

FINDING OF NO SIGNIFICANT IMPACT/SECTION 4(F) FINDING
Long Slip Canal Habitat Creation Project
in
Hoboken/Jersey City
New Jersey

INTRODUCTION

Based on the *Final Environmental Assessment for the Long Slip Canal Habitat Creation Project* (the Project), dated June 2000, and the *Final Section 4(f) Statement for the NJ Transit Long Slip Habitat Creation Project*, dated March 2000, the Federal Transit Administration (FTA) finds, in accordance with "23 CFR 771.121" that there are no significant impacts on the environment associated with the project. The FTA also approves the Section 4(f) evaluation for the Project in accordance with "23 CFR 771.135".

PROJECT DESCRIPTION

The Long Slip Canal Habitat Creation Project consists of five elements:

- Filling of the Long Slip Canal – this will provide 4.6 acres of new land that will facilitate the Hoboken Yard expansion and reorganization.
- Upgrading the Jersey City combined sewage overflow (CSO) that discharges into the canal – improvements consists of (1) the construction of a new holding tank to reduce sediment and eliminate floatables, and (2) the extension of a new outfall into deeper water.
- Eliminating the Hoboken storm sewers discharging into the canal - the two City of Hoboken CSOs that discharge into the canal will be closed and at the regulators in Observer Highway and the lines will be connected to a reconstructed outfall located offsite north of the Hoboken Terminal as part of a separate project undertaken by the North Hudson Sewer Authority.
- Constructing a 1,000-foot long by 30-foot wide, pile supported pedestrian/bicycle walkway across the canal entrance basin to provide access to the Hudson River Waterfront.
- Creating a 26.1 acres fish habitat by improving the canal water quality.

Construction is expected to occur over 24 months. The estimated total project cost is \$35 million.

ALTERNATIVES EXAMINED

A. Long Slip Canal

In addition to the Long Slip Canal fill, the EA contains an assessment of the following alternatives: a no-build alternative, the renovation of the bulkhead, the annexation of adjacent properties, a new satellite storage yard, and the decking the Long Slip Canal.

The filling of the Long Slip Canal was selected as the preferred alternative because it satisfies the following objectives:

- Expand the useable rail yard area by 10 acres by connecting lands isolated by the canal;
- Allows for the rearrangement or addition of tracks;
- Elimination or minimization of stub-end tracks in favor of tracks with connections at both ends;
- Expansion of train storage (there will be room to accommodate 62-67 trains during midday hours).

B. Walkway

Three walkway configurations were developed and evaluated to determine the optimal configuration for rail yard use, public access, and integration with the sewer system improvements and the Hudson/Bergen Light Rail System Station. The alternatives examined were the following:

(a) *Alternative 1* proposes a 950-foot long on-grade walkway that is fully integrated with the HBLRTS station. Only the southernmost 100 feet where the walkway crosses the canal entrance berm would be on fill. The walkway will have direct access to the HBLRTS station and will contain pedestrian plazas.

(b) *Alternative 2* proposes approximately 55,000 cubic yards of fill to create 1.7 acres of land available for rail yard use. The 950-foot long walkway will be constructed on a rip-rapped dike.

(c) *Alternative 3* proposes 73,000 cubic yards to fill the dike and create 3.1 acres of land.

While Alternative 1 offers the least engineering and environmental benefits, it was selected as the preferred alternative because it provides the least alteration of open waters.

OPPORTUNITY FOR PUBLIC COMMENT

The public has been afforded adequate opportunity to comment on the proposed Long Slip Canal Habitat Creation Project. A *Notice of Document Availability* for the draft Environmental Assessment and Section 4(f) Evaluation for the Long Slip Canal Habitat Creation Project was advertised in local newspapers on March 31 and April 17, 2000, in the *Jersey Journal*, *The Star Ledger*, *La Voz* and *The Bergen Record* newspapers. The document was available for review in four Jersey City and Hoboken libraries, NJ Transit headquarters, and FTA's Region 2 Office.

Copies of the document were also provided to the Hoboken and Jersey City planning officials. The 30-day public comment period expired without receipt of any public comment on the Project.

ENVIRONMENTAL IMPACTS AND MITIGATION

NJ Transit will implement all mitigation measures described in the Final Environmental Assessment and the 4(f) Evaluation for the proposed action. The FTA will require that all committed mitigation be implemented according to the final EA and 4(f) Evaluation. The FTA will require that NJ Transit periodically submit written reports on their progress in implementing the mitigation commitments. The FTA will monitor this progress through quarterly review of the final engineering and design and the construction of the proposed action.

A brief summary of the potential impacts and mitigation measures to be implemented for the proposed action follows.

A. Land Acquisition and Displacement

Impacts:

- A 50-foot wide strip in the canal entrance basin north of the pile field will be obtained from the abutting owner in the south, Harbor Development Corporation, in order to construct the walkway.
- A 7,500-foot easement along the north boundary of the Newport Center property will be needed for the Jersey City Sewer extension.

Mitigation Measure:

- NJ Transit has the right of eminent domain and any future development of the Newport Center property will be required by the NJDEP to connect to the Hudson River Waterfront Walkway. The new sewer connection could serve as that public connection.

B. Water Quality

Impacts:

- Existing outfalls for Jersey City and Hoboken CSOs (Combined Sewers Overflow) will be extended into the canal entrance basin.

Mitigation Measures:

- CSOs Improvements - The Jersey City and the Hoboken Park Street CSOs will be improved by a net to recover floatables, an in-line storage tank to capture sediment, and repairs to the tide gate. The outfall will be extended to the canal entrance basin where the waters will have a greater potential for rapid dispersion and flushing.
- Alterations to the shoreline and bottom to improve circulation, flushing, and vertical mixing.

