

Appendix A: Scoping Summary Report

**Comprehensive Port Improvement Plan
Environmental Impact Statement**

**SCOPING PHASE I:
SCOPING SUMMARY REPORT**

March 2004



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The Scoping Summary Report was prepared in 2004 when an EIS was still considered necessary for the CPIP. The Report documents comments received during the EIS scoping process and responses.

Scoping for the CPIP EIS originally included two distinct phases; the first was to elicit public comment on the scope and issues to be addressed in the Draft EIS, while the second was to have occurred following identification of CPIP alternatives. The first phase of public scoping meetings occurred in December 2003 and January 2004, with one meeting in each port facility's host community.

The second scoping phase was not conducted as the Federal agencies determined it appropriate to terminate preparation of the EIS and to develop an EA.

1.0 INTRODUCTION

A. PROJECT OVERVIEW

The Port of New York and New Jersey is a vital part of the economy of the New York/New Jersey metropolitan region. Demand for goods in the region and the consequent volume of cargo passing through the Port is forecast to grow significantly in future decades. The Comprehensive Port Improvement Plan (CPIP) project has been undertaken to comprehensively address the issue of how to proceed with development of the Port in the most economically efficient and environmentally protective manner possible. The CPIP project, comprising the CPIP Plan and its associated Environmental Impact Statement (EIS), will identify short- and long-term port and associated transportation improvements to accommodate projected future cargo demands from the present to the year 2060 and thereby guide future development of the Port.

The CPIP Plan and CPIP EIS are being prepared concurrently in an iterative, coordinated manner, with the environmental review process serving as a planning tool for development of the Plan. The EIS is being prepared pursuant to the National Environmental Policy Act (NEPA) of 1969 and its implementing regulations, and associated rules and regulations of the Council on Environmental Quality. To the extent that it may do so while complying with federal law, the EIS will also comply with the provisions of the New York State Environmental Quality Act (SEQRA); Executive Order 215 of the State of New Jersey; and the New York City Environmental Quality Review (CEQR) guidelines.

The US Environmental Protection Agency (USEPA), US Army Corps of Engineers (USACE), and Federal Highway Administration (FHWA), an agency of the US Department of Transportation, serve as federal Co-Lead Agencies for preparation of the CPIP EIS. The New York Empire State Development Corporation (ESDC), New Jersey Department of Transportation (NJDOT), and City of New York Office of the Deputy Mayor for Economic Development and Rebuilding (DME) serve as state and local Co-Lead Agencies representing the State of New York, State of New Jersey, and City of New York, respectively, to determine the sufficiency of the EIS with respect to applicable state and local environmental review requirements. The CPIP Plan is being developed by the CPIP Consortium, comprising the Port Authority of New York and New Jersey, ESDC, NJDOT, and the New York City Economic Development Corporation (NYCEDC).

A two-phased scoping process is being implemented for the CPIP EIS to obtain agency and public comment and other input on the scope of the EIS, including the project purpose and need; goals and objectives; potential port and associated transportation improvements; social, economic, and environmental issues and concerns; study areas and analysis methodologies; and the CPIP EIS' public outreach program. The first phase of scoping was initiated with publication of the Notice of Intent to prepare the EIS (*Federal Register*, April 18, 2003).

A Draft Scoping Document describing the CPIP project, its purpose and need and related goals and objectives, and the various analyses to be undertaken as part of the DEIS was prepared and distributed by the Co-Lead Agencies to relevant public agencies. A briefer Public Information Scoping Packet was provided to elected officials, interest groups, and members of the general public on the CPIP EIS mailing list. Both documents were posted on the CPIP website (www.cpiponline.org) and provided to additional parties on request. Three interagency and seven public scoping meetings and associated open houses were held (see Table 1) followed distribution of the scoping materials. The official scoping comment period for the first phase of scoping concluded on February 15, 2004. Comments were received orally and in writing at the scoping meetings, and in writing via mail and e-mail subsequent to the meetings.

**TABLE 1
INTERAGENCY AND PUBLIC SCOPING MEETINGS**

Interagency Scoping Meeting	Meeting Date
New York State/City Interagency Scoping Meeting	November 13, 2003
New Jersey Interagency Scoping Meeting	November 19, 2003
Federal Interagency Scoping Meeting	November 20, 2003
 Public Scoping Meeting/Open House	
<i>Port Host Community</i>	
Elizabeth, New Jersey	December 2, 2003
Newark, New Jersey	December 4, 2003
Red Hook, Brooklyn, New York	December 9, 2003
Sunset Park, Brooklyn, New York	December 11, 2003
Staten Island, New York	January 8, 2004
Jersey City, New Jersey	January 13, 2004
Bayonne, New Jersey	January 15, 2004

B. REPORT ORGANIZATION

This Scoping Summary Report summarizes all comments received in writing and made at the scoping meetings during the first scoping phase. (Official transcripts of the public scoping meetings are posted on the project website www.cpiponline.org.) The Report is intended for use by the Co-Lead Agencies for development of the CPIP EIS, by the CPIP Consortium for development of the CPIP Plan, and by the Environmental and Plan Consultant Teams.

