

**A. INTRODUCTION**

This chapter evaluates the land use and social conditions for areas potentially affected by the project alternatives. This evaluation considers current and future land uses, parkland, zoning, public policy, community facilities, land acquisition, and socioeconomic conditions within the project study area.

Land use is the activity occurring on a particular piece of land and in the structures that occupy the land. Land uses may be categorized broadly (e.g., residential, commercial, manufacturing) or in more detail (e.g., single-family residential, multi-family residential, warehousing, and storage). Zoning is the classification and regulation of land according to use categories, usually developed by local jurisdictions. Zoning controls the type, density, and bulk of development in a given jurisdiction by establishing districts where specific land uses are allowed. Community facilities include churches, daycare centers, police and fire stations, and schools, all of which contribute to the overall character of an area. The regulatory context and methodology for the analysis of land use and social conditions are discussed below, followed by a description of existing and future land use and social conditions, and the potential for impacts from the project alternatives.

**B. REGULATORY CONTEXT AND METHODOLOGY****REGULATORY CONTEXT**

All of the study area for the Portal Bridge Capacity Enhancement Project is located within Hudson County, New Jersey. Most of the study area falls within the designated Hackensack Meadowlands District. The western half of the study area is located in the Town of Kearny, and the eastern half is located in the Town of Secaucus. Land use planning and public policy in New Jersey are established on the state level by the state's State Development and Redevelopment Plan; within the designated Hackensack Meadowlands District, the regulations and policies of the New Jersey Meadowlands Commission (NJMC) take the place of the state plan as well as any local regulations and policies. Outside the Meadowlands District, local municipalities establish local zoning and land use plans in accordance with the state-wide plan. NJ TRANSIT and Amtrak are not subject to local regulations.

For EIS analyses, the Federal Railroad Administration (FRA) follows guidance provided by the Council on Environmental Quality (CEQ) and internal procedures dated May 26, 1999.<sup>1</sup> These procedures stipulate consideration of a proposed project's impacts on existing and planned land uses. Local land use plans as well as comprehensive regional plans are evaluated with respect to the project to identify conflicts and open space and areas devoted to recreation (passive and

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<sup>1</sup> **Source:** <http://www.fra.dot.gov/Downloads/RRDev/FRAEnvProcedures.pdf>

active) are also identified to determine whether the proposed project could adversely affect these sites.

Following FRA's procedures, EIS evaluations also consider a proposed project's potential to adversely impact the socioeconomic environment—including available jobs (number and type), community disruption or cohesion, demographic shifts, and the need for and availability of relocation housing. The potential impacts on existing businesses and local government services and revenues are also considered.

Transportation projects often require property acquisition and relocation. A federally funded project must adhere to the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as codified in Title 42, Section 4601 *et seq.* of the United States Code, and the applicable implementing regulations set forth in Title 49, Part 24 of the Code of Federal Regulations (collectively, "the Uniform Act") with regard to relocation services, moving payments, replacement housing payments, and other allowable payments related to commercial and residential moving costs and displacement. The rights of owners and tenants of real property acquired to implement the proposed project are protected under the Uniform Act, which provides for fair uniform and equitable treatment of persons displaced from their homes, businesses, or farms by federal and federally assisted programs. The Uniform Act recognizes that displacement of businesses often results in their closure, and aims to minimize the adverse impact of displacement to maintain the economic and social well-being of communities. The Uniform Act is designed to ensure that individuals do not suffer disproportionate injuries as a result of programs and projects designed for the benefit of the public as a whole, and to minimize the hardship of displacement on such persons. In New Jersey, project-required displacements and relocation must also adhere to the New Jersey Redevelopment and Housing Law NJSA 40A:12A.

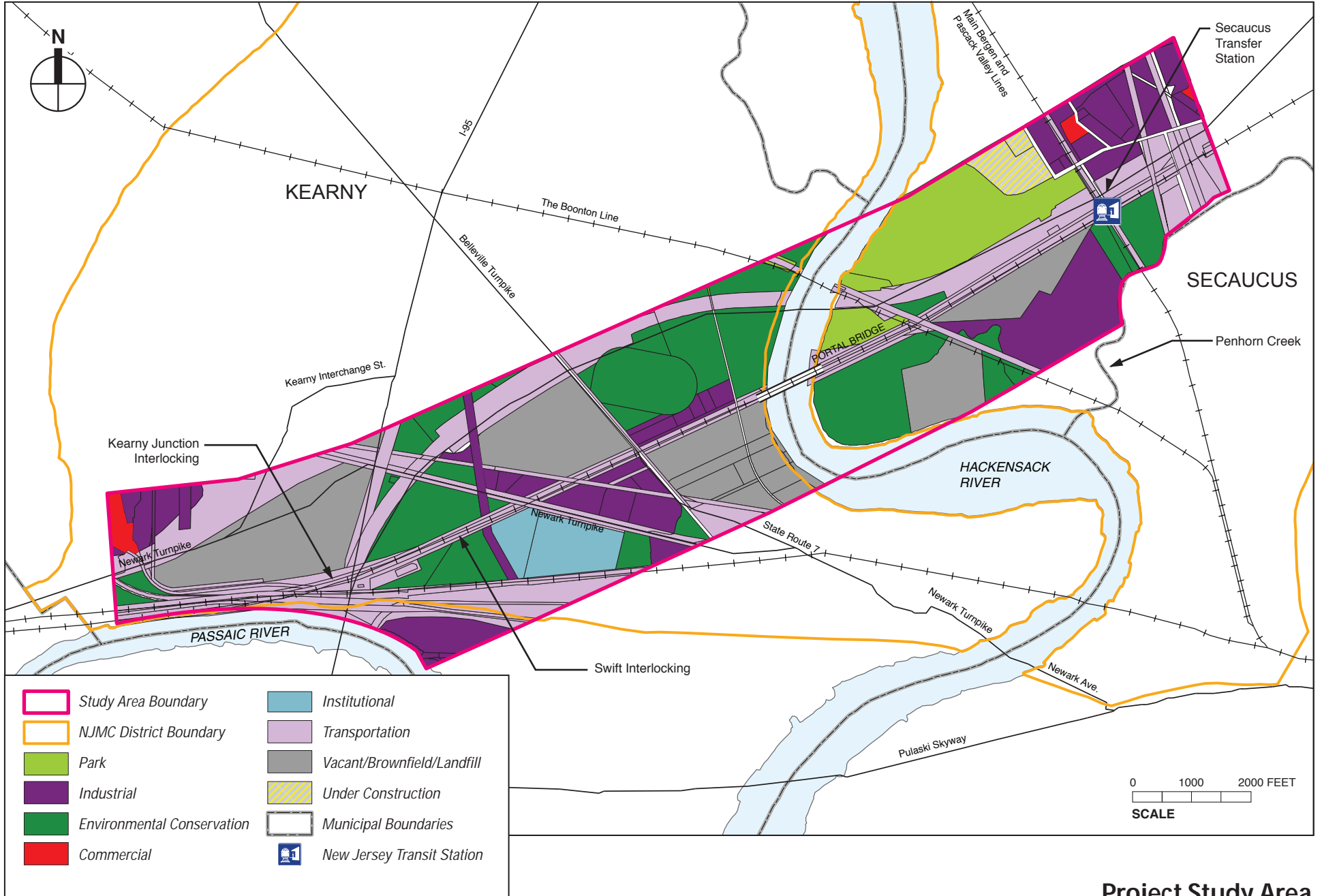
## **METHODOLOGY**

The first step in the analysis of the land use and social conditions was the collection of the required information about the project study area. As discussed in Chapter 2, "Project Purpose and Need," the study area is bounded by Kearny Junction Interlocking to the west and Secaucus Transfer Station to the east, roughly 2,000 feet north and 2,000 feet south of the existing Northeast Corridor (see Figure 5.1-1). The size of the study area was based on a consideration of potential project impacts during construction and operation. The boundaries of the study area consider existing physical and visual boundaries, such as the Passaic River and Penhorn Creek, which separate municipalities.

