

3. Post 1971 residential construction is not included in the tax-share base.
4. A separate tax rate is set for post 1971 commercial and industrial property - metropolitan rate.
5. A separate fund is set up in the State Treasury for tax receipts generated by the metropolitan rate.
6. Distribution of the tax-shared funds are made according to an index of communities. The index is based on the fiscal capability and the population of the municipality.

Under the Minnesota Tax Share Plan, only 40 percent of commercial-industrial property tax revenue is shared. Inner city needs are much greater. It is important to note that this Fiscal Disparities Act was passed as part of the package of aid to large cities in the state, which included revision of aid formulas which increased aid to the cities. In addition, under the current formula, rich residential suburbs with no industry but increasing problems can share in the pooled funds as much as the inner city governments. Lastly, authorities reviewing this tax-sharing plan generally view it as a start in the right direction, not a final solution of municipal fiscal disparities.

7. Baltimore Harbor Plan

In Baltimore, Maryland, waterfront redevelopment is governed by a Regional Council. First, some history of the development of the management structure is presented to facilitate comparison with the present Hudson River situation.

The City of Baltimore was chartered in 1729, and grew as a seaport, exporting tobacco and wheat. In the early 1900's, the Baltimore and Ohio Railroad was founded. The railroad played a major role in the development of the port, because it linked the port with the Midwest giving Baltimore an advantage over other eastern ports. The rise of truck traffic after World War II caused the formation of the Maryland Port Administration in 1956 to protect the interests of the Port of Baltimore, in economic danger because of the shift in transportation modes. The Port Administration is a state chartered agency given the task of planning the port facilities. The city has had very little influence on the Port Administration's decisions concerning port and harbor operations, entering the scene only where it owned facilities. In the 1930's, 40's and 50's, the waterfront became increasingly rundown and dilapidated. Problems of the port had a direct effect on the economy of the entire area, and were becoming of increasing concern to a variety of sectors of government and interest groups.

The development of a Harbor Plan was initiated when the U.S. Fish and Wildlife Service (a member agency of the U.S. Department of Interior) declared a moratorium on all dredge and fill permit reviews pending completion of a plan for the harbor. The Department maintained that it was impossible to determine the impact of an individual project without a comprehensive Harbor Plan agreed to by all governmental agencies with a role in the harbor development.

Organization and Authority - The City of Baltimore, the Port Administration, and Baltimore and Anne Arundel Counties requested that the Regional Planning Council (RPC), a metropolitan planning agency, which includes Baltimore City, the three coastal counties of Anne Arundel, Baltimore and Hartford and Howard and Carroll Counties, follow up on this mandate. At that time, the only control the RPC had over the area was through their general development plan. This plan divides the region into three development-type districts: Conservation, Urban, and Renewal. Almost the entire coastal area is designated urban.

The planning process was begun with the formation of the Harbor Advisory Committee, composed of representatives of the different jurisdictional units and agencies, in January 1974. The Committee appointed an inter-agency task force to complete the plan. The Advisory Committee served as reviewers for the draft plan developed by the task force, and after review by appropriate outside agencies, the RPC approved the plan. The Coastal Area Study, funded through the Maryland Department of Natural Resources (MDNR) and U.S. Department of Housing and Urban Development, was a follow-up to the Harbor Plan to apply coastal principles through the shorefront region. The MDNR and the RPC agreed to work together to develop all activities related to development of the state Coastal Zone Management Program and the HUD 701 land use planning.

To carry out the Coastal Area Study the following committees were formed:

Coastal Zone Advisory Committee (CZAC) - With the inception of the Coastal Area Study, the Coastal Zone Advisory Committee was created to replace the Harbor Advisory Committee, to assure public participation and a local voice. The membership was composed of representatives of the involved local governments, state government, academic institutions, private business and appointed public participants. Federal agencies participated as observers. The Committee's role was to review Technical Committee documents and make recommendations to the RPC on coastal policy and related intergovernmental issues.

After the completion of the Coastal Area Study in early 1978, this Committee was restructured to form the Metropolitan Advisory Board. Its role and function is essentially a merger of the duties of the CZAC and the Technical Committee, but the board is formally constituted and has specific duties. Its role is to provide a forum for discussion of regional coastal issues and to implement the Coastal Management Program and the Coastal Area Study.

Task Force - The task force was an interagency group of technical personnel responsible for completing the tasks specified in the work program, such as the inventory of existing conditions, development of a boundary, and discussion of coastal issues in order to report to the Technical Committee.

Technical Committee - Now part of the Metropolitan Advisory Board, this Committee prepared the work program for the Coastal Area Study, and reviewed the task force's work. It also served to communicate information to the Advisory Committee, the public and governmental agencies.

Finally, the local governments have established a coastal management structure in their planning offices. They assist State personnel with the development of the Coastal Area Study, and continue to apply the policies in their jurisdiction.

Results To Date - Since 1973, the entire harbor management system has been restructured. The permit process is now closely supervised and up to date, and all new development conforms to the guidelines specified in the Harbor Plan and the Coastal Area Study.

Today, the environment is improved, public access is increased and new developments are coming to the Harbor. The most famous is the Rouse Corporation's Inner Harbor Market Place, which opened in July 1980 and is bringing people to the Inner Harbor for shopping in stores and boutiques, and waterside restaurants. Adjacent to this complex is the public promenade, where many festivals are held in the summer and fall.

The Task Force cited three steps in the process of completing the management of the coastal zone. In the first element, coastal problems are described, recommended solutions are set forth and commitments are made to analyze the proposal solutions. The second element is a set of management concerns and an identification of where these concerns are evident and third is a discussion of problem areas, such as water quality and shellfish resources, and recommendations for their management. This was accomplished through the Coastal Area Study. Of prime importance are preservation of natural resources, economic viability of the area, increased parkland and increased public access. All of these goals have been at least partially accomplished.

The final part of the study is a three step procedure for local/state decision making and action on the findings of the study, to insure that the policies described will be carried out. Local jurisdictions have been asked to prepare "Coastal Guidance Packages" which will describe how the policies will be implemented within the local jurisdiction. (These are still being completed).

The situation in Baltimore, at the time of the creation of the Harbor Plan parallels the existing situation along the Hudson River in many respects. The solution to their problem which involved in part the protection of not only a natural resource but also the economy of the region, left much of the control in the hands of the municipalities. The established Committee is only advisory in nature, but because all of the jurisdictions as well as citizens, regional groups and state government played a role in the formation of the Harbor Plan, there have been no major conflicts in its application.

Another aspect of the Baltimore plan that should be considered for New Jersey is the use of guidelines rather than specific prescriptions. It is not a "plan", but a set of recommendations on actions to be taken by the participants in coastal decision making. It is intended to guide the region's attempt to resolve conflict and make decisions concerning the use, and preservation of the coastal area, and is, in this respect, similar to the Policy Recommendations adopted by this Study Commission.

Finally, the RPC is still in the process of setting up a network throughout the municipalities to maintain the regulation of the area without outside interference. Once each locality has completed their "Coastal Guidance Package", the Coastal Zone planner in each area will have the primary role of management of his portion of the Coastal Zone. The RPC's committees will still serve to coordinate these local efforts, to be sure that consistency is maintained.

8. Toledo Overlay Zoning District

In 1978, the City of Toledo, acted to protect and develop its Maumee Riverfront area, creating a special zoning district along the river. The district was specifically drawn along local street boundaries. Several riverfront neighborhoods were included in their entirety. The riverfront district cuts across several other local zoning districts and is called the MRO Overlay District, since the statute states the district's requirements and regulations are superimposed on top of any existing regulations. In the ordinance's preamble, the Toledo City Council recognizes the unique recreational, historical, and commercial possibilities of the area. The goals are public access to the waterfront, increased recreational use, and planned mixed use development.

Organization and Authority - The Municipal Plan Commission, normally in charge of zoning enforcement and project review, is charged with responsibility for overlay district enforcement. Any changes in existing structures in the district must be submitted to the Planning Commission for review before a building permit is issued. There is an appeal procedure for the Commission decision, and variances must be granted.

The ordinance sets up standards and types of projects which are to be encouraged including: public access to waterfront, scenic walks, small boat marinas, restaurants, cultural activities, boutiques along certain streets, historical preservation.

Results to Date - The renewal of the Toledo waterfront has really just begun, so it may be premature to judge the effectiveness of the overlay zoning district. It should be noted, however, that the waterfront plans have sparked a whole chain of downtown revitalization proposals, which promise to add new life to Toledo. Much of the waterfront is underutilized at present, so that when projects are proposed for the shoreline, they will have to incorporate goals such as public access.

Although the district is located within the downtown area of a single city, their method of management of the area can be used as an example for New Jersey. The concept of creating certain standards which supercede municipal zoning could be applied across municipal boundaries to establish minimum standards for specific uses. The seven types of projects to be encouraged could be applied to certain sections of the waterfront, but because the Hudson River waterfront spans a much larger area, and covers more diverse sections, it would probably not be appropriate to apply it over the whole length of the Commission's jurisdiction.

APPENDIX H: AUTHORITY OF EXISTING AGENCIES IN THE HUDSON
RIVER WATERFRONT

1. Municipalities
2. Hudson and Bergen County
3. State Agencies
 - a. N.J. Department of Transportation
 - b. N.J. Department of Environmental Protection
 - c. N.J. Economic Development Authority
 - d. N.J. Department of Community Affairs
 - e. N.J. Department of Energy
4. Federal Agencies
 - a. U.S. Army Corps of Engineers
 - b. Heritage Conservation and Recreation Service
 - c. Economic Development Administration
 - d. Office of Coastal Zone Management
 - e. Urban Waterfront Action Group
 - f. U.S. Department of Housing and Urban Development
5. Regional Agencies
 - a. Port Authority of New York and New Jersey
 - b. Tri-State Regional Planning Commission
 - c. Regional Plan Association

This appendix describes the responsibilities of the key municipal, county, state, federal and regional agencies with current power to influence or directly affect the development of the Hudson River waterfront. It particularly supplements Chapter Fourteen, which analyzes the land use decision-making process.