The comments have been categorized by subject matter. Each oral and written comment is provided verbatim, excerpted either from the official scoping meeting transcript and/or written submittal, to preclude unintended misrepresentation of the comment. Each commentator is identified by name and by affiliation, as appropriate. Comments are further identified either by the date of the letter in which they were included, or by specific reference to the official transcript of the public scoping meeting at which the oral comments were given. For the latter, comments are identified by a letter for the particular public scoping meeting (i.e., B – Bayonne; EL – Elizabeth; JC – Jersey City; NWK – Newark; RH – Red Hook; SB – South Brooklyn; SI – Staten Island), followed by the page and line numbers of the transcript referred to. For instance, SB 28:11-25 refers to the South Brooklyn Public Scoping Meeting transcript, page 28, lines 11 to 25.

Following each group of category-specific comments is a response providing an overview of how the environmental analyses and the DEIS, or the development of the CPIP Plan, will address the issues raised. Agency and public input received during the first phase of CPIP EIS scoping will be reflected, in the manner indicated in the responses, in the early phase of DEIS and Plan development. Following identification of initial port and associated transportation improvement alternatives for detailed evaluation in the DEIS, a second set of public scoping meetings will be held to elicit comment and input on the DEIS alternatives and on the delineation of study areas for assessment of potential impacts. A second Scoping Summary Report will be prepared following the second scoping phase to reflect information and suggestions received on the CPIP alternatives and study areas.

2.0 COMMENTS AND RESPONSES

A. AIR QUALITY

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-D-1, page 37, para. #2 (i.e., of the Draft Scoping Document): the air quality analyses must also be conducted to meet all requirements of the federal Clean Air Act.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-D-1-a, page 37, Bullet #1 (i.e., in the Draft Scoping Document): all locations where significant traffic impacts are projected to occur should also be subject to this mobile source analysis.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

The Final Scope of Work should make a distinction between particulate matter (PM₁₀) and PM_{2.5} in its discussion of PM. Furthermore, the PM_{2.5} analysis should conform to the standards of DEP's Interim Guidance for PM_{2.5} analysis.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

An air quality analysis protocol should be submitted to DEP for review and approval including any backup data such as scaled maps with coordinates and receptor locations, emission factors calculations, and input/output files of the models used for both mobile and stationary source analyses as it relates to the abovementioned Ports.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

Mobile Source Analyses: The Final Scope of Work should explain, "substantial increases or changes in truck traffic" in relation to the PM₁₀ analyses.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

Mobile Source Analyses: Include CO and PM₁₀ in the mesoscale air quality analyses.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

DEP would like to participate in any technical working group for determining the appropriate air dispersion model for microscale CO and particulate matter analyses and CO vehicular emissions (MOBILE6).

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

Stationary Source Analyses: The Final Scope of Work should list the exact pollutants to be analyzed (i.e. CO and PM₁₀ for diesel engines of expected operation equipment) and discuss the methodology for analyzing the potential adverse environmental impacts from on-site parking and loading facilities.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

Screening for heat and hot water systems should be included for any new development that might occur. DEP recommends using the SCREEN3 model for this analysis.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

The alternatives should be assessed based on their impacts on both regional and local air quality. This assessment will focus on balancing regional reductions in emissions due to decreased dependence on trucking, with potentially increased localized emissions near intermodal facilities or along heavily used trucking routes.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 12:25-13:10 / Letter dated February 7, 2004

From an environmental standpoint, once you begin to have tens of thousand of cars and trucks idling at grade crossings everyday, you're adding a significant amount, probably tons of additional air pollution into the air because of the delays you've caused by trying to put the freight trains and trucks and cars and commuter rail at the same place, at the same time.

Nancy Zak, Director, Ironbound Community Corporation, NWK 19:8-18

Air Quality is a major concern in the community (Ironbound), and so, I think that all the planning and the studies that you are going to do, I think that is one of the areas that needs to be looked at, especially as it relates to the transportation piece.

Wilbur McNeil, President, Weequahic Park Association, NWK 50:18-52:14 / Submission of following items at the Scoping Meeting: Copy of Senate Bill 1057 / Controlling Airport-Related Air Pollution (June 2003) / The Urban Heat Island in the Greater Newark and Camden Regions of New Jersey: Current and Future Dimensions

We are certainly interested in the air quality emissions. I have a couple of studies here that I am going to submit that I wish, you know, would go into the records as part of our statement. We have comments from the Urban Heat Island in the Greater Newark and Camden Regions, Current and Future Dimensions. We would like those comments - - and they make suggestions on the emissions and the air quality. We certainly would like that to go in the record. We also have Controlling Airport-related Air Pollution (prepared by NJDEP). One of the other things that we are concerned about is the Senate Bill 1057 in the New Jersey State Legislature. Senate Bill 1057 has to do with a feasibility study to assess the air pollution sources in and around certain airport and military bases. We certainly would like, you know, that to be part of the records. We know it is not legislation, but these are things that the Weequahic Park Association is pushing for. We believe that would be helpful in bringing any kind of impact on Newark Airport. We believe that these are professional statements that should be part of the record.

Robert Belzer, Township of Millburn resident, NWK 52:24-53:13/ Written Comments, dated December 4, 2003, submitted at Newark Scoping Meeting December 4, 2003

I believe that the Environmental Impact Statement should include a current inventory of emissions from all sources, including trucks, for the port facility. I also believe that the Impact Statement should include a projected increase in emissions through 2060 from all sources, including trucks, from the port facility. Given that the facility is adjacent to Newark Liberty International Airport, I believe that an assessment should be conducted

for the combined effect of the expected increase or decrease in emissions from the port facility and also from Newark Airport.