### *LAND USE, ZONING, PUBLIC POLICY, OPEN SPACE, AND PARKLAND*

The analysis of land use, zoning, public policy, open space, and parkland was performed through the following six steps:

1. Identification of land uses and land use patterns, community facilities, parklands, and open space.
2. Review of local and regional government regulations (including zoning), policies, and plans influencing growth, development, and preservation in the study area;
3. Identification of development trends and planned transportation and development projects;



4. Projection of future conditions with the proposed project and the potential impacts related to land use, community facilities, and open space.
5. Determination of the proposed project's consistency with the various land use and zoning plans and policies and future developments;
6. Where impacts are identified, description of mitigation measures to eliminate or reduce the magnitude and/or severity of the impacts.

#### *SOCIAL CONDITIONS*

The analysis of social conditions was performed by identifying the existing and projected population within the study area. The purpose of this analysis was to consider the potential for the project alternatives to bifurcate neighborhoods, adversely affect community cohesiveness and neighborhood character (e.g., through increased noise and traffic), and alter pedestrian circulation and accessibility to local businesses.

#### *PROPERTY ACQUISITIONS AND DISPLACEMENTS*

The property acquisitions analysis considers the direct impacts of the project alternatives' use of property beyond the existing rail right-of-way. The analysis was conducted through the following steps:

1. Identification of properties, property uses, and property owners that may be directly affected by the project alternatives. The total extent of private and public property acquisitions (or easements) for the Portal Bridge Capacity Enhancement Project was established for each alternative. Tax maps and municipal tax records were reviewed. In the case of tax-exempt property owned by public agencies or utility corporations, properties details were requested directly from the agency. The existing uses of properties potentially to be acquired under each alternative were field-verified.
2. Description of the federal and state laws regarding purchases and relocation as part of the full disclosure of the process of property acquisition.
3. Analysis of the direct effects of displacement and relocation. The availability of suitable sites for relocation was evaluated through research of vacancy rates in nearby comparable neighborhoods, current trends in local residential and commercial property markets, and interviews with local real estate professionals.
4. Analysis of the indirect effects of displacement and relocation. For a direct displacement to create a significant adverse effect on the local community, a displaced resident or businesses must represent a defining element of the character of the area. This evaluation considered land use adjacent to potentially acquired properties to determine the potential for the residential and commercial property acquisitions to disrupt the character and unity of the area.

### **C. EXISTING CONDITIONS**

#### **LAND USE**

The study area is dominated by wetlands and environmental conservation areas, vacant land, transportation and industrial uses; there are no residential areas or community facilities in the

study area (see Figure 5.1-1). Various intermodal transportation corridors—including rail rights-of-way and former rail rights-of-way, local roads, and the limited access I-95 (New Jersey Turnpike)—intersect the study area, creating large parcels of land between them (geographic features are shown in Figure 3-1). A utility line right-of-way and the Hackensack River further divide the study area. Most roads in the study area consist of limited access highways; the small number of local roads and the large areas of wetlands and former landfills limit the amount of developable properties.

Amtrak's existing Northeast Corridor passenger rail line and the associated right-of-way form the spine of the study area. The study area can be described generally in three sections—the western portion near Swift Interlocking, the center portion (including the Hackensack River and the existing Portal Bridge), and the eastern portion near Secaucus Transfer Station. For a more detailed analysis of the properties to be affected by the proposed project alternatives, see Section E, "Probable Impacts of the Build Alternatives."

### *WESTERN PORTION (SWIFT INTERLOCKING AREA)*

The western portion of the study area extends eastward along the Northeast Corridor from I-280 to Belleville Turnpike, and its southwestern boundary is formed by the Passaic River. This portion of the study area comprises heavy industrial uses, rail tracks, and wetlands and is most diverse in terms of land uses due to the relative accessibility to local roadways. A dominant feature in this portion of the study area is the elevated New Jersey Turnpike (I-95), which runs north-south through the study area. The eastern spur of the New Jersey Turnpike branches off from the main section within this portion of the study area.

Newark Turnpike, I-280, and Belleville Turnpike divide the study area from north to south, and all are located in this section of the study area. The majority of active land uses in this portion of the study area are located adjacent to the Newark and Belleville Turnpikes. On the western edge of the study area, along the Newark Turnpike, there are heavy industrial uses as well as the parking lot for a big-box retail store. The middle of this portion of the study area, between the Newark and Belleville Turnpikes, is occupied by multiple heavy industrial businesses on large parcels, as well as a U.S. Postal Service distribution and maintenance facility and a utility right-of-way that runs north-south between I-95 and Belleville Turnpike. Two former landfills are located to the north of the Northeast Corridor rail right-of-way—the 161-acre "1-D Landfill" and the 54-acre "1-A Landfill"—both of which were closed in the 1980s and are under the jurisdiction of NJMC.

There are two major rail junctions in this part of the study area, Kearny Junction Interlocking and Swift Interlocking, located to the west and east of I-95, respectively. Kearny Junction Interlocking forms the west end of a pair of parallel connecting tracks that link NJ TRANSIT's Morristown Line (which carries trains to and from Hoboken Terminal) with the Northeast Corridor (which carries trains to and from New York Pennsylvania Station [PSNY]). Kearny Junction Interlocking and Swift Interlocking consist of tracks and switches that connect these two routes. In addition to the Amtrak and NJ TRANSIT rail lines, a segment of the Port Authority Trans Hudson (PATH) rail line runs east-west near Kearny Junction Interlocking. South of the U.S. Postal Service facility are a NJ TRANSIT maintenance facility and the Kearny Intermodal Yard, a 120-acre yard owned by freight rail operator CSX.

The remainder of this portion of the study area consists primarily of wetlands (including Cedar Creek Marsh, between the Northeast Corridor right-of-way and Kearny Intermodal Yard), open

water, and other vacant, ecologically sensitive land uses. Some of these wetlands are under the jurisdiction of NJMC and as such remain undevelopable.