1. Municipalities

New Jersey's municipalities derive their power to enact and enforce zoning ordinances from the state. The Municipal Land Use Law, enacted in 1975, represents a major consolidation of municipal land use authority. It delegates to municipalities the power to plan (including the power to prepare a master plan), to engage in subdivision and site plan review, and to zone. It authorizes the exercise of these powers independently or by two or more municipalities jointly.

1. NJSA 40:55D-1 et seq.

In addition to these extensive general powers, the State has, over the years, delegated a number of more specific powers affecting waterfront municipalities. These include the power to maintain public³ waterways², to build bulkheads and other structures designed to prevent erosion⁴, to acquire and improve waterfront lands⁴, to enter into contracts with the Port Authority of New York and New Jersey for the establishment of marine terminals⁵, to establish a harbor commission for the management of municipally owned or leased waterfront facilities⁶, and to provide for the establishment and financing, either independently or jointly, of port authorities and port facilities. In addition, municipalities may establish redevelopment agencies and engage in the redevelopment of blighted areas⁸.

2. Counties

Under the County and Regional Planning Act, county land use authority is limited to the review of traffic impacts from subdivisions and site plans for development abutting county roads and for drainage impacts on county facilities.

County planning authority includes the power to review and comment on proposed plats prior to local approval, to establish regional planning boards, and to prepare a master plan. In addition to these powers, any county may establish an improvement authority empowered to acquire, construct and operate facilities for use as public buildings, port facilities, transportation and recreation facilities, solid waste disposal facilities, and transportation systems. Hudson County has established such an authority but it has not yet engaged in any development activities.

3. State Agencies

a. New Jersey Department of Transportation

The New Jersey Department of Transportation (DOT) is responsible for the planning, construction, and maintenance of state highways, the review and funding of local highway projects, the planning of state and regional transportation strategies, and the regulation of some transportation facilities.

b. New Jersey Department of Environmental Protection

Created by the Legislature in 1970, the Department of Environmental Protection (DEP) was given broad authority to "formulate comprehensive policies for the conservation of natural resources of the State."²

2. N.J.S.A. 40:14-1
3. N.J.S.A. 40:14-15
4. N.J.S.A. 40-68-1
5. N.J.S.A. 40:68-20
6. N.J.S.A. 40:68-22
7. N.J.S.A. 40:68A-1 et seq.
8. N.J.S.A. 40:55C-15

DEP has a variety of regulatory and planning responsibilities in waterfront areas. These include the authority to review and approve any development at or below the mean high water line in tidal waters³, any development in regulated wetlands⁴, and selected development in the coastal area delineated by the Coastal Area Facility Review Act (CAFRA)⁵. The Wetlands Act and CAFRA do not apply⁶ on the Hudson Waterfront. DEP also regulates stream encroachments⁷, and delineates and establishes land use regulations for flood hazard areas throughout the State. Any point source discharge into the waters of the United States requires a permit from the U.S. Environmental Protection Agency⁸, and a water quality certificate from DEP.

DEP's planning responsibilities in waterfront areas are exercised in the context of a comprehensive coastal management program. The New Jersey Coastal Management Program - Bay and Ocean Shore Segment was developed in accordance with standards established by the Federal Coastal Zone Management Act of 1972. The Program has three elements: a boundary which defines its geographic scope; a set of detailed standards for coastal decision-making; and a management system which identifies the uses subject to management, and the process by which they are managed. The Program is composed entirely of existing laws concerning coastal regulation and state funding.

The Program for the Bay and Ocean Shore Segment was approved for funding by the National Oceanic and Atmospheric Administration in September of 1978, and DEP has proposed a program for the entire State, including the Hudson Waterfront for which federal approval is anticipated in late September 1980. (See Appendix F).

DEP also serves as staff to the Tidelands Resource Council (formerly Natural Resource Council) which manages the tidelands owned by the State of New Jersey. Approximate figures for the status of riparian lands along the Hudson River are indicated below.

Table 8
Tidelands (in acres)
Hudson River

<u>Municipality</u>	<u>Previously Owned</u>	<u>Leased</u>	<u>Licensed</u>	<u>State-owned</u>
Weehawken	6690	0	0	4310
West New York	4429	0	0	571
North Bergen	3471	0	0	529
Jersey City	8987	0	0	13,013
Hoboken	6720	0	0	4280
Guttenberg	865	40	0	95
Edgewater	15,529	1172	560	7739
Fort Lee	4,937	200	0	865
TOTAL	51,628	1,412	560	31,400

3. NJSA 12:5-3
4. NJSA 13:9A-1
5. NJSA 13:19-1
6. NJSA 58:1-26, 7
7. NJSA 58:16A-50, 8
8. 38 USC 466 et seq.

Also within DEP is the Green Acres Administration. Green Acres determines where and how state funds should be spent for park and open space acquisition, development, and capital improvements. DEP can purchase land under this program by condemnation if necessary.

The State Comprehensive Outdoor Recreation Plan (SCORP), prepared by the Green Acres Administration, addresses the adequacy of open space for existing and projected demands, and the accessibility of recreation resources for all segments of the population. The plan qualifies New Jersey for funding under the federal Land and Water Use Conservation Fund Program. In addition to studying recreation needs and uses, SCORP also includes inventories of federal, state, county, municipal and private recreation resources. The major policies in SCORP include an emphasis on open space in urban areas, recreation facility development, increasing public access to recreation resources through mass transit, and developing barrier free recreation facilities.

In November 1978, the voters of New Jersey approved a \$200 million Green Acres Bond issue, with \$100 million earmarked for the acquisition of park land in the urban areas. This brings to \$540 million the amount of money approved by the voters for Green Acres funding since 1961. The Green Acres Administration will be spending this money in accord with SCORP priorities. One top priority is the creation of waterfront parks in urban areas. Some of the money will be used for direct state acquisition, while the majority will be channeled through local governments as matching grants. This money will help to significantly expand public access and recreational opportunities in the Hudson River area.

DEP administers the Wild and Scenic Rivers Program in New Jersey. The purpose of the Wild and Scenic Rivers Act of 1977 (N.J.S.A. 13:8-45 et seq.) is to preserve, protect and enhance the natural and recreational value of some of the State's most significant river segments. The Act allows the Commissioner of DEP to designate river segments as "wild", "scenic", "recreational", or "developed recreational". In any river segment so designated, all construction activities would be either prohibited or regulated within the river's flood hazard area.

The Act requires that DEP-owned land within the designated river area be managed consistent with the purposes of designation. The geographic extent of the river areas includes only the flood hazard area delineated by DEP jurisdiction. The flood hazard area around the river segment must be delineated before the nomination as a Wild and Scenic River area can be considered.

The types of development that are controlled under the Act will depend on which designation is applied to the segment, with "wild" rivers having the strictest prohibitions and "developed recreational" the most lenient. DEP's Green Acres Administration has published guidelines for designation of the State's rivers. Before designation takes effect a long review process must occur. The Hudson River from the George Washington Bridge to Liberty State Park could be considered for designation as a developed recreational river because of the characteristics of the New Jersey side, including the Palisades and views of Manhattan.

c. New Jersey Economic Development Authority

The Economic Development Authority, located in the Department of Labor and Industry, arranges low-interest, long-term financing for commercial and industrial projects, and is authorized to buy and sell land and buildings. In 1977, it provided \$265 million in low interest loans throughout the State.

d. New Jersey Department of Community Affairs

The Department of Community Affairs (DCA) is responsible for the administration of a broad range of social programs, including those affecting housing.

Under Section 701 of the Federal Housing and Community Development Act, DCA has prepared a State Development Guide Plan (Preliminary Draft - September 1977). The major policies of the Guide Plan are: maintain the quality of the environment, preserve the open space necessary for an expanding population, provide space and services to support continued economic expansion, and enhance the quality of life in urban areas. DCA is currently preparing an update to the Guide Plan.

DCA's Housing Finance Agency (HFA) provides financing for private housing, and makes its decisions on the basis of the Guide Plan and other State policies. Because all HFA proposals involve projects with costs exceeding one million dollars, Executive Order 53 of 1977 requires that they be reviewed and approved by DEP.

e. New Jersey Department of Energy

The Department of Energy (NJ DOE), created in July 1977 (N.J.S.A. 52:27F-1 et seq.), has broad planning authority over energy-related matters, including the authority to participate in the decision-making of other State agencies concerning the siting of energy facilities. The fact that energy generating and petroleum refining facilities often seek to locate in the coastal zone means that NJ DOE's authority is a significant element in the management system.

The Departments of Energy and Environmental Protection, recognizing their coextensive jurisdiction over energy facility siting in the coastal zone, and also recognizing the importance of such siting decisions to a successful coastal management program, entered into a memorandum of understanding in August 1978. The memorandum has three important features: a procedure for DOE review of coastal permit applications, a commitment by DEP and NJ DOE to make their findings on the basis of the State's Coastal Resource and Development Policies as well as on the State Energy Master Plan, and a procedure for resolving disagreements between the two agencies.

In the case of a disagreement between DEP and DOE concerning the siting of an energy facility, the matter will be submitted to the Energy Facility Review Board for resolution. The Board was established by the Act creating DOE, and consists of the Director of DOE's Division of Energy Planning and Conservation, the Chief Executive Officer of the state instrumentality with the power of approval over the application, and a designee of the Governor. The Board has never had to meet.

The New Jersey Department of Energy is also the lead agency for the Coastal Energy Impact Program (CEIP). The 1976 Amendments to the federal Coastal Zone Management Act created Section 308, the CEIP, to provide financial assistance to help coastal states respond to the growth and impacts of new energy exploration and development. A second objective of the CEIP is to balance the two national goals of encouraging development of domestic energy resources to further energy self-sufficiency, and to protect and manage the nation's coast in a manner consistent with the objectives of a state's Coastal Management Program.

Another major responsibility of the Department of Energy is preparation and updating of the State Energy Master Plan. This plan considers the production, distribution, consumption and conservation of energy in the state and surrounding region. The Plan and the more specific reports it promises will become a primary resource for energy facility siting decisions by DEP. The State Energy Master Plan was formally adopted in October 1978.