*Douglas Greenfield, AICP, PP / Mark Munley / Robert D. Cotter, AICP, PP / Rachel Kennedy
City of Jersey City, Department of Housing, Economic Development and Commerce, Written
Comments submitted at Jersey City Scoping Meeting, January 13, 2003*

The impact to air quality and urban asthma rates should be evaluated.

RESPONSE:

The air quality analysis methodologies for the CPIP EIS will be detailed in an Air Quality Analysis Protocol, expanding the description of the air quality scope of work summarized in the Draft Scoping Document (October 2003). The Protocol will be distributed to pertinent federal, state, and local agencies for comment. If necessary, based on the comments received on the Protocol, the CPIP co-lead agencies will organize an ad hoc Air Quality Interagency Working Group (IWG). The purpose of the Air Quality IWG will be to review, discuss, and reach consensus on the methodologies to be applied for analysis of potential local (microscale) and regional (mesoscale) air quality impacts of the CPIP's proposed port and associated transportation improvements, as well as to predict future air quality conditions without CPIP (i.e., future No-Action alternative). Both off-site mobile-source (traffic-related) and on-site stationary-source (equipment, including HVAC systems, maintenance facilities, parking and loading areas; idling ships, rail locomotives, tugboats within and near port sites) analyses will be conducted. The air quality analyses will address all applicable Clean Air Act requirements.

The mobile source analyses for each port site will consider all locations for which significant traffic impacts are projected to occur; the analysis sites will be selected through a screening process that considers traffic volumes, levels of service, distance to sensitive land uses, etc. Microscale analyses of potential local air quality impacts will address carbon monoxide (CO) and particulate matter (both PM₁₀ and PM_{2.5}), to estimate whether a given alternative would cause or exacerbate a local violation of a national ambient air quality standard (NAAQS). The mesoscale analyses of potential regional air quality impacts will address CO, carbon dioxide (CO₂), volatile organic compounds (VOC), hydrocarbons (HC), nitrogen oxides (NO_x), and PM₁₀ and PM_{2.5} to estimate each alternative's potential effects on area-wide emissions. Potential impacts from idling vehicles at at-grade rail crossings will be addressed in both the local and regional air quality analyses, depending on the details of transportation improvements associated with the port improvement alternatives.

The on-site stationary-source analyses conducted for each port site will address all criteria pollutants [ozone, CO, nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and particulates (both PM₁₀ and PM_{2.5})] with the exception of lead. Due to the removal of lead from motor vehicle fuel, lead is no longer a concern and is no longer required to be assessed for transportation projects.

The local off-site mobile-source and on-site stationary-source air quality analyses will estimate the potential impacts from port-related emissions and traffic operations; these estimated pollutant concentrations will be added to "background" concentrations from all other sources in the study area. The background values are determined principally from monitored concentrations in and near the study area and account for the effects of all existing local emission sources, including major stationary sources such as Newark Liberty International Airport. The total of the estimated concentrations plus background

values will then be compared to the air quality standards to determine whether the alternative would cause or exacerbate a violation. Consideration of airport-related emissions will thus be included in the air quality analyses via the incorporation of these background values.

The CPIP EIS will evaluate the potential air quality effects of the port and associated transportation improvement alternatives. The CPIP alternatives would not measurably affect airport operations or airport emissions; therefore, the EIS will not evaluate the alternatives' effect on airport emissions, but will include airport emissions in the background concentration of pollutants.

B. APPLICABLE REGULATIONS

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 2.0-C, page 10 (i.e., of the Draft Scoping Document): the NJDEP notes that implementation of the CPIP plan may require additional environmental analyses pursuant to NEPA and other federal and/or State statutes. This may also require additional scoping activities in the future.

Joshua Laird, Chief of Planning, City of New York Department of Parks and Recreation, Letter dated February 13, 2004

The Preliminary List of Applicable Environmental Regulations (p.5, Table 1) should also include New York City's Environmental Regulations referencing Mayor's Executive Order 91 and Rules of the City of New York (RCNY) Title 62, Chapter 5.

RESPONSE:

The CPIP Plan being evaluated in the CPIP EIS will be a master plan for the future phased and coordinated development of the Port of New York and New Jersey. As noted in the Draft Scoping Document (Section 2.C, page 10), subsequent environmental evaluations may be necessary for later-phase improvements, as the improvements become better defined in the future. Scoping activities for these later environmental evaluations and their documentation would be conducted pursuant to the appropriate statutes and implementing regulations that are applicable to the improvement action(s) and any permits and/or approvals required.

As noted in the comment, the New York City Environmental Quality Review (CEQR) requirements, as per Mayor's Executive Order 91 and Rules of the City of New York (RCNY) Title 62, Chapter 5, are among the regulations applicable to the CPIP EIS. The Co-Lead Agencies for the CPIP EIS will establish ad hoc Interagency Working Groups to discuss and reach consensus on the specific methodologies and protocols that will be applied for the necessary analyses for the CPIP EIS, considering all relevant regulations.