*CENTER PORTION (HACKENSACK RIVER AREA)*

The center portion of the study area is located between Belleville Turnpike and the Boonton Line. A major feature in this portion of the study area is the Hackensack River, which is located in the middle of this section of the study area. Belleville Turnpike is the only local road in this portion of the study area and provides access to properties on the western shore of the Hackensack River. Three brownfield sites and an industrial business, a linen cleaning and supply company, are located between Belleville Turnpike and the river. The brownfield sites, which are on the south side of the Northeast Corridor right-of-way, are known as the Standard Chlorine, Diamond Shamrock, and Koppers Coke properties. The Standard Chlorine site was recently added to the Superfund program's National Priorities List (discussed further in Chapter 5.7, "Contaminated Materials.") The industrial linens supply business is located to the immediate north of the Northeast Corridor and is operated by the Royale Linens, the property is owned by the Jana Corporation. The remainder of the study area on the west side of the Hackensack River consists of wetlands, open water, and other ecologically sensitive areas. In addition, the eastern spur of the New Jersey Turnpike passes east-west along the northern edge of this section of the study area.

On the east side of the Hackensack River there is a predominance of wetlands, open space, and vacant land. As discussed in more detail below, these natural areas occupy the eastern shore of the Hackensack River and include the Riverbend Wetland Preserve located south of the Northeast Corridor and a 14.9-acre parcel between the New Jersey Turnpike and Northeast Corridor right-of-way that was recently acquired to facilitate expansion of Laurel Hill Park (which is to the north, as described below). South of the Northeast Corridor, a portion of the former Malanka Landfill occupies a 36-acre parcel west of the Boonton Line adjacent to the Riverbend Wetland Preserve.

*EASTERN PORTION (SECAUCUS TRANSFER STATION AREA)*

The eastern portion of the study area is located between the Boonton Line and the area around County Road. The southeastern corner of this section of the study area is bounded by Penhorn Creek, which separates Secaucus and Jersey City. Midway between the Boonton Line and County Road is NJ TRANSIT's Secaucus Transfer Station, a major rail station that allows commuters from trains bound for Hoboken and PSNY to transfer between trains. A recently completed infrastructure project on the New Jersey Turnpike (Interchange 15X) adjacent to Secaucus Transfer Station allows drivers to access the station as well as roads and businesses in the northeastern portion of the study area.

Much like the western portion of the study area, this section is more diverse in terms of land use than the large central portion of the study area, because of its increased transportation accessibility. On the north side of the Northeast Corridor right-of-way, the eastern spur of the New Jersey Turnpike also runs east-west through the study area. North of the New Jersey Turnpike, the 46-acre Laurel Hill Park occupies the eastern shoreline of the Hackensack River. South of the New Jersey Turnpike and the Northeast Corridor right-of-way, another portion of the former Malanka Landfill occupies a 30-acre parcel extending to the Secaucus Transfer Station. South of the former landfill, between the Boonton Line and the Main/Bergen County and Pascack Valley Lines, a regional utility provider (Public Service Enterprise Group [PSEG])

maintains an 80-acre industrial facility. East of Secaucus Transfer Station and north of the Northeast Corridor, the study area has a mix of industrial and commercial uses. These uses are the southern tip of a large industrial neighborhood in the Town of Secaucus. South of the Northeast Corridor, a portion of the Croxton Yard Intermodal Facility also falls within the study area. This railyard is used by Norfolk Southern for freight rail operations and storage. The remainder of the eastern portion of the study area consists of vacant land that is either wetlands or other ecologically sensitive areas.

## **ZONING AND PUBLIC POLICY**

As shown in Figure 5.1-1, the Portal Bridge and the portion of the Northeast Corridor between Kearny Junction Interlocking and Secaucus Transfer Station are located within the boundaries of the Meadowlands District. Most of the study area is also located within this district, with the exception of a triangular area at the southern tip of the study area, south of the Kearny Intermodal Yard. As described below, zoning, and public policy within the Meadowlands District are under the jurisdiction of NJMC; in the small portion of the study area outside the Meadowlands, they are under the jurisdiction of the Town of Kearny and Hudson County. Although NJ TRANSIT and Amtrak are not subject to local regulations, including zoning, the zoning and public policy apply to the rest of the study area.

### *MEADOWLANDS DISTRICT ZONING*

The Meadowlands District was established in 1968 by the State of New Jersey's Hackensack Meadowlands Reclamation and Development Act. The district covers more than 30 square miles or some 20,000 acres, including portions of 14 municipalities in Hudson and Bergen Counties in northeastern New Jersey. For this area, NJMC operates through its legislative mandate as both regional planning agency and as planning board, and is responsible for land use planning, implementation of zoning controls, site plan review, and protection of the environment.

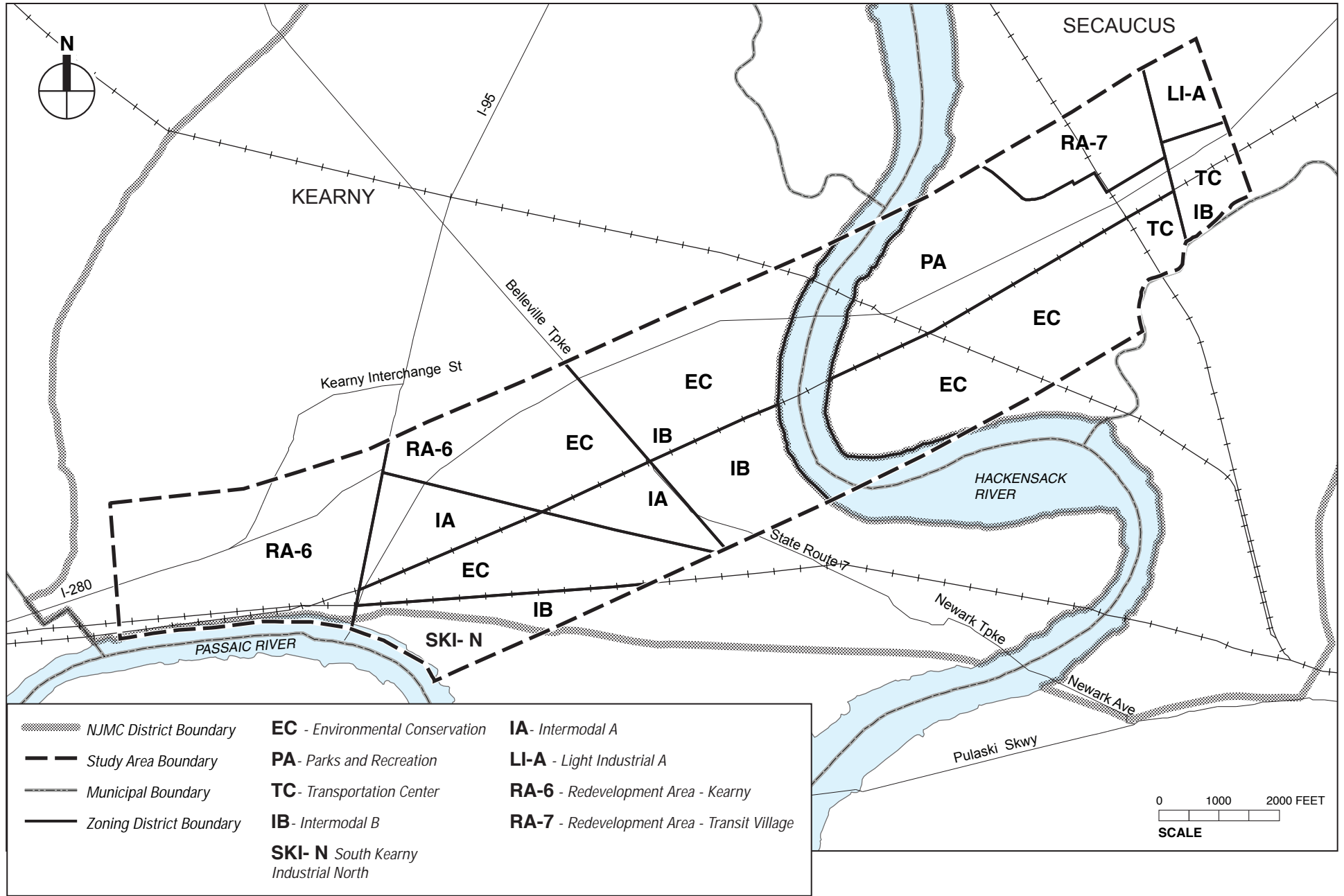
NJMC has established zoning for the Meadowlands District. Within the study area, zoning is consistent with the existing land uses, described above. The rail and highway corridors are not zoned. The rest of the study area is zoned primarily for intermodal and environmental conservation uses (see Figure 5.1-2). The western and eastern portions of the study area are zoned for redevelopment. In addition, the Hudson County Park at Laurel Hill is zoned for parks and recreation. Table 5.1-2 lists the uses allowed in each of the zones in the study area.