4. Federal Agencies

This section on federal agencies is limited to those of particular importance in the waterfront area. Many other federal agencies' operations have lesser effects upon the waterfront region. Information on other programs can best be obtained from the Urban Waterfront Action Group, which is described in this section.

a. Army Corps of Engineers

The U.S. Army Corps of Engineers has been charged with the protection of the Nation's navigable waters since the enactment of the Rivers and Harbors Act of 1899. Under Section 10 of that Act, any construction in or alteration to navigable waters, including dredging and filling, requires a permit from the Corps.

The Corps also requires a permit for the disposal of dredged fill material into navigable waters, including wetlands, under Section 404 of the Federal Clean Water Act. Federal policy as spelled out in Executive Order 11990 (Protection of Wetlands) generally prohibits the filling of wetlands.

Under the Fish and Wildlife Coordination Act of 1958, the Corps must consult with the U.S. Fish and Wildlife Service and the National Marine Fisheries Services on all permit applications. Objections to a project by either of these agencies may be overridden only by the Secretary of the Army.

In addition to these regulatory responsibilities, the Corps is responsible for the maintenance of navigable waterways for which it has received congressional authorization. Almost all of the principal waterways and channels in the New York Harbor area are actively maintained by the Corps.

b. Heritage Conservation and Recreation Service

The Heritage Conservation and Recreation Service (HCRS) in the U.S. Department of the Interior was created in 1978 to bring together a variety of programs designed to conserve the Nation's cultural and natural resources and to assure adequate opportunities for recreation. Authority for the programs comes from some 30 laws as well as executive orders and agreements. HCRS' principal responsibilities are historic preservation, natural resource conservation, and recreation.

These responsibilities include administration of the Urban Park and Recreation Recovery Program (UPARR), and the Land and Water Conservation Fund (LWCF). The UPARR program provides: 1) financial assistance to urban communities to develop priorities and strategies designed to achieve the overall recovery of a local recreational system; 2) matching financial assistance to urban communities for rehabilitation of existing recreational areas and facilities; and 3) matching financial assistance to urban communities for personnel, facilities, equipment, supplies and/or services used to demonstrate innovative and cost-effective ways to enhance neighborhood park and recreational opportunities.

The Land and Water Conservation Fund Act of 1965 established a fund to increase outdoor recreation opportunities for American people. The program provides for acquisition of lands for federally administered parks, wildlife refuges and recreation areas and matching grants for State as well as local land acquisition and development. In New Jersey, half of the funds go to capital projects such as the development of Liberty State Park and half go to Urban Aid municipalities for acquisition of land for park and recreation projects. LWCF revenues are derived from the sale of federal surplus real property, the federal motorboat fuels tax, and Outer Continental Shelf mineral receipts.

HCRS also cooperates with other federal agencies in developing federal policy and actions affecting the delivery of recreational services. HCRS' efforts focus on health, housing, employment, community revitalization, tourism, environmental improvement, and integrating arts/cultural programs with recreational systems. As part of this effort, HCRS has, together with the federal Office of Coastal Zone Management, taken the lead in coordinating federal participation in urban waterfront revitalization.

c. Economic Development Administration

The Economic Development Administration (EDA), in the U.S. Department of Commerce, was established under the Public Works and Economic Development Act of 1965, to provide a variety of assistance programs designed to initiate and sustain economic grants to state and local governments, businesses, and other institutions.

EDA programs include grants and loans for public facilities (water and sewer systems, access roads to industrial parks, port facilities, railroad sidings and spurs, public tourism facilities, vocational schools, site improvement for industrial parks); grant support for state/local and multi-county economic planning; grants for technical and professional assistance in creating, evaluating and operating specific programs; grants for the construction of public facilities to provide immediate jobs to unemployed and underemployed persons in designated project areas; and grants for basic and supplemental funding of EDA activities. Each of these programs operate where a redevelopment area (a county or city) or development district (a multi-county district containing at least two redevelopment area) has been designated pursuant to EDA criteria. Both Hudson and Bergen Counties have been designated as redevelopment areas.

Other EDA programs include business development assistance loans, and grants to help state and local areas meet special needs arising from actual or threatened unemployment due to economic dislocation.

d. Office of Coastal Zone Management

The Office of Coastal Zone Management (OCZM) is a branch of the Commerce Department's National Oceanic and Atmospheric Administration. OCZM administers a grant program for the development and implementation of state coastal management programs under the federal Coastal Zone Management Act of 1972. States were eligible for four years of development grants, which New Jersey already received, and annual operating grants for programs which meet the criteria of the Act. Simply stated, these criteria require that states demonstrate the ability to control land and water uses which have a direct and significant impact on coastal waters. These requirements have been translated into standards for wetlands and waterways protection, and the control of development in hazardous or otherwise sensitive areas.

As part of program implementation in New Jersey, DEP has chosen to make funds available to local coastal communities for specific waterfront projects. These funds are passed through DEP as the State's coastal agency. The federal OCZM has imposed an informal maximum of 10% of the State's operating grant for this purpose, so that DEP will be distributing approximately \$210,000 in 1980-1981.

The Coastal Energy Impact Program was created in the Coastal Zone Management Act to provide funds to assist states in dealing with impacts from new or expanded energy facilities.

The designated lead agency for the CEIP in New Jersey is the New Jersey Department of Energy which is responsible for administering the program, including soliciting applications, providing technical assistance and evaluating and approving project applications to distribute funds. State agencies, counties and municipal governments are eligible to receive CEIP grants and loans. New Jersey has allocated almost \$2 million in grants and \$3 million in loans since the program's inception in 1977.

e. Urban Waterfront Action Group

The Urban Waterfront Action Group (UWAG) was created through a memorandum of understanding by a number of federal agencies and is designed to address key issues and explore cost effective methods of waterfront revitalization. The Army Corps of Engineers, the Departments of Commerce, Housing, and Urban Development, Transportation, and Interior, the Environmental Protection Agency, the Federal Emergency Management Agency, the National Endowment for the Arts, and the National Endowment for the Humanities are all members. Non-federal members are the National Trust for Historic Preservation, the U.S. Conference of Mayors, the National League of Cities, and Partners for Livable Places, a non-profit group.

UWAG initially met with cities or agencies involved in waterfront redevelopment and provided technical assistance and advice. Efforts are being made to regionalize this program so that these services are provided by local HCRS offices. It is unclear at this time what will be the future role of this group.

f. Department of Housing and Urban Development

The Department of Housing and Urban Development (HUD) administers a wide variety of programs, including programs in the area of community planning and development, fair housing, equal opportunity and neighborhood and consumer affairs.

Of greatest interest are the Community Development Block Grant (CDBG) and Urban Development Action Grant (UDAG) programs. CDBG spending priorities are determined at a local level, by cities and qualified urban counties, according to general criteria enumerated by the Housing and Community Development Acts of 1974 and 1977. Funds are available for urban renewal, neighborhood development, neighborhood and public facilities, rehabilitation, and open space acquisition, urban beautification, and historic preservation.

UDAG grants are designed to assist severely distressed cities and urban counties to revitalize local economics and reclaim deteriorated neighborhoods through a combination of public and private investments in projects of maximum benefit to low and moderate income persons and members of minority groups.

HUD's numerous housing programs afford financial assistance for a broad spectrum of housing needs.

5. Regional Agencies

The major regional agencies in the Hudson Waterfront Region are the Port Authority of New York and New Jersey, the Tri-State Regional Planning Commission, the Regional Plan Association and the Hudson and Bergen County governments.

The Commission examined the possibility of designating one of these agencies as the primary authority to manage the waterfront, but determined that although each of these agencies could make a significant contribution to revitalization of the Hudson River Waterfront, these agencies could not make a significant improvement over the existing system. In particular, the Tri-State Regional Planning Commission, the Regional Plan Association, and the Port Authority of New York/New Jersey must balance their concern for New Jersey with their concern for the other states within their jurisdiction.

a. Port Authority of New York and New Jersey

The Port Authority of New York and New Jersey is a financially self-supporting agency formed in 1921 by a compact "to deal with the planning and development of terminal and transportation facilities, and to improve and protect the commerce of the Port District." (See Figure 6 in Chapter Seven).

The Port Authority is authorized to buy, build, lease and operate transportation or terminal facilities and other facilities of commerce within the Port District. The Port Authority generally deals with land distribution, air transportation, water transportation and world trade and is also responsible for promoting commerce, for improving transportation facilities and for petitioning governmental regulatory agencies to maintain a favorable rate and service environment for the Port's handling of commerce. All of the agency's projects and activities are in accordance with the port compact.

The Authority has been successful in financing construction and administration of certain public enterprises. The Authority is not effective where the program to be carried out cuts across established political and geographical boundaries, where the decisions to be made are primarily of a business character and the program is to be self-supporting or the revenue is based on user charges and where continuity of policy, planning, financing, and operation is critical to the success of the program.

In 1978, legislation was enacted in New Jersey and New York to enable the Port Authority to undertake an industrial park development program to revitalize the inner cities of the Port District and create an estimated 30,000 jobs over the next ten years. The Port Authority program to develop sites for manufacturing plants in the hard-pressed central cities would require an investment of more than \$1 billion in public and private funds over the next ten years, of which the Port Authority would invest up to \$400 million on a self-supporting basis.

b. Regional Plan Association

The Regional Plan Association is a non-profit citizens organization spanning 31 counties in New York, New Jersey and Connecticut. RPA was formed 51 year ago, and is the oldest planning organization in the region. Its representation is from the business and community sectors, who take a leadership role in planning for the region.

RPA serves to coordinate citizens groups, and they review plans and proposals for the region, such as those for the HMDC. RPA works closely with the Tri-State Regional Planning Commission the designated planning agency for the region, and is now reviewing their reorganization. In the past, RPA was quite instrumental in the formation of Palisades Interstate Park, as well as Gateway National Park.

RPA's interest in the Hudson River is from the perspective of the region as a whole, rather than specific areas. RPA did focus specifically on the New Jersey Hudson River, in its publication, "The Lower Hudson". (See Appendix F).

RPA's offices are now in New York City and Bridgeport, Connecticut, but they will be opening a sector office in Newark to serve New Jersey communities more directly.

c. Tri-State Regional Planning Commission

The Tri-State Regional Planning Commission is an interstate agency, concerned with problems of public facilities, development of land, housing and transportation in the New York Metropolitan Region which includes parts of New York, New Jersey and Connecticut. The Commission was established in 1971 by legislative action in Connecticut, New York and New Jersey, replacing the Tri-State Transportation Commission.