C. CLEAN TECHNOLOGY

Reverend Joseph Parish, St. John's Parish/New Jersey Environmental Watch, EL 33:9-11

The port needs to have green engines, something which is not burning diesel fuel.

RESPONSE:

The use of clean-fuel equipment and technology is one example of green port techniques, principles, and activities included in the CPIP Plan's and CPIP EIS' consideration and analysis of potential port improvements.

D. CLIMATE CHANGE

Robert Alpern, Retired from the New York City Department of Environmental Protection, SB 25:11-26:11

With regard to climate change, the fact is that none of the guidelines under NEPA, State Environmental Quality Review Act or City Environmental Quality Review Act really address climate change issue at the present time, but in the time frame for CPIP, which goes to 2060, we are clearly going to see signals of climate change. Granted that there are enormous uncertainties, there are also enormous implications, there are also ways of dealing with that in the context of an EIS. I guess the issues that I want to know are how is CPIP Environmental Impact Statement going to deal with issues within the generation of greenhouse gases? How is the CPIP EIS going to deal with implications of climate change for the base case and for the alternatives analysis and for the mitigation analyses. There is no guidance on this. You will be pioneering, but you have got to pioneer other wise you do not have an EIS that has any meaning in the time frame that is required.

Robert Alpern, Retired from the New York City Department of Environmental Protection, SB 31:10-21

I have been approached by the New York Academy of Sciences to look at ways in which environmental reviews can take into account climate change issues, and I am exploring, at this point, the extent to which little NEPA's in other States or Environmental Impact processes elsewhere in the world, take these issues into account, given the enormous uncertainties that are involved. So that's a group the perhaps the CPIP team may want to dialogue with.

RESPONSE:

Potential regional effects of port and associated transportation improvement alternatives in terms of greenhouse gases and climate change will be addressed in the mesoscale (regional) air quality impact analyses. Carbon dioxide, the causal pollutant linked to climate change, will be included in the analyses. An Air Quality Analysis Protocol will be prepared detailing the air quality analyses to be conducted for the CPIP EIS and will be distributed to pertinent federal, state, and local agencies for comment. If necessary, based on the comments received on the Protocol, the CPIP co-lead agencies will organize an ad hoc Air Quality Interagency Working Group to discuss and reach consensus on the Protocol, including the methodological approach for estimating project-related greenhouse gas generation.

E. CONSTRUCTION IMPACT ASSESSMENTS

Federal Aviation Administration, Federal Interagency Scoping Meeting, November 20, 2003

The Federal Aviation Administration has concerns about potential intrusions into air space during construction activities, particularly for the Port Newark/Port Elizabeth area,

which is very near Newark Airport. Cranes used in construction, especially for roadway and rail projects that might be implemented, could pose a hazard in this area. There is less concern about cranes used for unloading and loading as they are further removed and not as large.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

The study should identify any potential impacts of long-term construction activity on traffic, air quality, noise and vibration, water quality and economic conditions. The study will also identify where construction activities will be staged.

RESPONSE:

The CPIP Plan will address phased development of the Port of New York and New Jersey over a build-out period extending to the year 2060. The CPIP Plan will identify both near-term and long-term port and associated transportation improvements. Many aspects of the Plan will necessarily be conceptual in nature, e.g., without details on construction methodologies. Therefore, the Plan will accommodate technological advances in construction methods that would reduce potential impacts associated with construction techniques in use today. Construction impacts will be analyzed in the CPIP EIS for those alternatives that include near-term improvements and thus have sufficiently detailed design to identify construction methods and impacts. A generic discussion of potential construction impacts will also be provided to identify potential impacts associated with different technologies.

The EIS will note the potential hazard to low-flying aircraft that may result from the use of cranes during construction projects related to port improvement, including transportation and infrastructure projects. Alternatives that would involve construction activities, including the use of cranes, that meet the criteria defined at Title 14 of the Code of Federal Regulations Part 77 would require filing of Federal Aviation Administration (FAA) Form 7460-1 with that agency at least 30 days prior to the start of construction or as otherwise required. The CPIP EIS will include a review of all laws and regulations governing CPIP-related activities. The EIS will note the filing of the FAA notification as a regulatory requirement.

The CPIP EIS will analyze construction impacts temporally and spatially (on-site and off-site). Construction impacts are analyzed in an EIS as a subset of specific technical analyses performed to identify other environmental impacts. The impact categories noted in comments (traffic, air quality, noise and vibration, water quality, economics) as well as other areas of potential impact will be analyzed in the CPIP EIS. To the extent that construction-related details such as locations of construction staging areas can be defined for alternatives, more detailed impacts analyses will be completed.

F. ENVIRONMENTAL JUSTICE

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

All alternatives should be screened to ensure that they do not disproportionately impact disadvantaged or under-represented residents of the region.

RESPONSE:

As required by federal Executive Order 12898, the CPIP EIS will address environmental justice considerations, in accordance with applicable implementing regulations and guidelines. Any potential high and disproportionate adverse effects on minority and low-income communities will be identified for all alternatives and, as necessary, reasonable mitigation measures will be investigated.