### *ZONING OUTSIDE THE MEADOWLANDS DISTRICT*

The small portion of the study area that is outside of the Meadowlands District is within the Town of Kearny and is part of a larger area that is zoned South Kearny Industrial North. As shown in Table 5.1-1, this zoning district permits a range of heavy industrial and transportation-related uses.

### *MEADOWLANDS DISTRICT PUBLIC POLICY*

In addition to zoning, NJMC has developed a master plan for the Meadowlands District, the *NJMC Master Plan*, published in 2004. This plan includes land use plans for the entire district, intended to guide any future redevelopment. It also includes a transportation plan, separately entitled, *Meadowlands Mobility 2030*.



**Table 5.1-1  
Zoning within the Study Area**

Zone Category	Authority	Permitted Uses
Environmental Conservation (EC)	NJMC	Areas designated for open space and habitation protection and enhancement. Includes wetland restoration and/or mitigation and potential wildlife management areas.
Parks and Recreation (PA)	NJMC	Parks and recreation facilities, wildlife habitat creation, cemeteries.
Transportation Center (TC)	NJMC	Passenger rail terminals, offices, restaurants, institutional uses and parks or recreational facilities.
Intermodal A (IA)	NJMC	Intermodal facilities, light industry, parks or recreational facilities, passenger rail, warehouse and distribution, wholesale establishments.
Intermodal B (IB)	NJMC	Intermodal facilities, warehouse and distribution facilities, heavy industry, truck terminals and railroad terminals and yards.
Light Industrial A (LI-A)	NJMC	Warehouse and distribution facilities, light industry, wholesale establishments, institutional uses, essential public services and parks or recreational facilities.
Redevelopment Area – Kearny (RA-6)	NJMC	New retail center in the area south of Harrison Avenue, located in the southeastern portion of the redevelopment area.
Redevelopment Area – Transit Village (RA-7)	NJMC	Mixed-use residential, commercial and office development adjacent to the Secaucus Transfer Station.
South Kearny Industrial North (SKI-N)	Town of Kearny	Range of manufacturing and industrial uses, including motor freight and freight forwarding facilities, intermodal facilities, truck terminals and warehouse and distribution facilities, railroad terminals and yards, resource recovery systems.
<b>Note:</b> See Figure 5.1-2, Existing Zoning Map		
<b>Sources:</b> NJMC Zoning Ordinance, 2004; Revised General Ordinances of the Town of Kearny, 1997.		

The Master Plan is intended to update the original 1970 planning document for the Meadowlands District. It sets forth NJMC’s vision for the Meadowlands District and goals to further that vision. Overall, the vision statement focuses on protecting, preserving, and enhancing wetlands; balancing new development and planned redevelopment on upland sites; creating a well-integrated multi-modal transportation network; and retaining and facilitating the growth of commercial, industrial, and financial businesses and jobs. Redevelopment of underutilized “brownfield” sites is one of the goals, and this redevelopment and any new development should take into consideration the capacity of the transportation system, the availability of public services, and the impact on the environment. To that end, the Master Plan focuses on “smart growth,” and designates certain areas of the district as “Smart Growth Planning Areas.” In the study area for the Portal Bridge Capacity Enhancement Project, the industrial parcels and the area near the Secaucus Transfer Station are designated as Smart Growth Planning Areas. The Master Plan recognizes that its goals are at times in conflict, in that

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protection and enhancement of wetlands and open areas may not always be consistent with the future development and redevelopment of distribution/warehousing facilities and transportation improvements in the Meadowlands District.<sup>1</sup>

The Master Plan also outlines a Land Use Plan for the entire Meadowlands District. The Land Use Plan is in turn reflected in the zoning established for the district, which is described earlier in this chapter. The Land Use Plan divides the Meadowlands District into 20 different planning areas, with separate goals for each. No land use planning area is mapped on the highway or rail transportation corridors in the study area. In the rest of the study area, four of these areas are present:

- **Hackensack River Preserve:** mapped throughout the central part of the study area, including most of the study area east of the Belleville Turnpike (but not including the former Diamond Shamrock and Standard Chlorine sites just east of the Belleville Turnpike on the west side of the Hackensack River). In the Preserve area, the Land Use Plan permits uses that are consistent with preservation of open space and habitat protection and enhancement. Under the Land Use Plan, NJMC seeks to preserve and enhance the existing 8,400 acres of wetlands in the district with the intent of full public ownership of these lands.
- **Logistics/Intermodal/Industrial:** mapped on most of the rest of the study area, including most of the area west of the Belleville Turnpike and also the former Diamond Shamrock and Standard Chlorine sites. This land use designation indicates areas traditionally associated with heavy industry, and is intended to allow uses that further this economic activity.
- **Secaucus Transit Center:** mapped around the Secaucus Transit Center. The Land Use Plan anticipates transit-oriented mixed-use residential, office, and retail development focused around this major transportation hub. Within the mapped Secaucus Transit Center designation, the Secaucus Greenway (discussed later in this chapter) is to be a focal point for open space.
- **Employment Center:** mapped south of the Northeast Corridor tracks just south of Secaucus Transit Center. This land use designation permits a mix of office, warehouse, distribution, and industrial land uses.

Two portions of the study area within the Meadowlands District are designated by NJMC as redevelopment areas: one at the western end of the study area in Kearny and the other at the eastern end of the study area at the Secaucus Transfer Station. NJMC's zoning also indicates where these redevelopment areas are located (see Figure 5.1-2). For an area to be designated for redevelopment, it must first be deemed "in need of redevelopment," after which NJMC authorizes a redevelopment plan to be prepared.

The Master Plan also incorporates a separate transportation plan for the District. This document, *Meadowlands Mobility 2030*, was adopted in May 2004. This document is a technical study intended to support the Master Plan by providing a detailed assessment of transportation needs and priorities within the District. The report combines the plans established by each of the transportation agencies operating in the District. In the study area, it notes several priority projects: the recently completed Secaucus Transfer Station, replacement of Portal Bridge, provision of additional NJ TRANSIT service to PSNY, and other related service and rail infrastructure improvements.