Tri-State is recognized by the federal government as the A-95 review agency for the Tri-State Region. It provides assistance to all agencies involved in planning federally aided facilities. It also provides assistance in solving problems beyond local jurisdictional control, and provides a central resource for local and subregional planning.

Tri-State is funded by grants from the federal Department of Transportation, the federal Department of Housing and Urban Development, and the three states.

Tri-State has published several reports on the New Jersey Hudson River waterfront, which are described in Appendix F. In a report called The Changing Harborfront, Tri-State saw severe limitations to redeveloping congested waterfront sites, except where industries require direct access to the water. As a result,

the opportunity arises to capitalize on the scenic assets, providing for residential and recreation use of the waterfront and the Palisades. The Commission's goal and objectives support the economic enhancement of the region while preserving the natural environment. These goals and objectives are included in Tri-State Coastal Zone Management Perspectives.

Appendix I: FUNDING SOURCES FOR WATERFRONT DEVELOPMENT

The Compendium of federal resources for funding that follows was researched and prepared by the Office of Coastal Zone Management in the National Oceanic and Atmospheric Administration. It was first published in a slightly different order in the brochure, Reviving the Urban Waterfront by the federal Office of Coastal Zone Management, the National Endowment for the Arts and Partners for Livable Places, in September, 1979.

This compilation of funding sources was put together to aid local communities in obtaining funds for waterfront projects, and to simplify and streamline the application procedure by making the agencies and their services known.

Programs are listed by type of assistance within the following categories (and may be listed more than once):

- 1) Planning and Technical Assistance Grants
- 2) Capital and/or Construction Grants
- 3) Land Acquisition/Disposal
- 4) Loans and Insurance
- 5) Special Assistance and Technical Information

PLANNING AND TECHNICAL ASSISTANCE GRANTS

A. Economic Development

Name of Department Commerce Department, Economic Development Administration
Name of Program Economic Development—Technical Assistance
Funding Categories Technical Assistance
Primary Focus To solve problems of economic growth in EDA-designated geographic areas and other areas of substantial need through administrative and demonstration project grants, feasibility studies, management and operational assistance, and other studies.
Type of Assistance Project Grants (Contracts): Dissemination of Technical Information
Who Can Apply? Most goes to private, nonprofit groups or State and local government
Contact and Address EDA Regional Offices or Israel M. Baill, Director, Office of Technical Assistance, Economic Development Administration, Department of Commerce, Washington, D.C. 20230
Authorization, Info. Public Works and Economic Development Act of 1965; Public Law 89-136, as amended; 42 U.S.C. 3151, 3152
Financial Information Leaflet entitled "EDA Technical Assistance, What Is It, How to Apply."
 FY 77 \$13,136,000/281 projects were funded

Name of Department Commerce Department, Economic Development Administration
Name of Program Economic Development-Special Economic Development and Adjustment Assistance Program
Funding Categories Planning, rent supplement, mortgage payment assistance, technical assistance, public facilities, public services and business development
Primary Focus To provide special Economic Development and Adjustment Assistance Programs to help State and local areas meet special needs arising from actual or threatened unemployment as a result of economic dislocation or other severe changes in economic assistance.
Type of Assistance Project Grants
Who Can Apply? State and local governments, Indian tribes and private and public nonprofit organizations
Contact and Address EDA Regional Office or Deputy Assistant Secretary for Economic Development Operations, Department of Commerce, Washington, D. C. 20230
Authorization, Info. Public Works and Economic Development Act of 1965, Public Law 89-136, as amended: 42 U.S.C. 3241, 3243, and 3245
Financial Information 13 CFR 308, further guidelines and literature to be issued.
 FY 77 \$76,500,000 for 44 projects, FY 78 (estimate) \$110, 650,000 for 65 projects

B. Environmental and Energy Planning

Name of Department Commerce Department, National Oceanic and Atmospheric Administration
Name of Program Coastal Energy Impact Program-Environmental Grants
Funding Categories Design and implementation
Primary Focus To help states and local governments prevent, reduce or ameliorate unavoidable loss of valuable environmental or recreational resources resulting from coastal energy activity, while ensuring that the person responsible for these environmental or recreational losses pays for their full cost.
Type of Assistance Project Grants
Who Can Apply? Any coastal state approved under 306, receiving grant under 305, or is judged by the Associate Administrator to be making satisfactory progress toward policies set forth in 303, also state must have insufficient allotments under 308(b).
Contact and Address Director, Federal Programs Office, Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven Street, N.W., Page Building No. 1, Room 372, Washington, D.C. 20235.
Authorization, Info. Coastal Zone Management Act of 1976, Section 308(d) (4), Public Law 94-370.
Financial Information 15 CFR Part 931, FMC's 74-4 and 74-7
 (Grants) FY 78 estimate \$3,000,000

Name of Department Commerce Department, National Oceanic and Atmospheric Administration
Name of Program Coastal Energy Impact Program-Formula Grants
Funding Categories Planning
Primary Focus To provide financial assistance to coastal states and local governments in the coastal zone for national, timely and thorough planning for, and management of, the consequences in the coastal zone of Outer Continental Shelf energy activity.
Type of Assistance Formula Grants
Who Can Apply? Any coastal state which has a management program which has been approved under Section 306; or is receiving a grant under Sections 305(c) or (d), or is making, in the judgement of the Associate Administrator, satisfactory progress toward the development of a management program which is consistent with the policies set forth in Section 303.
Contact and Address Director, Federal Programs Office, Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven Street, N.W., Page Building No. 1, Room 372, Washington, D.C. 20235
Authorization, Info. Coastal Zone Management Act Amendments of 1976, Section 308(b), Public Law 94-370.
Financial Information 15 CFR Part 931, OMB Circular No. A-102 and FMC 74-4.
 FY 78 estimate \$26,891,000, FY 79 estimate \$27,750,000

Name of Department	Commerce Department, National Oceanic and Atmospheric Administration
Name of Program	Coastal Energy Impact Program-Planning Grants
Funding Categories	Planning
Primary Focus	To assist state and local governments to study and plan for the social, economic and environmental consequences on the coastal zone of new or expanded energy facilities, to encourage national and timely planning and management of energy siting and energy resource development
Type of Assistance	Project Grants
Who Can Apply?	Any coastal state which has been approved under Section 306; or receiving a grant under Section 305(c); or (d), or in the judgment of the Associate Administrator is making satisfactory progress toward the development of a management program which is consistent with the policies set forth in Section 303.
Contact and Address	Director, Federal Program Office, Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven Street, N.W. Page Bldg. No. 1, Room 372, Washington, D.C. 20235.
Authorization, Info.	Coastal Zone Management Act Amendments of 1976, Section 308(c), Public Law 370.
Financial Information	15 CFR Part 931, FMC's 74-7 and 74-4. FY 77 \$36,000 FY 78 estimate \$6,640,000 and FY 79 estimate \$3,500,000
Name of Department	Commerce Department, National Oceanic and Atmospheric Administration
Name of Program	Coastal Zone Management Program Administration (306)
Funding Categories	Administration
Primary Focus	To assist states in administering the Coastal Zone Management program that has been approved by the Secretary of Commerce
Type of Assistance	Project Grants
Who Can Apply?	Any coastal state whose Coastal Zone Management program has been approved by the Secretary of Commerce
Contact and Address	Director, Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, Page Bldg. No. 1, Room 324, 3300 Whitehaven Street, N.W., Washington, D.C. 20235
Authorization, Info.	Coastal Zone Management Act of 1972, Section 306; Public Law 92-583; Coastal Zone Management Act Amendments of 1976, Section 306; Public Law 94-370.
Financial Information	Grants Management Manual for Grants under the Coastal Zone Management Act (Grants) FY 77 \$4,014,000/5 states received grants
Name of Department	Commerce Department, National Oceanic and Atmospheric Administration
Name of Program	Coastal Zone Management Program Development (305)
Funding Categories	Planning
Primary Focus	To assist any coastal state in the development of a management program for the land and water resources of its coastal zone.
Type of Assistance	Project Grants
Who Can Apply?	States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes.
Contact and Address	Director, Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven Street, N.W., Page Bldg. No. 1, Room 324, Washington, D.C. 20235
Authorization, Info.	Coastal Zone Management Act of 1972, Section 306; Public Law 92-583; Coastal Zone Management Act Amendments of 1976, Section 366; Public Law 94-370.
Financial Information	15 CFR Part 920; Grants Management Manual for Grants under the Coastal Zone Management Act FY 77 (Grants) \$19,148,000/33 states received grants
Name of Department	Environmental Protection Agency
Name of Program	Section 201 of the Federal Water Pollution Control Act Wastewater Treatment Facilities
Funding Categories	Planning, Design and Construction
Primary Focus	Treatment of Wastewater
Type of Assistance	Project Grants
Who Can Apply?	Any municipal, intermunicipal, state, interstate agency, or Indian tribe having jurisdiction over disposal of wastes
Contact and Address	State Water Pollution Control Agency or Harold Cahill, Director, Municipal Construction Division, WH-547, Office of Water Programs Operations, Environmental Protection Agency, Washington, D.C. 20460.
Authorization, Info.	Federal Water Pollution Control Act, as amended; 33 U.S.C. 1251 et seq. Final Construction Grant Regulation, Environmental Protection Agency, (40 CFR Part 35, Subpart E). General Grant Regulations and Procedures, EPA, (40 CFR Part 30). "Federal Assistance Programs of the Environmental Protection Agency," "Grants Administration Manual," available from the National Technical Information Services, Department of Commerce, Springfield, Va. 22161 on a subscription basis for \$60/2 years. "How to Obtain Federal Grants to Build Municipal Wastewater Treatment Works"
Financial Information	FY 77 \$16,669,100,000/4,357 new projects, FY 78 estimate 5,600 projects
Name of Department	Environmental Protection Agency
Name of Program	Section 208 of the Federal Water Pollution Control Act-State and Areawide Water Quality Planning
Funding Categories	Planning
Primary Focus	To encourage and facilitate the development and implementation of water quality management plans by areawide agencies
Type of Assistance	Project Grants
Who Can Apply?	Local Government or Regional Planning Agency
Contact and Address	Walter Groszyk, Acting Director, Water Planning Division, EPA, Washington, D.C. 20460
Authorization, Info.	Federal Water Pollution Control Act, as amended; 33 U.S.C. 1251 et seq. State and Local Assistance, (40 CFR Part 35); General Grant Regulations and Procedures, (40 CFR Part 30); Procedures for Providing Grants to State and Areawide Planning Agencies, (40 CFR Part 130). "Federal Assistance Program of the Environmental Protection Agency." "Grants Administration Manual," Available from the National Technical Information Services, Department of Commerce, Springfield, Va., 22161 on a subscription basis for \$60/2yrs; Water Quality Management Basin Plans, (40 CFR Parts 130 and 131)
Financial Information	FY 77 (Grants) estimate \$19,600,000/125 grant recipients 208 funds can be used to support the "Greenway" concept. Greenway zones provide an area for recreation and vegetative buffers which filter out non-point source pollutants such as soil sediment and chemical fertilizers before they reach water resources.