G. GOALS AND OBJECTIVES

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

In addition to protecting natural resources of the Harbor, avoiding aquatic resource impacts supports the CPIP goal of creating more certainty in the federal, state, and local permit review processes.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The Service recommends that the CPIP adopt a goal of improving water and sediment quality in the Port District, and working to achieve water quality goals (designated uses) by continually moving to cleaner port operations over the planning horizon.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 3.0-E, page 17, Goal #1 (i.e., in the Draft Scoping Document): is this goal to make the port “preeminent” consistent with the NED requirements associated with the Harbor Navigation Study (the EIS/ROD which required preparation of the CPIP)? This goal may have to be revised/reworded.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 3.0-E, page 17, Goal #2, Bullet #1 (i.e., in the Draft Scoping Document): regional planning efforts that do not “complement” the CPIP should be identified, and efforts made to minimize inconsistencies between the plan – see Bullet #2.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 3.0-E, page 17, Goal #3, Bullet #1 (i.e., in the Draft Scoping Document): BMPs to reduce other types/sources of impacts -- for example, air pollution – should also be investigated.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 3.0-E, page 17, Goal #3, Bullet #3 (i.e., in the Draft Scoping Document): impacts to wetlands should first be avoided, then minimized, and finally mitigated.

Cindy Zipf, Executive Director, and Kristen Milligan, PhD, Staff Scientist, Clean Ocean Action, Letter, February 12, 2004

It is essential that port planning include requirements to reduce existing and prevent future contamination in the estuary. All industrial development for commerce must make pollution reduction and abatement a priority from the first to last stages of planning. As such, the scoping document for the Environmental Impact Statement of the CPIP falls short of explicitly detailing environmental protection and restoration and chemical contamination evaluations and goals.

Cindy Zipf, Executive Director, and Kristen Milligan, PhD, Staff Scientist, Clean Ocean Action, Letter dated February 12, 2004

Regarding page 5 (Goal 3: Develop the CPIP consistent with the enhancement of the environmental quality of the estuary.) of the Draft Scoping Document [commentator actually referring to Public Scoping Information Packet]:

- Add underlined text to Bullet 1: “Investigate and find ways to implement innovative best management practices for reduction of non-point sources of water pollutants.”
- Add bullet “To minimize the need for maintenance dredging, identify hotspots of erosion and sources of sediment to the harbor (e.g. construction runoff, local stream and river erosion, stream encroachment). Investigate and plan methods for minimizing sources of sediment (e.g. enforcement of soil conservation programs, installing sediment traps in the port region, and using environmental dredging techniques that are less disruptive and minimize resuspension).”
- Modify Bullet 2 from “Support attainment of sediment, water and habitat quality to sustain a diversity of living resources.” to “Maintain consistency with harbor natural resource restoration programs and ensure no future impacts to sediment, water, and habitat quality.”
- Delete last three bullets on wetland goals and simply state “No impacts to wetlands.” Existing wetlands are necessary resources for sustaining biological diversity and helping to cleanse runoff water before it enters the harbor. Any negative impact is unacceptable.
- Add bullet “Reduce containment access to the food chain to result in the phase out of fish consumption advisories and bans.”

Cindy Zipf, Executive Director and Kristen Milligan, PhD, Staff Scientist, Clean Ocean Action, Letter dated February 12, 2004

Regarding page 6 (Goal 4: Link development with efforts to improve environmental quality.) of the Draft Scoping Document [commentator actually referring to Public Scoping Information Packet]:

- Revise fifth bullet and delete “as feasible.” Implement pollution prevention measures ~~as feasible~~, to ensure that (1) runoff from land based facilities does not cause exceedances of water quality criteria, sediment and nutrient loading, (2) there are contingency plans for spill response and clean up, (3) dredging is minimized and requires environmental dredging techniques, (4) sewage is managed properly with a minimum of secondary treatment, and (5) floatables do not enter harbor waters.”
- Add bullet “Support phasing out of Combined Sewer Overflows (CSOs) and ensure treatment of sewage to a minimum of secondary treatment.”

Janine Bauer, General Counsel to the Tri-State Transportation Campaign, EL 26:14-27:9

We are gratified to see at least two of the objectives we sought in our green port plan restated more or less in the objectives that the CPIP stakeholders have agreed upon to guide port planning, particularly, and I'm quoting, "reduce or minimize potential future increases in regional VMT and mobile source emissions from port improvement related activities", and "promote rail/truck/barge mode split that will support reduced port related VMT and improve air quality."

We do have some questions about the wording of these objectives. Specifically, why regional VMT - - I would assume you are talking about truck VMT, but it doesn't actually say that, and I would think if you were talking about truck VMT, you might want to say that.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper B 18:8-20

Any Comprehensive Port Improvement Plan will negatively affect the natural resources of the Estuary, but there are ways to develop a plan that respects the environment and cultural resources of the Estuary, and enhances the economy of the region and host community. We are pleased that the draft scoping document contains many of the goals and objectives, in some cases verbatim, that were provided by Baykeeper and other stakeholders.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

The following EIS Goals should be included in the CPIP EIS for the examination of alternatives:

1. To improve the movement of goods into, out of and through the New York City/Northern New Jersey region.
2. To create a more modally balanced goods movement system in the region.
3. To improve environmental quality in the region by diverting freight movements to less polluting modes of transport.
4. To promote economic development in the New York City Northern New Jersey region through a more efficient goods movement system.
5. To provide strategic system redundancy to the region's vital Hudson River crossings.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

Goal 1: (Implement port improvements necessary to meet the region's maritime cargo needs)

- The following underlined language should be added: Thoroughly investigate technologies and management techniques that increase terminal throughput capacity on existing port acreage.
- The CPIP EIS should identify a "no-fill" port development strategy, not a "least-fill" port development strategy.