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<sup>1</sup> **Source:** *NJMC Master Plan*, 2004, page 11-1.

*HACKENSACK MEADOWLANDS TRANSPORTATION PLANNING DISTRICT*

In addition to the Meadowlands District, New Jersey legislation (Hackensack Meadowlands Transportation Planning Act, effective June 24, 2005) also established a Transportation Planning District within the Meadowlands District. As required by law, a comprehensive District-wide Transportation Plan must be adopted that designates transportation projects and associated funding needed to sustain future economic growth. In June 2007, the Draft 2007 Meadowlands District Transportation Plan was published for public review. The plan identifies transportation needs and recommends future improvements to meet those needs. The comment period on the draft plan remained open through September 2007. Following completion of the comment period, a final plan will be prepared and adopted. The draft plan identifies future plans in the district, including committed plans, other recommended plans, and other future transit improvements that would benefit the district. The Portal Bridge Capacity Enhancement Project is not specifically mentioned in the document, but other NJ TRANSIT initiatives to increase capacity are.

*PUBLIC POLICY OUTSIDE THE MEADOWLANDS DISTRICT*

Hudson County adopted a Master Plan in 2002 covering the entire county. For areas within the Meadowlands District, the Master Plan is coordinated with the NJMC's Master Plan, described above. The Hudson County Master Plan describes the other public policies and plans in effect in the different municipalities in the county. It outlines the overall goals and objectives for the county, including those set forth by other planning documents for areas within the county. Goals include the revitalization of commercial and industrial centers within the county, improvements to the transportation network, and the development of the waterfront along the Hudson, Hackensack, and Passaic Rivers. The County is seeking to establish industrial areas through improvements to infrastructure and accessibility, create commercial centers accessible via mass transit, and encourage the development of waterfront walkways and the construction of marinas/ports where suitable along the waterfront. Strategies set forth in the Land Use Plan within the Master Plan include reusing of abandoned or unproductive properties, improving access and infrastructure to special development areas and redevelopment areas, and providing incentives for clean up of brownfield sites.

Subsequent to the Hudson County Master Plan, the *Hudson County Park Master Plan: Plan for Improvement 2007-2013* was published in April 2007. The overall goals and objectives of the Hudson County Park Master Plan are to double the amount of open space in Hudson County, plant 10,000 new trees along county roads and in county parks, coordinate a waterfront walkway along the county's waterfronts, and preserve extant scenic vistas, parkland, and the many environmentally sensitive areas and wetlands throughout the county.

Most of South Kearny—including portions that are located in the Meadowlands District as well as areas that are not—is located within a designated Urban Enterprise Zone established in 1986. Urban Enterprise Zones are established in accordance with New Jersey State law in areas of economic distress and are intended to stimulate economic activity through the use of tax advantages and other financial incentives.

## **PARKLAND AND OPEN SPACE**

### *NJMC WETLAND AND PRESERVATION AREAS*

There are more than 8,400 acres of marshland located within the boundaries of the NJMC; many of these areas are important ecosystems and natural habitats. Within the study area, there are several wetland preserve areas. Kearny Brackish Marsh is a roughly 155-acre wetland complex, which includes Cayuga Dike and is located to the north of the Northeast Corridor between the Belleville Turnpike and the Hackensack River. Cedar Creek Marsh is 20 acres in size and situated on both sides of the Northeast Corridor between I-95 and the Public Service Electric and Gas Company (PSE&G) power lines in Kearny. The Riverbend Wetland Preserve is a 58-acre tidal marsh that NJMC purchased for preservation in 1996. The site is also used for study by Rutgers University. As discussed below and in Chapter 5.6, "Ecology," NJMC has recently evaluated the conditions of the preserve and prepared enhancement plans.

### *HUDSON COUNTY PARK AT LAUREL HILL*

Hudson County Park at Laurel Hill (also referred to as "Laurel Hill Park") is a 46-acre county park located within a larger 104-acre County-owned parcel on the east bank of the Hackensack River, just north of the eastern spur of the New Jersey Turnpike. The park was completed in 1997, and provides both passive and active recreational uses. The Hackensack Riverkeeper (a nonprofit advocacy group with a mission is to protect and defend the ecosystem of the Hackensack River) maintains a paddling and boating center within the park that provides seasonal weekend canoe and kayak rentals. Also located in the park is Hudson County's only free public boat launch. Other notable features of the park include a 12-acre remnant rock outcropping known as "Laurel Hill," a riverfront promenade with scenic overlooks, picnic areas, nature trails, and soccer and softball fields. The riverfront promenade, which extends along the Hackensack River for the length of the park, is part of a future planned Hackensack River Walk (see below).

Hudson County recently purchased a 14.9-acre parcel of wetlands located south of the existing Laurel Hill Park from the Jersey City Water Authority. This parcel is located between the Northeast Corridor right-of-way and the New Jersey Turnpike overpass and associated right-of-way; the New Jersey Turnpike separates the 14.9-acre parcel from the existing Laurel Hill Park. Future plans for the new parcel are discussed below in Section D, "No Action Alternative."

### *HACKENSACK RIVER WALK*

The Hackensack River Walk (also referred to as the "Secaucus Greenway" or the "Hackensack River Greenway") is a planned eight-mile waterfront park that will extend from Secaucus to the north through Bayonne to the south. Portions of the Hackensack River Walk have been constructed and are in use, including the waterfront promenade in Laurel Hill Park and two other segments north of the study area. The planned route of the complete Hackensack River Walk is discussed below in Section D, "No Action Alternative."

## **ECONOMIC CONDITIONS**

There are approximately 30 businesses in the study area. Most of the businesses are industrial or transportation-related and are typically located in single-story buildings with large floorplates and flanked by large paved areas for truck staging and employee parking. Eleven establishments provide wholesale and distribution services, including an OfficeMax warehouse, apparel

warehouses for Calvin Klein and Kasper ASL, three food distributors, and a textile exporter. Transportation and warehousing establishments account for another six businesses in the study area. They include the Arrow Pac Container Freight Station, a Peter Pan Trailways maintenance center, and other shipping and trucking services. The remaining businesses in the study area include six manufacturers, two construction firms, one information management business, two retail establishments (including a parking lot for a Wal-Mart store located just outside the northwest corner of the study area), and one restaurant. In addition, there is a large U.S. Postal Service distribution and vehicle maintenance center, the Dominick Daniels Receiving, Processing and Distribution Center, along Newark Turnpike in the center of the study area.

## **SOCIAL CONDITIONS**

Hudson County is the most densely populated county in New Jersey. After the industrial decline of the 1970s, the county has seen new commercial and residential development since the late 1990s, specifically along the Hudson River waterfront in Jersey City and Hoboken. This recent growth in housing combined with significant increase in immigration has led to the end of a 65-year trend of a declining population in the county.<sup>1</sup>

Despite increasing population in Hudson County, few or no residents live in the study area. As discussed above, the majority of the study area is occupied by wetlands, and industrial and transportation uses.