C. Historic Preservation, Design & Beautification

Name of Department National Foundation on the Arts and Humanities—National Endowment for the Arts
Name of Program Design Arts Program
Funding Categories Planning, design and communication
Primary Focus To encourage communities to introduce exemplary design as an integral part of their planning processes
Type of Assistance Grant (can be used as matching funds to other Federal sources)
Who Can Apply? Organizations with tax-exempt status under section 170(c) of the IRS Code and individuals
Contact and Address Director, Design Arts Program, National Endowment for the Arts, 2401 E Street, N.W., Washington, D.C. 20506
Authorization, Info. National Foundation on the Arts and the Humanities Act of 1965, Public Law 89-209 as amended by Public Law 90-348, Public Law 91-346, Public Law 93-133, and Public Law 94-462; 20 U.S.C. 951 et seq.
 "National Endowment for the Arts, Guide to Programs" and "Design Arts Program Application & Guidelines"
Financial Information (Grants) FY 77 \$3,656,141, estimate for FY 78 \$3,932,000. Limit per grant: Individuals up to \$10,000, \$5,000 average; organizations up to \$20,000, \$15,000 average

Name of Department Interior Department - Heritage Conservation and Recreation Service
Name of Program Historic Preservation Grants-in-Aid
Funding Categories Planning, staff salaries, equipment, materials and travel necessary to accomplish the purposes of the program.
Primary Focus To expand and maintain the National Register of Historic Places—districts, sites, buildings, structures and objects significant in American history, architecture, archeology and culture at the national, state and local levels.
Type of Assistance Project Grants
Who Can Apply? National Trust for Historic Preservation, and State and Territories as defined in the National Historic Preservation Act operating programs administered by a State Historic Preservation Officer appointed by the Governor.
Contact and Address State Historic Preservation Offices or Chief, Office of Archeology and Historic Preservation, Heritage Conservation and Recreation Service, Department of the Interior, Washington, D.C. 20240
Authorization, Info. National Historic Preservation Act of 1966: Public Law 89-665; 16 U.S.C. 470, amended by Public Law 94-442.
 "The Secretary of the Interior's Standards for Acquisition and Development Projects" (available upon request from the Department of the Interior, Heritage Conservation and Recreation Service, Office of Archeology and Historic Preservation, Washington, D.C.)
Financial Information FY 77 \$16,500,000; FY 78 estimate \$43,521,000—approximately 200 new entries monthly.

Name of Department Department of Transportation—Federal Highway Administration
Name of Program Joint Development Program
Funding Categories Planning and implementation of landscape plans
Primary Focus Landscaping and beautification around Federal Aid Systems roads
Type of Assistance Grant
Who Can Apply? Local government or planning authorities
Contact and Address State Highway Commission. Located in State Capital or Federal Highway Administrator, Federal Highway Administration, Washington, D.C. 20570
Authorization, Info. Federal-Aid Highway Act of 1973; Public Law 93-87; Title 23 U.S. Code as amended; Federal-Aid Highway Amendments of 1974; Public Law 93-643; Federal-Aid Highway Act of 1976, Public Law 94-280.
 23 CFR "Highways"
Financial Information FY 77 \$6,965,006,000, FY 78 estimate \$7,578,835,000

D. Marine-Related Research

Name of Department Commerce Department, National Oceanic and Atmospheric Administration
Name of Program Sea Grant
Funding Categories Project support, not for construction of facilities
Primary Focus To support the establishment of major university centers for marine research, education, training, and advisory services, and also individual efforts in these same areas.
Type of Assistance Project Grants
Who Can Apply? Any educational institution, public or private corporation, partnership, or other association or entity; any state or local government or any individual.
Contact and Address Arthur G. Alexiou, Associate Director, National Sea Grant Program, National Oceanic and Atmospheric Administration, 3300 Wisconsin Avenue, N.W., Room 350, Page Bldg. No. 1, Washington, D.C. 20235
Authorization, Info. Sea Grant Program Improvement Act of 1976 (Public Law 94-461, as amended) 33 U.S.C. 1121 et seq., as amended
 45 CFR 600-635; Literature: Suggestions for Submission of Proposals and Administration of Grants, National Sea Grants, National Sea Grant Program
Financial Information FY 77 \$27,441,000 (Grants)/50 grants awarded

CAPITAL AND/OR CONSTRUCTION GRANTS

A. Economic Development, Public Facilities, Public Works

Name of Department Department of Housing and Urban Development
Name of Program Community Development Block Grants/Discretionary Grants (Small Cities)
Funding Categories Acquisition, rehabilitation or construction of certain public works facilities and improvements, site preparation, housing rehabilitation, code enforcement, relocation payments and assistance, administrative expenses, economic development, and completing existing urban renewal projects.
Primary Focus To assist communities in providing decent housing and a suitable living environment, and expanded economic opportunities, principally for persons of low and moderate income.
Type of Assistance Project Grants
Who Can Apply? State and local units of Government except Entitlement cities.
Contact and Address HUD Area Office or Community Planning and Development, 451 7th Street, S.W., Washington, D.C. 20410
Authorization, Info. Title I of the Housing and Community Development Act of 1974, Public Law 93-383, 42 U.S.C. 5301-5317
 Administrative Regulations for Community Development Block Grants, 24 CFR 570.
Financial Information (General Purpose Discretionary) FY 77 \$387,613,000, estimate for FY 78 \$765,160,000 FY 77 Range of Grants \$100,000 to \$600,000, Average grant \$200,000

Name of Department Community Services Administration
Name of Program Community Economic Development
Funding Categories Business, Investment and Development
Primary Focus Provision of seed money that will spur more investment in an area and/or make a profit for the local development corporation. Emphasis on helping the poor.
Type of Assistance Grant with 10% local matching share.
Who Can Apply? Local Community Development Corporations
Contact and Address James V. Digilio, Planning, Design and Evaluation Division, Office of Economic Development, Community Services Administration, 1200 19th Street, N.W., Washington, D. C. 20506.
Authorization, Info. Economic Opportunity Act of 1964, as amended by the Community Services Act of 1974, Title VII, Sections 701, et seq., Public Law 93-644; 42 U.S.C. 2981b.
 Guidelines, Office of Economic Development/CSA.
Financial Information (Grants) FY 77 \$46,533,000/21 grantees were either refunded or given supplemental grants totaling approximately \$34,300,000 of which 10 were Urban Community Development Corporations and 11 were rural. In addition, six planning grants totaling \$12. million and six research and support grants for approximately \$3.1 million were awarded.

Name of Department Department of Housing and Urban Development
Name of Program Community Development Block Grants-Entitlement Grants
Funding Categories Acquisition, Construction and Improvements
Primary Focus Helping low and moderate income people and/or preventing slums and blight (blight prevention can be in either residential or non-residential neighborhoods).
Type of Assistance Formula Grants
Who Can Apply? Entitlement cities get a set amount of money each year to spend at their discretion as long as it is on projects which fit the primary focus
Contact and Address Housing and Urban Development Area Office or Community Planning and Development, 451 7th Street, S.W. Washington, D.C. 20410
Authorization, Info. Title I of the Housing and Community Development Act of 1974, Public Law 93-383, 42 U.S.C. 5301-5317.
 Administrative Regulations for Community Development Block Grants, 24 CFR 570
Financial Information FY 77 \$2,662,733,000/as of July 31, 1977, there were \$1,335 active entitlement grant programs.

Name of Department Commerce Department—Economic Development Administration
Name of Program Economic Development-Grants and Loans for Public Works and Development Facilities
Funding Categories Total Public Projects-Acquisition, Construction...Roads, Sewers, Port Facilities...
Primary Focus To assist in the construction of public facilities needed to initiate and encourage long term economic growth in designated geographic areas where economic growth is lagging behind the rest of the Nation. Emphasis on increasing private investment in the areas.
Type of Assistance Project Grants
Who Can Apply? State and local governments, Indian tribes, private and public nonprofit organizations
Contact and Address EDA regional office or Charles Coss, Director, Office of Public Works, Economic Development Administration, Department of Commerce, Washington, D.C. 20230
Authorization, Info. Public Works and Economic Development Act of 1965; Public Law 89-136, as amended; 42 U.S.C. 3131, 3132, 3135, 3141, 3171. Title 13 CFR Chapter III, "Building Communities with jobs," EDA, "Grants and Loans for Public Works and Development Facilities," EDA. "Qualified Areas under the Public Works and Economic Development Act of 1965," "Guide for Overall Economic Development Programs," "Economic Development, Director of Approved Projects."
Financial Information (Grants) FY 77 \$169,000 (Loans) FY 77 228,000/ (loans) FY 78 \$2,500,000 FY 77 258 projects were approved.