Goal 2: (Develop the CPIP consistent with the enhancement of the environmental quality of the estuary)

- The following underlined language should be added: Investigate and implement innovative best management practices for reduction of non-point sources of water pollutants.

- The last three objectives should be deleted and should simply state “No impacts to wetlands.” The last three objectives actually set out a hierarchy for analyzing wetland impacts and are not truly objectives.

Goal 6: (Create more certainty in the Federal, state, and local permit review process to create needed port expansion capability)

The following underlined language should be added: Coordinate the Plan and EIS with the existing regulatory processes such that the permit can be obtained on a least time basis, but not precluding a full and comprehensive environmental review.

The following goal and objectives should be added:

Goal: Implement a set of projects that restore, protect, and enhance the quality of life of communities hosting port facilities.

Objectives:

- Provide significant port-related job training and employment opportunities to local community residents.
- Minimize truck impacts on host and nearby communities by providing alternatives to trucking, promoting use of alternative fuels, assisting traffic calming and the routing of trucks to avoid local streets.
- Improve and increase waterfront (water’s edge) public access.
- Enhance open space and recreational facilities along the waterfront.
- Avoid residential and business displacement.
- Develop green buffers between communities and adjacent port facilities and related transportation corridors.
- Develop and implement a plan to assess whether or not host communities are being disproportionately burdened by port-related projects.

RESPONSE:

The goals and objectives of the CPIP Project were defined to guide development of the CPIP Plan and CPIP EIS consistent with the purpose and need for the CPIP Project, namely:

“to prepare a comprehensive port improvement plan and its requisite environmental review for the Port of New York and New Jersey that will accommodate projected cargo demand to the year 2060; is economically viable and environmentally sustainable; and will also support the ongoing restoration of the harbor and its environment” (Draft Scoping Document, page 11).

Responsive to this purpose and need, the CPIP Project will create a master plan of phased port and associated transportation improvements for the Port of New York and New Jersey to the year 2060. As a master plan, it will serve to guide the phased future port development in an economically viable and environmentally sustainable manner, but without being overly prescriptive about design and implementation of discrete improvements. The CPIP Plan is intended to provide a consensus-based framework, rather than a cookbook, for future port development. Thus, the master plan will provide sufficient flexibility for later-phase improvements to take advantage of future advances in cargo-handling and transport technology, environmental protection, and management practices. At the same time, while port and associated transportation improvements will be defined conceptually in the CPIP Plan, environmental protection and green port-

related guidelines pertinent to their design and implementation will be specified. Finally, in coming decades following adoption of the CPIP Plan, cargo forecasts will necessarily be revisited and, based on updated forecasts, the CPIP Plan will itself require review and refinement to address then-current information.

Given this understanding of the CPIP Project, the goals and objectives were defined to embody the economic, environmental, and community aspects of the project's purpose and need, to guide CPIP master planning and the associated environmental review. Some commentators' suggestions regarding the goals and objectives are redundant with other goals or objectives; are already subsumed under one or more of the goals and objectives; or are contradictory to other defined goals or objectives. For example, issues of improving waterfront access, avoiding displacement of existing uses, minimizing other community-related impacts – traffic, air quality, noise, etc. – are encompassed by green port planning (Goal 5). Similarly, concerns regarding impact abatement – whether of contaminants, erosion and sedimentation, pollution – are addressed collectively by several of the goals and their related objectives (e.g., Goals 3, 4, 5, 6). The objective of reducing regional vehicle miles of travel (VMT) is deliberately broad, to include both port-related truck and auto use, rather than just truck, and is complemented by the objective of promoting mass transit to port-related work facilities (Goal 4).

Some commentators' suggestions would create goals or objectives inconsistent with the purpose of and need for a port-wide master plan. For example, requiring pollution prevention measures irrespective of their feasibility would diminish the plan's utility as a framework for development of the port. And while the CPIP Project's purpose encompasses planning for future port development in a manner that is consistent with and supportive of harbor and estuary restoration goals and activities, its purpose is not to undertake such restoration. Harbor-wide habitat restoration has been underway for some time, most notably by the Harbor Estuary Program's (HEP) Habitat Work Group. The Hudson-Raritan Estuary Ecosystem Restoration Study (HRE), co-sponsored by the US Army Corps of Engineers and the Port Authority of New York and New Jersey, is developing an integrated, Harbor-wide restoration plan and environmental assessment of the plan. The CPIP Project will be coordinated with these restoration initiatives, but will not duplicate their efforts.

The goal of maintaining the Port of New York and New Jersey's preeminence on the East Coast is consistent with the National Economic Development (NED) requirements addressed in the Harbor Navigation Project.

The CPIP Project's purpose is to plan for port and associated transportation improvements necessary to accommodate future cargo volumes. The scope of such improvements is focused on handling and moving of ocean-borne cargo at the port sites and, from there, on the transportation networks in the port sites' vicinities. Commentator's suggestion that the CPIP Project should state a goal of providing strategic system redundancy to the region's vital Hudson River crossings is beyond the purview of the project's focus.