- NJ Transit will establish a monitoring program to ensure effectiveness of the habitat creation program following construction. The program will focus on water quality parameters.

C. Wetlands

Impacts:

- Filling will eliminate up to 4.6 acres (area of canal fill) of subtidal waters.
- Up to 5.6 additional acres of surficial sediments will be excavated from the entrance basin.
- Filling of the canal, excavation of the shoal, and the alignment of the walkway will alter the shoreline alignment and bottom topography.

Mitigation Measure:

- Creation of offsite compensatory tidal wetlands at a mitigation bank in the project vicinity.

D. Stormwater

Impact:

- The confined disposal facility (CDF) will increase the volume of runoff generated from the site.

Mitigation Measure:

- Stormwater from the walkway and runoff from over 20 acres of the rail yard that now discharges directly to the canal will be conveyed through oil and sediment separators.

E. Historic Properties

Impact:

- The filling in of the canal will have an adverse effect upon the Old Main, Delaware, Lackawanna and Western Railroad Historic District, a property eligible for inclusion in the National Register of Historic Places.

Mitigation:

- A Memorandum of Agreement for the project implementation was fully executed among FTA, the Army's Corps of Engineers, the NJ SHPO, the Advisory Council on Historic Preservation and NJ Transit in June 1999 with the following two stipulations mitigating the adverse effect of the canal filling:
 1. NJ Transit shall include specific written and photographic documentation relating to the history and function of the Long Slip Canal in the Historic American Building

Survey/Historic American Engineering Record documentation of Hoboken Yard, to be reviewed by the State Historic Preservation Office (SHPO).

2. In consultation with SHPO, NJ Transit will create an interpretive exhibit describing the history and significance of the Long Slip Canal and the adjacent Delaware, Lackawanna, and Western Railroad passenger and freight yards.

F. Construction

1. Disruption of utilities

Impact:

- Disruption of the Jersey City, Hoboken, and PATH CSOs discharges

Mitigation Measure:

- In order that the Jersey City, Hoboken, and PATH CSOs can continue operating until construction of the extended lines and treatment equipment are completed, canal filling will be phased.

2. Water Quality and Runoff

Impact:

- Water quality may be impacted through erosion and sedimentation resulting from the exposure of site soils during excavation and from transportation, stockpiling and placement of fill materials.

Mitigation Measures:

- The Hudson County Extension of the National Resources Conservation Service (NRCS) will be notified prior construction.
- A soil erosion and sediment control plan will be developed and approved by the NRCS for areas adjacent to the canal that will be disturbed and for staging areas where materials may be stockpiled.
- Most of the material will be transported by rail or barge to minimize trips and exposures.
- During the canal filling operations, a boom-enclosed lock system will be used to contain suspended sediments. Water quality of the lock system will be monitored continuously.

Also, a Section 4(f) Evaluation for the proposed project was required because the project has an adverse effect on the historical character of the Old Main, Delaware Lackawanna and Western Railroad Historic District (OMDLW). The Section 4(f) Evaluation outlines the use of the proposed action of Section 4(f) properties, the avoidance alternatives, and the measures to minimize harm to the impacted historic district. The Section 4(f) Evaluation was provided to the

Department of Interior (DOI) for review, and in an August 14, 1998, letter to FTA the DOI concurred that there is no prudent and feasible alternative to the proposed action.

Based on the discussion in the Section 4(f) Evaluation and the DOI's comments, the FTA has found that there is no prudent and feasible alternative to the use of Section 4(f) resources, and that all possible planning to minimize harm to the Section 4(f) resources has been incorporated into the action.

FINDING

The Federal Transit Administration has reviewed the EA and the Section 4(f) Statement for the Long Slip Canal Habitat Creation Project and has found that there are no significant impacts to the environment as a result of the proposed project. The EA has adequately addressed the environmental issues and impacts of the proposed project, as well as appropriate mitigation measures. In addition, the FTA finds that the Section 4(f) Statement provide sufficient analyses for determining that there are no feasible and prudent alternatives to the Project, and that all possible planning to minimize harm to the environment have been done.

The EA is consistent with 23 CFR Part 771 and FTA Circular 5620.1 Guidelines for Preparing Environmental Assessments. As such, the FTA is issuing a Finding of No Significant Impact (FONSI) for the Project. This FONSI is conditioned upon NJ Transit complying with the mitigation measures described in this FONSI and the EA.

Approved:


Letitia A. Thompson
Regional Administrator

Date:

6/22/00

**FEDERAL TRANSIT ADMINISTRATION'S
SECTION 4(F) FINDING
LONG SLIP CANAL HABITAT CREATION PROJECT
HOBOKEN/JERSEY CITY
NEW JERSEY**

Based upon our review of the *Final Environmental Assessment and Section 4(f) Statement* for the Long Slip Canal Habitat Creation Project, and the comments received from the U.S. Department of Interior, the Federal Transit Administration finds that there is no prudent and feasible alternative to the proposed project and that NJ Transit has considered all reasonable avoidance alternatives to minimize harm to the historic resources within the study area.

This finding is subject to NJ Transit adhering to the mitigation measures specified in the *Final Environmental Assessment for the Long Slip Canal Habitat Creation Project* (the project), dated June 2000, and the *Final Section 4(f) Statement for the NJ Transit Long Slip Habitat Creation Project*, dated March 2000.

By:


Lentia Thompson
Regional Administrator

Date:

06/22/00