Name of Department Commerce Department-Economic Development Administration
Name of Program Economic Development-Public Works Impact Projects
Funding Categories Construction of public facilities
Primary Focus To provide immediate useful work to unemployed and underemployed persons in designated project areas
Type of Assistance Project Grants
Who Can Apply? State or local governments, Indian tribes, private and public nonprofit organizations
Who Can Apply? EDA Regional Offices or Charles Coss, Director, Office of Public Works, Economic Development Administration, Department of Commerce, Washington, D.C. 20230
Contact and Address Public Works and Economic Development Act of 1965; Public Law 89-136, as amended; 42 U.S.C. 3131, 3135
 Building Communities with Jobs, EDA: "Grants and Loans for Public Works and Development Facilities, EDA": Title 13, Code of Federal Regulations, Chapter III, "Qualified Areas under the Public Works and Economic Development Act of 1965." Guides for Overall Economic Development Programs, Director of Approved Projects.
Financial Information FY 77 88 projects were approved for a total of \$26,950,000.

Name of Department Commerce Department, Economic Development Administration
Name of Program Economic Development-Special Economic Development and Adjustment Assistance Program
Funding Categories Planning, rent supplement, mortgage payment assistance, technical assistance, public facilities, public services and business development
Primary Focus To provide special Economic Development and Adjustment Assistance Programs to help State and local areas meet special needs arising from actual or threatened unemployment as a result of economic dislocation or other severe changes in economic assistance.
Type of Assistance Project Grants
Who Can Apply? State and local governments, Indian tribes and private and public nonprofit organizations
Contact and Address EDA Regional Office or Deputy Assistant Secretary for Economic Development Operations, Department of Commerce, Washington, D. C. 20230
Authorization, Info. Public Works and Economic Development Act of 1965, Public Lab 89-136, as amended: 42 U.S.C. 3241, 3243, and 3245
Financial Information 13 CFR 308, further guidelines and literature to be issued.
 FY 77 \$76,500,000 for 44 projects, FY 78 (estimate) \$110, 650,000 for 65 projects

Name of Department Department of Transportation-Federal Highway Administration
Name of Program Functional Replacement Program
Funding Categories Total Cost of Replacement of Public Buildings
Primary Focus Replace Structures in Public Ownership that are Destroyed through Development of the Federal Highway System
Type of Assistance Grant
Who Can Apply? Local government or planning authorities
Contact and Address State Highway Commission. Located in State Capital or Federal Highway Administrator, Federal Highway Administration, Washington, D. C. 20570
Authorization, Info. Federal-Aid Highway Act of 1973; Public Law 93-87; Title 23 U.S. Code as amended; Federal-Aid Highway Amendments of 1974; Public Law 93-643; Federal-Aid Highway Act of 1976, Public Law 94-280.
Financial Information 23 CFR "Highways"
 FY 77 \$6,965,006,000, FY 78 estimate \$7,578,835,000

Name of Department Commerce Department - Economic Development Administration
Name of Program Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV and IX Activities (304 Grants)
Funding Categories Construction of Public Facilities and Business Development Loans
Primary Focus To provide funds which enable Governors to select projects which will assist in the construction of public facilities and other projects which meet the criteria of Titles I, II, III, IV and IX and are needed to initiate or enhance long-term economic growth in areas of their state where economic growth is lagging.
Type of Assistance Project Grants, Direct Loans
Who Can Apply? State and Local Governments, Indian tribes, private and public nonprofit organizations. Corporations and associations organized for profit are eligible only for business development loans.
Contact and Address Regional EDA Office or Economic Development Administration, Department of Commerce, Washington, D.C. 20230/Charles Coss, Director, Office of Public Works/Glenn S. Walden, Director, Office of Business Development
Authorization, Info. Public Works and Economic Development Act of 1965, Public Law 89-136; as amended: 42 U.S.C. 3131, 3132, 3144, 3142, 3153.
Financial Information Code of Federal Regulations, Title 13, Chapter III, Part 312 (published also in the Federal Register, Vol. 39, No. 220, November 13, 1974); "EDA Grants for Public Works and Development Facilities", "EDA Business Development Loans—Who can Borrow—How to Apply."
 FY 77 \$20,000,000, FY 78 \$20,000,000/In fiscal years 1977, 1978, and 1979 the grants already allocated to the states will fund 54 projects until expanded.

Name of Department Department of Housing and Urban Development
Name of Program Urban Development Action Grants
Funding Categories Acquisition, Construction, Improvements and Relocation of Business
Primary Focus To leverage private investments for residential or commercial developments
Type of Assistance Project Grants
Who Can Apply? Distressed cities and distressed urban counties
Contact and Address Department of Housing and Urban Development Area Office or Office of Urban Development Action Grants, Community Planning and Development, HUD 451 7th Street, S.W., Washington, D.C. 20410
Authorization, Info. Title I of the Housing and Community Development Act of 1974, Public Law 93-383, 42 U.S.C. 5301-5317, as amended by Title I of the Housing and Community Development Act of 1977, Section 110, Public Law 93-128, 42 U.S.C. 5304.
Financial Information 24 CFR 570.450 Off.
 (Grants) FY 78 estimate \$400,000,000

B. Environmental Protection

Name of Department	Environmental Protection Agency
Name of Program	Section 201 of the Federal Water Pollution Control Act Wastewater Treatment Facilities
Funding Categories	Planning, Design and Construction
Primary Focus	Treatment of Wastewater
Type of Assistance	Project Grants
Who Can Apply?	Any municipal, intermunicipal, state, interstate agency, or Indian tribe having jurisdiction over disposal of wastes
Contact and Address	State Water Pollution Control Agency <i>or</i> Harold Cahill, Director, Municipal Construction Division, WH-547, Office of Water Programs Operations, Environmental Protection Agency, Washington, D.C. 20460.
Authorization, Info.	Federal Water Pollution Control Act, as amended; 33 U.S.C. 1251 et seq. Final Construction Grant Regulation, Environmental Protection Agency, (40 CFR Part 35, Subpart E). General Grant Regulations and Procedures, EPA, (40 CFR Part 30). "Federal Assistance Programs of the Environmental Protection Agency," "Grants Administration Manual," available from the National Technical Information Services, Department of Commerce, Springfield, Va. 22161 on a subscription basis for \$60/2 years. "How to Obtain Federal Grants to Build Municipal Wastewater Treatment Works"
Financial Information	FY 77 \$16,669,100.000/4,357 new projects, FY 78 estimate 5,600 projects

C. Historic Preservation

Name of Department	Interior Department, Heritage Conservation and Recreation Service with the State Historic Preservation Officer and the National Trust for Historic Preservation
Name of Program	Historic Preservation Fund Maritime Heritage Preservation Grants
Funding Categories	
Primary Focus	Preservation of maritime heritage with significant community impact
Type of Assistance	Project grants, matched in a 1:1 ratio
Who Can Apply?	Properties listed in the National Register of Historic Places or leading to nomination in the register. Also includes preservation of maritime skills.
Contact and Addresses	Director, Maritime Preservation, Nat'l Trust for Historic Preservation, 740-748 Jackson Pl. NW, Washington, D.C. 20006
Authorization, Info.	Nat'l Historic Preservation Act of 1966 (PL 89-665)
Financial Information	\$5 million designated for maritime preservation

D. Parks and Recreation

Name of Department	Interior Department - Heritage Conservation and Recreation Service
Name of Program	Outdoor Recreation-Acquisition, Development and Planning
Funding Categories	Acquisition and development of facilities not operation and maintenance
Primary Focus	To acquire and develop outdoor recreation facilities. Priority consideration generally is given to projects serving urban populations.
Type of Assistance	Project Grants
Who Can Apply?	The State agency designated as responsible for the preparation and maintenance of the Statewide Comprehensive Outdoor Recreation Plan. The State agency can apply on the behalf of local governments.
Contact and Address	Regional HCRS Office <i>or</i> Heritage Conservation and Recreation Service, Department of the Interior, Washington, D.C. 20240. Contact: Robert A. Ritsch, Rm. 121, South Interior Building
Authorization, Info.	16 U.S.C. 1-4 et seq. Land and Water Conservation Fund Act of 1965; Public Law 88-578; 78 Stat. 897; as amended by Public Law 90-401 (82 Stat. 354); Public Law 91-485 (84 Stat. 1084); Public Law 91-308 (84 Stat. 410); Public Law 92-347 (86 Stat. 460); Public Law 93-81 (87 Stat. 178); Public Law 94-422 (90 Stat. 1313); and Public Law 95-42 (91 Stat. 210). Outdoor Recreation Grants-in-Aid Manual (Government Printing Office). "The Land and Water Conservation Fund Act of 1965, as Amended". Digest of Federal Outdoor Recreation Programs and Recreation-Related Environmental Programs." (Government Printing Office) "Private Assistance in Outdoor Recreation."
Financial Information	FY 77 \$175,516,000, FY 78 \$306,070,000 43% of money for State agencies, 13% for counties and 44% for cities.

Name of Department	Interior Department, Heritage Conservation and Recreation Service
Name of Program	Urban Park and Recreation Recovery Program
Funding Categories	Project Grants
Primary Focus	To conserve urban resources by retrieving disappearing opportunities for enjoying the urban environment through parks and recreation
Type of Assistance	Rehabilitation, innovation and recovery action program grants awarded on a matching basis
Who Can Apply?	States, local governments
Contact and Addresses	Heritage Conservation and Recreation Service, Urban Programs Task Force, 440 G St. N.W., Washington, D.C. 20243
Authorization, Info.	Urban Park and Recreation Recovery Act (Title X of PL 95-625)
Financial Information	\$150 million authorized for the first four years, \$125 million in the last year.

E. Transportation Related Development

Name of Department	Department of Transportation-Federal Highway Administration
Name of Program	Urban Mass Transit Authority
Funding Categories	Acquisition, construction, reconstruction and improvements
Primary Focus	Mass Transit Projects (also People movers, boats, etc.)
Type of Assistance	Grant
Who Can Apply?	Local Government, Local Transit Authority, Metropolitan Planning Authority
Contact and Address	State Highway Commission. Located in State Capital <i>or</i> Associate Administrator, Office of Transit Assistance, Urban Mass Transit Administration, 400 7th Street, S.W., Washington, D.C. 20590
Authorization, Info.	Urban Mass Transportation Act of 1964; Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq. 49 CFR 601.2; "Program Information for Capital Grants and Technical Studies Grants." "Guidelines for Project Administration."
Financial Information	FY 77 (Grants) \$1,250,000,000 was committed for 216 grants. 5 of these were for other than rail or bus (i.e...people movers, boats, etc.)