## **D. NO ACTION ALTERNATIVE**

In the No Action Alternative, planned transportation projects as well as several projects unrelated to the Portal Bridge Capacity Enhancement Project will likely be constructed. Section B of Chapter 3, "Project Alternatives," describes several regional transportation projects that are expected to be completed by 2030, in addition, there are several other projects which could be completed by that time that might affect land use and social conditions. This section identifies planned projects that are likely to be completed by 2030, which is the Portal Bridge Capacity Enhancement Project's build year and the year used to identify future baseline conditions. Some of the projects discussed below are speculative; however, they have been included to provide a conservative analysis.

## **LAND USE, ZONING, AND PUBLIC POLICY**

### *WESTERN PORTION (SWIFT INTERLOCKING AREA)*

The far western portion of the study area is part of the Kearny Redevelopment Area, which has a total of 860 acres recently rezoned by NJMC in order to bring new land uses to this part of Kearny. Within the study area, the Kearny Redevelopment Plan calls for a retail center in the area south of Harrison Avenue that may be developed by 2030.

### *CENTER PORTION (HACKENSACK RIVER AREA)*

It is expected that remediation of the Standard Chlorine, Diamond Shamrock, and Koppers Coke sites, located south of the Northeast Corridor tracks between the Belleville Turnpike and the

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<sup>1</sup> **Source:** *Hudson County Master Plan*, 2004, Executive Summary.

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Hackensack River, will be completed by the year 2030. There are currently no specific development plans for these sites; however, NJMC's Land Use Plan identifies these sites as within the area planned for intermodal or industrial uses.

### *EASTERN PORTION (SECAUCUS TRANSFER STATION AREA)*

The northeast corner of the study area, at Secaucus Transfer Station, is planned for development with a transit-oriented, mixed-use development, the Secaucus Transit Village. The Secaucus Transit Village is already in the first construction phase of a phased development plan that, upon completion, is to include 1,850 residential units, 750,000 square feet of retail and office space, a 500-room hotel, a linear park, and restricted parking for residents of the village. The first phase of development of the Secaucus Transit Village is already under construction in the parcel of land immediately east of Laurel Hill Park (see Figure 5.1-1). The rest of the area slated for this planned development is currently occupied by industrial uses. For the purposes of this analysis, it is assumed the Secaucus Transit Village will be completed by the proposed project's 2030 analysis year.

## **ZONING AND PUBLIC POLICY**

It is not anticipated that NJMC or the Town of Kearny will substantially alter the zoning or public policy in the study area.

## **PARKLAND AND OPEN SPACE**

### *NJMC PRESERVE AREA*

NJMC seeks to preserve and enhance the existing 8,400-acres of wetlands in the district with the intent of providing full public ownership. To fulfill this objective, NJMC will maintain all existing wetlands currently under its jurisdiction, and seek to acquire additional wetlands from the New Jersey Department of Environmental Protection Bureau of Tidelands and the State of New Jersey. These efforts will be ongoing and some may be completed by the 2030 analysis year.

### *RIVERBEND WETLAND PRESERVE*

NJMC has plans for wetland enhancement at the Riverbend Wetland Preserve within the study area, including *Phragmites* (common reed) control, which would enhance the native salt marsh community. The planned enhancement efforts are also expected to increase the wetland's suitability for certain species habitat, improve fishing conditions, and improve mosquito control. The completion year for this enhancement is unclear; however, it may be completed by the 2030 analysis year.

### *HUDSON COUNTY PARK AT LAUREL HILL*

According to the 2007 Hudson County Park Master Plan, Hudson County intends to improve the existing Laurel Hill Park property north of the New Jersey Turnpike by constructing two new soccer fields, two new basketball courts, a synthetic turf sports facility, and a cricket facility. In addition, as discussed above, Hudson County has recently acquired a 14.9-acre parcel south of the New Jersey Turnpike for expansion of the park. NJMC, in partnership with Hudson County and the New York-New Jersey Baykeeper, has plans for wetland restoration in this parcel and in the existing park. The conceptual plans include restoration of up to 2 acres of shoreline in the

existing park to encourage fish and recreational catch-and-release fishing. In the expansion parcel, plans include grading of the 14.9 acres of wetland to support marsh grass growth and wildlife, and a new boardwalk and fishing pier along the shoreline. In addition, as discussed below, the waterfront walkway in Laurel Hill Park (part of the Hackensack River Walk, discussed below) is planned to be extended beneath the New Jersey Turnpike into this new expansion parcel. There is no planned completion date for the Laurel Hill Park improvements and expansion.

#### *HACKENSACK RIVER WALK*

The Hackensack River Walk is a planned eight-mile waterfront park that will extend from Secaucus to the north through Bayonne to the south. Part of the goal of the Hackensack River Walk is to connect three existing public parks: Laurel Hill Park in Secaucus, Lincoln Park in Jersey City, and Bayonne Park in Bayonne.

It is expected that additional portions of the Hackensack River Walk will be completed by the 2030 analysis year. Although there is not a completion year for the entire project, it is estimated that the majority of the walkway will be completed within the next 25 years. Within the study area, the planned route of the Hackensack River Walk includes a segment parallel to the Boonton Line from the Hackensack River through the expansion parcel at Laurel Hill Park and continuing beneath the Northeast Corridor right-of-way and southward through the PSEG property and toward Lincoln Park in Jersey City. Another segment, leading from Laurel Hill Park to Secaucus Transfer Station, is also planned.

#### *EAST COAST GREENWAY*

The East Coast Greenway is a planned 3,000-mile long continuous cyclist and pedestrian trail that would stretch from Maine to Florida and connect all the major cities along the East Coast. The greenway is being planned and promoted by the East Coast Greenway Alliance, a national advocacy organization with individual state chapters. There are several potential on- and off-road routes for this greenway currently proposed in and near the study area. The *New Jersey Transportation Improvement Program (TIP) for Fiscal Years 2007-2010* lists one potential route through the study area, which would provide sidewalks and designated bike lanes on both sides of Belleville Turnpike through the study area. An alternative, off-road route is the same as the extension of the Hackensack River Walk described above. This route would cross the Hackensack River via the Boonton Line and continue south beneath the Northeast Corridor right-of-way and beyond. Overall, the routing and timeframe for potential portions of the East Coast Greenway in the study area are unclear, but this may occur by the Portal Bridge Capacity Enhancement Project's 2030 analysis year.

### **ECONOMIC CONDITIONS**

In the No Action Alternative, economic conditions in the study area will remain similar to existing conditions, except that the planned redevelopments at the western and eastern ends of the study areas—at South Kearny and at Secaucus Transit Village—will increase economic activity in those locations.

### **SOCIAL CONDITIONS**

There are no changes in population expected to occur in the portion of the study area located in the Town of Kearny by the year 2030, as there are no plans for residential development in the

area. In the eastern end of the study area, the new Secaucus Transit Village will bring residents to the study area. As described earlier, the planned village will create 1,850 new residential units, both market-rate and affordable.