Appendix C to this Scoping Summary Report lists the CPIP Project's refined goals and objectives, incorporating commentators' suggestions that are deemed useful enhancements consistent with the Project purpose and need.

H. GREENPORT PLANNING

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The draft Scoping Document includes many references to Green Port planning principals. The final Scoping Document should include a definition of this term, and a discussion of the principals. References to Green Port literature or resources would also be helpful.

Joseph Doria, Mayor, City of Bayonne, B 32:5-14

We need to work together on a cooperative basis to guarantee that we maintain the jobs in this area that the port continues to develop in an environmentally sensitive way. I think it is very important, that any facilities that are developed are green facilities and that we work to develop these facilities in a manner that is positive towards the environment.

Robert Alpern, Retired from the New York City Department of Environmental Protection, SB 28:11-25

With regard to the environment and habitat, many of us want to know a lot more about what greenport, which is supposed to pervade the CPIP, really will mean, and whether the dialogue on the meaning of greenport is going to involve groups like the Habitat Work Group of the Hudson Estuary Program. What is the EIS going to say about greenport issues, and how will what is says about greenport issues be informed by dialogue with some of the other groups that are active on sister studies that CPIP says that they are going to coordinate with?

RESPONSE:

Greenport planning seeks to apply technical and management measures to avoid, prevent, minimize, mitigate, or remediate environmental impacts associated with port development and operations. Greenport principles encompass considerations of air quality; brownfields redevelopment; host community effects and benefits; contaminated sediment and dredged materials disposal; endangered and threatened species; habitat enhancement and restoration; wetlands; water pollution; solid waste; clean technology; and other environmental and community interfaces with port management, operations, and infrastructure. Greenport principals have evolved as port authorities and port operators have recognized the need to balance economic interests with environmental protection and impact reduction. Greenport references include: *Green Ports: Environmental Management and Technology at US Ports* (Urban Harbors Institute, University of Massachusetts Boston, 2000) and the *Environmental Management Handbook* (American Association of Port Authorities, 1998).

Development of the CPIP Plan will include investigation of opportunities to beneficially apply greenport principles within the port and associated transportation improvements proposed for each of the port sites under study. In an iterative fashion with the planning effort, the CPIP EIS will assess the potential adverse and beneficial effects of proposed improvements, and suggest opportunities to further reduce impacts and generate benefits.

Public input related to “green” aspects of port planning will be reviewed and incorporated, as appropriate. Following identification of port and associated transportation improvement options, a second phase of scoping will be held to seek public input on the options. Throughout the course of CPIP Plan and CPIP EIS development, coordination with other projects, studies, and with ongoing programs, such

as the Harbor Estuary Program, will be conducted for sharing of information and ideas, including on greenport-related issues.

I. HAZARDOUS MATERIALS IMPACT ASSESSMENTS

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

The Final Scope of Work should state that a Phase I Environmental Site Assessment (Phase I Report) will be conducted for any areas that are proposed to be physically disturbed for the construction of a proposed project and that it would be conducted in accordance with the requirements established by the current American Society for the Testing on Materials (ASTM) protocol for Phase I Reports (ASTM E-1527 Section 6). The Phase I Report should be submitted to DEP for review/approval.

RESPONSE:

Phase I Site Assessments are typically required when there is a proposed transfer of property or refinancing of financial obligations involving banks. A Phase I Assessment is not necessarily required when construction activities are to be undertaken. The CPIP EIS will evaluate sites and options with respect to the presence of hazardous wastes and substances defined under Resource Conservation and Recovery Act criteria or by virtue of being listed as such by the U.S. Environmental Protection Agency. Determinations of the presence or absence of hazardous material will be made by using existing federal and state regulatory databases, augmented by analysis of historic land use on each port site. This information is effectively the same as much of the information included in a Phase I Assessment, and will be disclosed in the CPIP EIS. Regulatory requirements for port and associated transportation improvement options will be addressed in the CPIP EIS, and the need for any assessments, including Phase I Assessments, will be noted.

J. IMPACT ASSESSMENTS, GENERAL

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 2.0-B, page 8 (i.e., of the Draft Scoping Document) states that the “CPIP Plan and the CPIP EIS will reflect [an] evolving baseline of port components.” However, for the development and analysis of alternatives in the Draft EIS (particularly the “No Action” alternative), a baseline condition must be established. This baseline condition could subsequently be revised/updated in future iterations of the CPIP Plan and EIS as conditions warrant.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 4.0-B-1, page 21 (i.e., of the Draft Scoping Document): it will be very difficult to define multiple “No Action” alternatives and given the proposed phased implementation of the CPIP with its multiple “analysis years.” What is the “CPIP build year?”

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-A, page 23 (i.e., of the Draft Scoping Document): analysis of potential impacts must be conducted at three levels of analysis –

- individual port facility options
- individual port facility alternatives
- port combination alternatives.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-B-3, page 31 (i.e., of the Draft Scoping Document): clarify that the cultural resource reports will be available for review in the DEIS.

Lee Ilan, Mayor's Office of Environmental Coordination, New York State/New York City Interagency Scoping Meeting, November 13, 2003

Regulatory framework of the CPIP EIS must address the City Environmental Quality Review (CEQR) Technical Manual.