Name of Department	Department of Transportation-Federal Highway Administration
Name of Program	Functional Replacement Program
Funding Categories	Total Cost of Replacement of Public Buildings
Primary Focus	Replace Structures in Public Ownership that are Destroyed through Development of the Federal Highway System
Type of Assistance	Grant
Who Can Apply?	Local government or planning authorities
Contact and Address	State Highway Commission. Located in State Capital <i>or</i> Federal Highway Administrator, Federal Highway Administration, Washington, D. C. 20570
Authorization, Info.	Federal-Aid Highway Act of 1973; Public Law 93-87; Title 23 U.S. Code as amended; Federal-Aid Highway Amendments of 1974; Public Law 93-643; Federal-Aid Highway Act of 1976, Public Law 94-280. 23 CFR "Highways"
Financial Information	FY 77 \$6,965,006,000, FY 78 estimate \$7,578,835,000

LAND ACQUISITION/DISPOSAL

Name of Department Interior Department - Heritage Conservation and Recreation Service
Name of Program Disposal of Federal Surplus Real Property for Parks, Recreation and Historic Monuments (Surplus Property Program)
Funding Categories Land for public parks and recreation use
Primary Focus To dispose of surplus Federal real property for public parks and recreation use and for historic monument use
Type of Assistance Advisory Services and Counseling
Who Can Apply? State and Local Governments
Contact and Address HCRS Regional Directors *or* Chief, Division of Technical Services, Heritage Conservation and Recreation Service, Department of the Interior, Washington, D.C. 20240
Authorization, Info. Section 203 of the Federal Property and Administrative Services Act of 1949; 63 Stat. 385 as amended; 40 U.S.C. 484.
Financial Information "Disposal of Surplus Real Property" published by the General Services Administration
FY 77 (estimate) \$395,920 FY 78 (estimate) \$400,680

Name of Department General Services Administration
Name of Program Office of Real Property—Legacy of the Parks Program Disposal of Federal Surplus Real Property
Funding Categories Land Donation
Primary Focus Give excess Federal Government property to be developed for the benefit of the area
Type of Assistance Land
Who Can Apply? Local government or planning agencies can make General Services aware that excess land exists, or land is found through General Services review of its holdings.
Contact and Address Assistant Commissioner, Office of Real Property, Public Buildings Service, General Services Administration, Washington, D.C. 20405
Authorization, Info. Section 203 of the Federal Property and Administrative Services Act of 1949, 63 Stat. 385, as amended, 40 U.S.C. 484; Section 13(g) of the Surplus Property Act of 1944, as amended, 50 U.S.C. App. 1622(g); Public Law 80-537, 62 Stat. 240, as amended, 16 U.S.C. 6676-d; Section 414 of Public Law 91-152, 83 Stat. 400, as amended, 40 U.S.C. 484 b; and Section 218 of Public Law 91-646, 84 Stat. 1902, 42 U.S.C. 4638.
Financial Information "Disposal of Surplus Real Property"; 41 CFR 101-47, Utilization and Disposal of Real Property
No breakdown to the specific program—40 Parcels of land/year on average.

Name of Department Department of Transportation-Federal Highway Administration
Name of Program Joint Development Program
Funding Categories Planning and implementation of landscape plans
Primary Focus Landscaping and beautification around Federal Aid Systems roads
Type of Assistance Grant
Who Can Apply? Local government or planning authorities
Contact and Address State Highway Commission. Located in State Capital *or* Federal Highway Administrator, Federal Highway Administration, Washington, D.C. 20570
Authorization, Info. Federal-Aid Highway Act of 1973; Public Law 93-87; Title 23 U.S. Code as amended; Federal-Aid Highway Amendments of 1974; Public Law 93-643; Federal-Aid Highway Act of 1976, Public Law 94-280.
23 CFR "Highways"
Financial Information FY 77 \$6,965,006,000, FY 78 estimate \$7,578,835,000

Name of Department Interior Department - Bureau of Land Management
Name of Program Public Land for Recreation, Public Purposes and Historic Monuments
Funding Categories Public land for lease or purchase for health, educational, public recreation, historical monuments, and other recreational purposes.
Primary Focus To permit available public land to be leased or acquired for historical monuments, recreation and public purposes.
Type of Assistance Sale, Exchange, or Donation of Property and Goods.
Who Can Apply? Federal, State and Local instrumentalities and governments, non-profit associations and non-profit corporations.
Contact and Address Bureau of Land Management Regional Offices *or* Division of Lands and Realty, Bureau of Land Management, Department of the Interior, Room 3649, Washington, D.C. 20240.
Authorization, Info. Recreation and Public Purposes Act of June 14, 1926, as amended; 43 U.S.C. 869, 869-4, as amended by 90 Stat. 2759-60.
Financial Information Title 43, Code of Federal Regulations, subparts 2740 and 2912. Circular 2307.
Not separately identifiable.

LOANS AND INSURANCE

A. Economic Development and Business Development

Name of Department	Commerce Department - Economic Development Administration
Name of Program	Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV and IX Activities (304 Grants)
Funding Categories	Construction of Public Facilities and Business Development Loans
Primary Focus	To provide funds which enable Governors to select projects which will assist in the construction of public facilities and other projects which meet the criteria of Titles I, II, III, IV and IX and are needed to initiate or enhance long-term economic growth in areas of their state where economic growth is lagging.
Type of Assistance	Project Grants, Direct Loans
Who Can Apply?	State and Local Governments, Indian tribes, private and public nonprofit organizations. Corporations and associations organized for profit are eligible only for business development loans.
Contact and Address	Regional EDA Office or Economic Development Administration, Department of Commerce, Washington, D.C. 20230/Charles Coss, Director, Office of Public Works/Glenn S. Walden, Director, Office of Business Development
Authorization, Info.	Public Works and Economic Development Act of 1965, Public Law 89-136; as amended; 42 U.S.C. 3131, 3132, 3141, 3142, 3153.
Financial Information	Code of Federal Regulations, Title 13, Chapter III, Part 312 (published also in the Federal Register, Vol. 39, No. 220, November 13, 1974); "EDA Grants for Public Works and Development Facilities", "EDA Business Development Loans—Who can Borrow—How to Apply." FY 77 \$20,000,000, FY 78 \$20,000,000/In fiscal years 1977, 1978, and 1979 the grants already allocated to the states will fund 54 projects until expended.
Name of Department	Commerce Department—Economic Development Administration
Name of Program	Economic Development-Business Development Assistance
Funding Categories	Acquisition of fixed assets, site preparation and building rehabilitation
Primary Focus	To encourage industrial and commercial expansion in designated areas by providing financial assistance to business that create new permanent jobs, expand or establish plants, in redevelopment areas for projects that cannot be financed through banks or other private lending institutions.
Type of Assistance	Direct Loans; Guaranteed/Insured
Who Can Apply?	Individuals, private or public corporations or Indian tribes
Contact and Address	EDA Regional Office or Paul J. O'Neill, Office of Business Development, Economic Development Administration, Department of Commerce, Washington, D.C. 20230.
Authorization, Info.	Public Works and Economic Development Act of 1965; Public Law 89-136, as amended; 42 U.S.C. 3142, 3171.
Financial Information	"EDA Business Development Loans-Who Can Borrow-How to Apply." FY 77 (Direct Loans) \$41,059,000, (Guarantees) \$4,403,000/57 business loans and 8 guarantees.
Name of Department	Small Business Administration
Name of Program	Economic Opportunity Loans for Small Businesses
Funding Categories	Establishment, preservation and strengthening of small businesses owned by low-income or socially or economically disadvantaged persons.
Primary Focus	To provide loans up to \$100,000 with maximum maturity of 15 years, to small business owned by low income or socially or economically disadvantaged person.
Type of Assistance	Direct Loans; Guaranteed/Insured Loans; Advisory Services and Counseling.
Who Can Apply?	Low income people who have been discriminated against in normal lending channels due to social or economic disadvantage.
Contact and Address	Regional or local office of the Small Business Administration or Assistant Administrator for Management Assistance, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416
Authorization, Info.	Small Business Act, Section 7 (i), Public Law 93-386 "Economic Opportunity Loan Program," OPI-22
Financial Information	Direct Loans: Range \$1,500 to \$100,000; average \$27,279. Guaranteed loans: Range \$2,250 to \$99,600; average \$28,763
Name of Department	Department of Housing and Urban Development
Name of Program	Housing Rehabilitation Loans—Section 312
Funding Categories	Rehabilitation
Primary Focus	To provide funds for rehabilitation of residential and business properties
Type of Assistance	Direct Loans
Who Can Apply?	Residential or non-residential property owners, or owners and/or tenants of non-residential property in neighborhood development, when renewal, code enforcement areas, Community Development Block Grant areas and Section 810 Urban Homesteading Areas.
Contact and Address	HUD area office or Community Planning and Development, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410.
Authorization, Info.	Housing Act of 1964, as amended, Section 312; Public Law 88-560; 42 U.S.C. 1452 B.
Financial Information	Rehabilitation Financing, Handbook 7375.1 REV. "Rehabilitation Financing Handbook." (Loans) FY 77 estimate \$84,000,000 Loan Limit Maximum of \$27,000/Dwelling Unit \$100,000/Non-residential Property; approximately \$11,000 average per loan.