## **E. PROBABLE IMPACTS OF THE BUILD ALTERNATIVES**

As described in Chapter 3, “Project Alternatives,” the Portal Bridge Capacity Enhancement Project considers four build alternatives, Alternative FE, FS, DE, and DS as potential planned improvements to the existing transportation network. As described in Chapter 2, “Project Purpose and Need,” the proposed project is intended to relieve the bottleneck that currently forms along the Northeast Corridor between Swift Interlocking and the Secaucus Transfer Station, as trains on multiple east-west tracks are forced to wait to cross the Hackensack River as they merge onto the existing two-track Portal Bridge. All four build alternatives would construct a new bridge with multiple tracks to ease the train congestion along the Northeast Corridor between Swift Interlocking and Secaucus Transfer Station and provide more reliable regional train service to the area. In order to maintain operation of the extant swing bridge during construction of the new bridge, all four build alternatives would create a second, parallel bridge outside of Amtrak’s right-of-way to provide enough clearance for the continued functioning of the existing bridge. This second bridge and associated other track and infrastructure improvements necessitate that all four build alternatives require the acquisition of all or a portion of several properties located to the north and south of the Northeast Corridor right-of-way.

Upon completion of the new bridge, train service will continue to operate as it does today with projected improvements to train capacity and efficiency. The proposed project would increase reliability and would specifically improve the commute of area residents traveling to New York City.

### **PROPERTY ACQUISITIONS**

#### *PROPERTY THAT MAY NEED TO BE ACQUIRED*

The properties that may need to be acquired for the construction of any of the build alternatives are listed below in Table 5.1-2 and shown in Figure 5.1-3. The properties in the study area are mainly dominated by industrial uses, former landfills, and park and preserve areas. As shown in the table and figure, most of the acquisition required would constitute only a small portion of each affected property. NJ TRANSIT and Amtrak have begun coordinating with the potentially affected property owners, to ensure that the schedule for land acquisition will be consistent with the overall project schedule.

As shown in the table, Alternative FS would potentially require the greatest amount of property acquisition (47.8 acres), followed by Alternative DS (43.7 acres) and FE (31.3 acres). Alternative DE would require the acquisition of far less property than the other build alternatives (20.1 acres), although an additional 4-acre parcel may be acquired for construction staging.



**Table 5.1-2  
Potential Land Acquisitions by Build Alternative**

Property Name / Owner	Block / Lot	Use	Property Size (Acres)	Reason for Acquisition	Acreage to be Acquired by Build Alternative			
					FE	DE	FS	DS
<b>Properties in Town of Kearny (West Side of Hackensack River)</b>								
Town of Kearny (Cedar Creek Marsh)	285 / 11	Wetland preserve	29.7	Wider right-of-way for fly-over	0.9	—	0.9	—
PSE&G Company	285 / 12	Utility right-of-way	1.2	Wider right-of-way for fly-over	0.2	—	0.2	—
Town of Kearny	285 / 13	Wetlands	1.3	Wider right-of-way for fly-over	0.6	—	0.6	—
Town of Kearny	286 / 33	Former landfill	59.9	Wider right-of-way for fly-over or duck-under	5.5	2.7	5.5	2.7
Professional Environmental Systems	286 / 40	Industrial	4.0	Wider right-of-way for fly-over	4.0	*	4.0	4.0
Hudson County Improvement Authority	287 / 32.03	Former Erie Arlington Branch rail right-of-way	1.2	Wider right-of-way for fly-over or duck-under	0.2	0.2	0.2	0.2
NJMC (Kearny Brackish Marsh/Cayuga Dike)	287 / 33	Wetland preserve	27.0	Approach to new northern bridge	2.5	2.5	2.5	2.5
Jana Corp	287 / 35,36, 37,38A,38, 39	Manufacturing	11.1	Approach to new northern bridge	11.1	11.1	11.1	11.1
Diamond Shamrock, Chemical Land Holdings	287 / 46	Brownfield	20.5	Approach to new southern bridge	—	—	8.9	8.6
Diamond Shamrock, Chemical Land Holdings	287 / 47	Brownfield	5.5	Approach to new southern bridge	0.9	—	3.5	3.5
<b>Properties in Town of Secaucus (East Side of Hackensack River)</b>								
Hudson County (Laurel Hill Park expansion area)	1 / 3	Undeveloped land planned for wetlands restoration	14.9	Approach to new northern bridge	2.0	2.0	2.0	2.0
NJMC (Riverbend Wetland Preserve)	3 / 3	Wetland preserve	58.1	Approach to new southern bridge	—	—	4.7	4.7
PSEG Power LLC	7 / 3	Industrial	80.3	New bridge over the Boonton Line	0.1	0.1	0.1	0.3
Secaucus Brownfield Redevelopment LLC	7 / 4	Brownfield	29.5	New southern tracks	3.3	1.5	3.6	4.1
<b>Total Potential Property Acquisition, by Alternative</b>					<b>31.3</b>	<b>20.1</b>	<b>47.8</b>	<b>43.7</b>
<p><b>Notes:</b> See Figure 5.1-3  FE: Fly-Over Existing Alignment;  FS: Fly-Over Southern Alignment;  DS: Duck-Under Southern Alignment;  DE: Duck-Under Existing Alignment.</p> <p>* This property would not be required for Alternative DE, although it may be acquired for purposes of construction staging.</p> <p><b>Sources:</b> 1. New Jersey Association of County Tax Boards (<a href="http://www.njactb.org/">http://www.njactb.org/</a>), Accessed October 2007  2. New Jersey Meadowlands Commission</p>								

*FEDERAL UNIFORM RELOCATION ACT*

All property owners and tenants on the parcels of land to be acquired for the construction of the selected alternative would be fairly compensated for their property. The rights of owners and tenants of any real property acquired to implement the proposed project are protected under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (referred to in this chapter as the Uniform Act), which provides for fair, uniform, and equitable treatment of people displaced from their businesses by federal and federally assisted programs. The Uniform Act recognizes that displacement of businesses often results in their closure, and aims to minimize the adverse impact of displacement in order to maintain the economic and social well-being of communities. Overall, the Uniform Act is designed to ensure that individuals do not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole, and to minimize the hardship of displacement on such persons. Amtrak, FRA, and NJ TRANSIT would adhere to these laws with regard to relocation services, moving payments, and other allowable payments related to the displacement and moving costs of any businesses located on the parcels of land that are acquired for the construction of the selected project alternative.

**LAND USE**

Overall, the build alternatives would not result in substantial adverse impacts to land use in the study area. All four build alternatives would continue an existing land use that is dominant through the center of the study area, the rail right-of-way. All four would require some widening of the right-of-way and construction of new bridges and other rail infrastructure, but this would not change the land use or land use patterns in the study area. The rail corridor would continue to be consistent with the heavy industrial, transportation, and intermodal uses common in the study area.

As noted above, all four build alternatives would require acquisition of some land beside the existing Northeast Corridor right-of-way to accommodate the new construction. All four build alternatives would require permanent acquisition in full of an 11.1-acre industrial parcel on the north side of the Northeast Corridor right-of-way for the new northern bridge. Alternatives FE, FS, and DS would also require permanent acquisition in full of a 4-acre industrial parcel on the north side of the right-of-way for connections to the new grade-separated track connection. (Alternative DE may require acquisition of this property for construction staging). All four build alternatives would also require acquisition of portions of other industrial properties and park or preserve areas. The owners of these properties would be fully compensated for the land acquired and the two businesses affected by full acquisitions would be provided relocation assistance to facilitate their reestablishment elsewhere. The land acquired for the build alternatives would be converted to transportation use, which would remain a compatible land use with the surrounding area. Where partial property acquisition is required, this would not adversely affect the ability of remaining existing land uses to continue in their current use. As discussed more below under “Parkland and Open Space,” the acquisition of land at the Laurel Hill Park expansion site and Kearny Brackish Marsh/Cayuga Dike would be for piers to support a bridge viaduct above.

Completion of the proposed project under any of the build alternatives would improve transportation service through the study area and better serve the new transit-oriented development planned at Secaucus Transfer Station.

## ZONING AND PUBLIC POLICY

As noted earlier, NJ TRANSIT and Amtrak are not subject to local zoning regulations and no zoning designations are mapped on the existing rail right-of-way through the study area. The properties that would be acquired for each of the build alternatives do have zoning, designated by NJMC as part of the Meadowlands District. With the build alternatives, the zoning designations would be removed from the affected portions of the property where the new rail infrastructure would be built. The zoning designations of these areas are consistent with the existing uses; as shown earlier in Figure 5.1-2, these designations include PA (Parks and Recreation), EC (Environmental Conservation), and IA and IB (Intermodal). Other than the property acquisitions, the build alternatives would have no effect on zoning in the study area.

In terms of public policy, the build alternatives would all support one of the key goals of NJMC's Master Plan and other policies for the Meadowlands District: by improving public transportation infrastructure through the study area, the build alternatives would contribute to creation of a well-integrated multi-modal transportation network. All four build alternatives would also support the planned growth of the new transit village at Secaucus Transfer Station, which is an important redevelopment initiative set forth in NJMC's Master Plan. The Portal Bridge Capacity Enhancement Project is specifically endorsed in the NJMC's *Meadowlands Mobility 2030* transportation planning document, and is consistent with the recommended initiatives set forth in the Draft 2007 Meadowlands District Transportation Plan.

At the same time, however, some of the property acquisitions required for the build alternatives would be inconsistent with public policies for the area. Specifically, the conversion of small areas of land designated for park and wetlands uses would be inconsistent with NJMC's policies to support and enhance open space and wetland areas within the Meadowlands District. In addition, the acquisition in full of two privately owned properties occupied by active businesses would be counter to public policies intended to encourage industrial businesses in the study area. As noted in the discussion of existing conditions, NJMC's Master Plan recognizes that its goals are at times in conflict, in that protection and enhancement of wetlands and open areas may not be consistent with the future development and redevelopment of distribution/warehousing facilities and transportation improvements.

## PARKLAND AND OPEN SPACE

The build alternatives would require an increase to the size of the existing rail right-of-way through the study area and this would involve acquisition and conversion to transportation use of narrow areas of parkland and wetland preserve along the existing right-of-way. Effects on specific parks and preserve areas would be as follows.

- **Cedar Creek Marsh:** Alternatives FE and FS would require acquisition of a narrow strip of Cedar Creek Marsh immediately adjacent to the existing rail right-of-way to accommodate a track connection associated with the flyover.
- **Kearny Brackish Marsh/Cayuga Dike:** All four build alternatives would also require acquisition of 2.5 acres to accommodate bridge piers supporting a viaduct above the preserve.
- **Riverbend Wetland Preserve:** The two southern alignment alternatives, Alternatives FS and DS, would require acquisition of a 4.7-acre portion of this wetland preserve to accommodate an overhead viaduct supported on piers. The piers would be located within, but would not occupy all of, the 4.7 acres to be acquired.

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- **Hudson County Park at Laurel Hill:** All four build alternatives would require the acquisition of 2.0 acres of the 14.9-acre expansion area at Laurel Hill Park to accommodate the approach to the new northern bridge. As described earlier in the discussion of the No Action Alternative, Hudson County has conceptual plans to enhance the wetlands in this area and to create a new boardwalk and fishing pier along the shoreline. While the Portal Bridge project would need to coordinate its construction with that of the planned park, none of the build alternatives would preclude implementation of Hudson County's plans for the expanded park. This parcel of land was purchased by Hudson County under the Green Acres Program, which requires special coordination at the State level. Appropriate mitigation or other compensatory measures will be developed in conjunction with Hudson County, NJMC, and other involved stakeholders as the project moves through the environmental review and permitting process. The Portal Bridge project will continue to coordinate with Hudson County on how implementation of the project could be coordinated with plans for the park. The project sponsors will work with the County in developing mitigation measures that could include access, infrastructure and/or facility improvements at Laurel Hill Park.
- **Hackensack River Walk:** The Hackensack River Walk's planned route adjacent to the Boonton Line and through the PSEG property (Block 7, Lot 3) would not be adversely affected by the construction of any of the four project alternatives. Each of the four project alternatives would preserve the right-of-way of the Boonton Line, and only a small portion of the PSEG property would be affected by any of the selected alternatives. The other segment planned for the Hackensack River Walk, which extends from Laurel Hill Park to the Secaucus Transfer Station, is north and east of any of the construction impacts caused by each of the four project alternatives, and would therefore not be adversely affected by the proposed project.
- **East Coast Greenway:** The possible routes for the East Coast Greenway through the study area would not be adversely affected by any of the build alternatives. The potential route along the Boonton Line (which is the same as the Hackensack River Walk extension described above) would not be adversely affected by the construction of any of the build alternatives, since all the build alternatives would preserve the right-of-way of the Boonton Line. Similarly, all four of the build alternatives would not adversely affect Belleville Turnpike and therefore would not adversely affect that potential alignment. Finally, all of the build alternatives also would not interfere with the alternative route of the Greenway along the south side of the Kearny Intermodal Yard.

### *ECONOMIC CONDITIONS*

All alternatives would require the acquisition in full of the Jana Corporation property, for the construction of the northern bridge's approaches. Three of the four alternatives (DS, FS, and FE) would require the acquisition in full of the Professional Environmental Systems property and Professional Environmental Systems business. Information on these businesses is as follows:

- Professional Environmental Systems (Block 286, Lot 40): a construction company that specializes in metal and structural steel fabrication. This firm employs approximately 25 people.
- Royale Linens (Block 287, Lots 35, 36, 37, 38A, 38B, 39): A light manufacturing business that produces and delivers cotton sheet sets. This firm employs approximately 10 people.

The owners of these properties would be fully compensated and the businesses would be provided relocation assistance to facilitate their reestablishment elsewhere.

Acquisition of the properties for the build alternatives would remove these property taxes from the tax roll. The other acquisitions of private property could also affect the property taxes paid at each parcel, although since the amount of acquisition necessary would be small, this effect would not be substantial.

Other than these two businesses, other businesses in the study area would not be adversely affected by the proposed project. Overall, economic conditions in the study area would remain unchanged with the build alternatives. The existing businesses in the study area are oriented around local roadways, rather than the rail corridors, and therefore a change in the rail transportation network near their properties would not affect their business activities.

### **SOCIAL CONDITIONS**

In the future under any of the build alternatives, most of the study area would continue to have no population. The anticipated transit village at Secaucus Transfer Station would be occupied by 2030, bringing a dense population to the eastern end of the study area. The build alternatives would have a positive benefit on the residents at the new transit village, by facilitating a substantial improvement in train service through the Secaucus Transfer Station. \*