B. Other

Name of Department	Small Business Administration
Name of Program	Small Business Loans (7(a) Loans)
Funding Categories	To construct, expand, or convert facilities; to purchase building equipment or materials; for working capital.
Primary Focus	To aid small businesses which are unable to obtain financing in the private credit marketplace, including agricultural enterprises.
Type of Assistance	Direct Loans; Guaranteed/Insured Loans
Who Can Apply?	A small business which is independently owned and operated and is not dominant in its field. There is no set definition of a small business, but generally it is one that employs five hundred or fewer people, and is small relative to other businesses in its industry.
Contact and Address	District Office of the Small Business Administration or Director, Office of Financing, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416.
Authorization, Info.	Small Business Act, as amended, Section 7(a) Public Law 85-536, as amended; 72 Stat. 387; 15 U.S.C. G36(a). "SBA Business Loans," OPI-18; "Simplified Blanket Loan Guaranty Plan," OPI-38; "Loan Sources in the Federal Government," Management Aid No. 52.
Financial Information	FY 77 Direct (Loans) \$199,479,522. Guaranteed Loans \$2,656,060,725 3,022 direct and 23,383 guaranteed loans
Name of Department	Commerce Department National Oceanic and Atmospheric Administration
Name of Program	Coastal Energy Impact Program-Loans and Guarantees
Funding Categories	Loans for building public facilities
Primary Focus	To provide financial assistance for public facilities necessary to support increased populations stemming from new or expanded coastal energy activity.
Type of Assistance	Loans
Who Can Apply?	Any coastal state which has been approved under Section 306; or in the judgement of the Associate Administrator is making satisfactory progress toward the development of a management program which is consistent with the policies set forth in Section 303.
Contact and Address	Director, Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven Street, N.W., Page Bldg. No. 1, Room 324, Washington, D.C. 20235.
Authorization, Info.	Coastal Zone Management Act Amendments of 1976, Section 308(d)(i) Loans and 308 (d)(2) Bond Guarantees 15 CFR Part 931, FMC 74-7 and 74-7
Financial Information	(Loans) FY 78 estimate \$20,000,000
Name of Department	Department of Housing and Urban Development
Name of Program	Federal Insurance Administration
Funding Categories	Insurance
Primary Focus	Flood Insurance
Type of Assistance	Insurance
Who Can Apply?	Any community with the authority to adopt and enforce flood plain management measures.
Contact and Address	HUD Regional Office or Administrator, Federal Insurance Administration, Department of Housing and Urban Development, Washington, D.C. 20410 (800) 424-8872
Authorization, Info.	Housing and Urban Development Act of 1968; Title XIII, Public Law 90-448, 82 Stat. 476,562 as amended, 42 U.S.C. 4011, 83 Stat. 39, 42 U.S.C. 4056; 83 Stat. 579, 42 U.S.C. 4021, and Flood Disaster Protection Act of 1973, Public Law 93-234. Regulation 24 CFR 1909-1920; Publication, "Questions and Answers on the National Flood Insurance Program," "Mandatory Purchase of Flood Insurance Guidelines"; "Elevated Residential Structures," "How to Read a Flood Hazard Boundary Map", "How to Read a Flood Insurance Rate Map", "Flood insurance manual," "National Flood Insurance Program Application Forms".
Financial Information	As of September 30, 1977, 15,678 communities eligible; 1,156,000 policies in effect and \$35,200,000,000 insurance in force.

SPECIAL ASSISTANCE AND TECHNICAL INFORMATION

A. Water-Related Assistance

Name of Department Department of the Army, Office of the Chief of Engineers
Name of Program Aquatic Plant Control
Funding Categories Technical Assistance
Primary Focus To control obnoxious aquatic plants in rivers, and allied waters
Types of Assistance Specialized Services and Technical Information
Who Can Apply? State and Local Governments
Contact and Address Nearest U.S. Army Division or District Engineer or Director of Civil Works, Office of the Chief of Engineers, Department of the Army, Washington, D.C. 20314 Attn: DAEN-CWO-R
Authorization, Info. Section 302 of the River and Harbor Act of 1965; Public Law 89-298; Section 104 of the River and Harbor Act of 1958; Public Law 85-500; 33 U.S.C. 610.
 Engineer Regulation 1130-2-412 (33 U.S.C. 273) and information sheets describing the program are available from the District Engineer.
Financial Information Range of financial assistance \$20,000 to \$500,000, Average financial assistance \$100,000.

Name of Department Department of the Army, Office of the Chief of Engineers
Name of Program Beach Erosion Control Projects
Funding Categories Specialized Services for Projects
Primary Focus To control all beach and shore erosion to public shores through projects not specifically authorized by Congress
Type of Assistance Specialized Services
Who Can Apply? State and Local Governments
Contact and Address Nearest U.S. Army District Engineer or Director of Civil Works, Office of the Chief of Engineers, Department of the Army, Washington, D.C. 20314
Authorization, Info. Section 103 Of the 1962 River and Harbor Act, as amended; Public Law 87-874; 33 U.S.C. 426g.
 Engineer Regulation 1105-2-50 (33 CFR 263) and information sheets describing this program are available from the District Engineer
Financial Information Range of financial assistance \$110,000 to \$300,000. Average financial assistance \$205,000

Name of Department Department of the Army, Office of the Chief of Engineers
Name of Program Flood Control Projects
Funding Categories Specialized Services for Project
Primary Focus To reduce flood damages through projects not specifically authorized by Congress
Type of Assistance Specialized Services
Who Can Apply? State and Local Governments
Contact and Address Nearest U.S. Army District Engineer or Director of Civil Works, Office of the Chief of Engineers, Department of the Army, Attn: DAEN-CWP-A, Washington, D.C. 20314
Authorization, Info. Section 205, 1948 Flood Control Act; Public Law 80-858 as amended; 33 U.S.C. 7015; as amended by Public Law 93-251.
 Engineer Regulation 1105-2-50 (33 CFR 263) and information sheets describing this program are available from District Engineer.
Financial Information Range of financial assistance \$187,000 to \$3,000,000. Average financial assistance \$1,307,000.

Name of Department Department of the Army, Office of the Chief of Engineers
Name of Program Flood Plain Management Services
Funding Categories Technical Assistance for Planning
Primary Focus To promote appropriate recognition of flood hazards in land and water use planning and development through the provision of needed information, technical services, and guidance.
Type of Assistance Advisory services and technical information
Who Can Apply? State and Local Governments
Contact and Address Nearest U.S. Army District Engineer or Director of Civil Works, Attn: DAEN-CWP-F, Office, Chief of Engineers, Department of the Army, Washington, D.C. 20314
Authorization, Info. Section 206 of the Flood Control Act, 1960, as amended; Public Law 86-645; 33 U.S.C. 709a.
 Engineer Regulation 1165-2-303, Flood Plain Management Services
Financial Information Estimated Salaries and Expenses for Fiscal Year '79, \$8,400,000

Name of Department Department of the Army, Office of the Chief of Engineers
Name of Program Navigation Projects
Funding Categories Specialized Services for Projects
Primary Focus To provide the most practicable and economic means of fulfilling the needs of general navigation, through projects not specifically authorized by Congress.
Type of Assistance Specialized services
Who Can Apply? State and Local Governments
Contact and Address U.S. Army District Engineer *or* Director of Civil Works, Office of the Chief of Engineers, Department of the Army, Attn: DAEN-CWP-A, Washington, D.C. 20314
Authorization, Info. Section 107 of 1960 River and Harbor Act, as amended; Public Law 86-645; 33 U.S.C. 577
Financial Information Range of financial assistance \$100,000 to \$1,000,000. Average financial assistance \$458,000.

Name of Department Department of the Army, Office of the Chief of Engineers
Name of Program Protection, Clearing and Straightening Channels
Funding Categories Specialized Services for Project
Primary Focus To improve channels for purposes of navigation
Type of Assistance Specialized Services
Who Can Apply? State and Local Governments
Contact and Address U.S. Army District Engineer *or* Director of Civil Works, Attn: DAEN-CWO-M, Office of the Chief of Engineers, Department of the Army, Washington, D.C. 20314
Authorization, Info. Section 3 of the 1945 River and Harbor Act; Public Law 79-14; 33 U.S.C. 603a.
Financial Information Range of financial assistance \$20,000 to \$100,000. Average financial assistance \$50,000.

B. Recreation

Name of Department Interior Department - Heritage Conservation and Recreation Service
Name of Program Outdoor Recreation-Technical Assistance
Funding Categories Technical Information for planning, developing, managing and financing recreation programs
Primary Focus To promote programs which meet public need for recreation and related environmental quality
Type of Assistance Advisory Services, Counseling and Technical Information
Who Can Apply? Anyone may apply
Contact and Address HCRS Regional Office *or* Chief, Division of Technical Services, Heritage Conservation and Recreation Service, Department of the Interior, Washington, D.C. 20240
Authorization, Info. Bureau of Outdoor Recreation Organic Act; Public Law 88-29; 77 Stat. 49; 16 U.S.C. 1-3. Act of June 23, 1936 (49 Stat. 1894).
Financial Information "Outdoor Recreation Action" Government Printing Office "Private Assistance in Outdoor Recreation."
 FY 77 (estimate) \$1,414,000. FY 78 (estimate) \$1,431,000/An estimated \$20,000 requests for technical assistance one answered each year.

C. Transportation-Related Development

Name of Department Commerce Department-Maritime Administration
Name of Program Development and Promotion of Ports and Intermodal Transportation
Funding Categories Technical assistance to Port Authorities, governments, private industry and individuals
Primary Focus To promote and plan for the development and utilization of ports and port facilities, and intermodal transportation; to provide technical advice to Government agencies, private industry and state and municipal governments.
Type of Assistance Advisory Services, Technical Information
Who Can Apply? State and Local Governments; individuals, organizations, companies, etc.
Contact and Address Regional Maritime Administration Office *or* Armour S. Armstrong, Director, Office of Port and Intermodal Development, Maritime Administration, Department of Commerce, Washington, D.C. 20230.
Authorization, Info. Title V of the Merchant Marine Act, 1936, as amended; Public Law 74-835, as amended: 46 U.S.C. 1151-1161.
Financial Information Maritime Administration-General Order 11 (46 CFR 251).
 FY 77 \$859,000, FY 78 (estimate) \$866,000

Appendix J: SELECTED BIBLIOGRAPHY
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Appendix K: ACKNOWLEDGEMENT OF PUBLIC COMMENTORS

The following is a list of people who contributed their ideas to the Commission by either making comments at public hearings on November 19, 20, April 15 or 29, or submitting a letter to the Chairman or staff of the Commission. Their knowledge and viewpoints contributed to the preparation of this report, but their inclusion on this list does not in any way imply their endorsement of the contents or recommendations of the report.

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Conservation Foundation

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Appendix L: STAFF TO THE HUDSON RIVER WATERFRONT COMMISSION

Staff assistance to the Commission was provided by the New Jersey Department of Environmental Protection's Bureau of Coastal Planning and Development under the leadership of John R. Weingart, Chief of the Bureau. Barbara E. Kauffman, urban planner in the Bureau, coordinated the activities of many of the committees formed by the Commission and prepared much of this report.

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