Marty Markowitz, Brooklyn Borough President, Letter dated February 19, 2004

Hand in hand with the approaches focused on economic improvements, the CPIP studies must pay adequate attention to any and all anticipated negative impacts. These should be addressed early, minimized, and mitigated with full consideration of the communities abutting the waterfront and other stakeholders.

Cindy Zipf, Executive Director, and Kristen Milligan, PhD, Staff Scientist, Clean Ocean Action, Letter dated February 12, 2004

Regarding page 9 (5.0 Social, economic, and environmental impact analyses) of the Draft Scoping Document [commentator actually referring to Public Information Scoping Packet]: In the list of potential impacts that would occur with construction or operation of a given alternative, include the categories "Water Quality" and "Sediment Quality."

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, Letter dated February 7, 2004

Within the framework of the ongoing CPIP EIS process, there is...a need to define the benefit and negative impacts of the CPIP in comparable terms.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

The CPIP EIS scope should be broadened. The EIS process involves the analysis of all direct, indirect and cumulative environmental impacts associated with each of the proposed alternatives in a 10-county area including the five New York City counties; Nassau and Suffolk counties in Long Island; and Essex, Hudson and Union counties in New Jersey. In addition to the core EIS requirements, significant supporting analysis is conducted to refine the alternatives. This analysis should include an assessment of economic attraction and market impacts, transportation planning, and preliminary engineering design.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

Other issues that must be included in the CPIP EIS include visual and aesthetic considerations, historic resources, archaeological resources, natural resources, navigable waterways, floodplains and coastal zone management, displacement and relocation, contaminated materials and parkland.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, Letter dated February 7, 2004

The scoping of the CPIP EIS is embarking on a course that will fail to address economic benefits and negative impacts in comparable terms and fail to consider alternative analysis on a regional basis that is commensurate with attempting to move marine cargo through one of the most densely populated areas of the country in order to supply much of the northeastern North American continent.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, Letter dated February 7, 2004

Within the framework of the ongoing CPIP EIS process, there is...a need to define the benefit and negative impacts of the CPIP in comparable terms. For example, as things now stand the Fall 2003 "CPIP Highway Network FACT SHEET" defines the negative impact of port activities in terms of daily "Port-Related Truck trips", which are reported as 24,034 truck trips per day in CY 2000. However, the CPIP PowerPoint Presentation used for the December 2, 2003 Scoping Meeting in Elizabeth, New Jersey indicates that the Port of NY/NJ creates a benefit in that PONYNJ "Supports nearly 230,000 jobs." In the perception of the general public, it may appear that 24,034 truck trips per day is indeed a miniscule contributor to overall traffic and a small price to pay for 230,000 jobs. However, the perception is faulty, because the negative impact of port activities also includes the number of vehicle trips associated with commutation to 230,000 jobs and the support of port infrastructure. Aside from vehicle trips associated with getting to and from work, vehicle trips may be generated by lunch and shopping activities, service and utility vehicles, lunch wagons, vendor and sales visits, regulatory vehicles and ministerial functionaries. There is a need to identify a category that should probably be called "Port-Related All Vehicle Trips". Clearly, the general public would be more likely to respond if people were confronted with the possibility that the port might be contributing one or two million vehicle trips each day to existing traffic congestion and delays.

RESPONSE:

Environmental conditions in the study areas to be defined for the port facility-specific alternatives and port-wide combination alternatives will be described in the CPIP EIS for:

- 1) the affected environment, i.e., existing conditions in 2004;
- 2) the future baseline, i.e., the No-Action alternative(s), which defines future conditions in the absence of CPIP, but inclusive of significant programmed and committed projects scheduled to be implemented by the CPIP's build year(s)¹; and
- 3) the CPIP build year(s), including years of peak construction activity and longer-term horizon year(s) when the CPIP alternatives would be fully operational.

¹ Programmed and committed projects are defined as having funding available or set aside for the given project's implementation, and a year of construction completion/operational start-up has been defined.

- 4) As the CPIP Plan will define a multi-phased program of port and associated transportation improvements, the CPIP EIS will evaluate different elements of alternatives for different build years tied to their phased implementation. These future analysis years, for which alternatives' potential effects will be assessed, will also define the years for which conditions with the future No-Action alternatives will be described. For example, if a given alternative is to be implemented in two separate and distinct phases of the CPIP Plan, say in 2015 and 2025, future No-Action conditions and environmental consequences of the alternative will be evaluated and described for the years 2015 and 2025. (The future conditions with the No-Action alternative may need to incorporate additional programmed and committed projects in 2025 that would not be on line by the earlier, 2015, analysis years.)

The future analysis years will be identified after the facility-specific alternatives and port-wide combination alternatives, including their phased implementation, have been defined. Study areas will also be defined at that time, to ensure that they are appropriately sized and geographically inclusive to capture all potential local and regional impacts of the project alternatives.

As CPIP Plan will be a master plan of port and associated transportation improvements through the year 2060, the alternatives for evaluation in the CPIP EIS will be defined conceptually, without preliminary engineering design or implementation schemes.

Commentators' input regarding categories of impacts that should be evaluated in the CPIP EIS are consistent with the environmental impact categories listed in the Draft Scoping Document. In some cases, the suggested impact categories are subsumed under broader ones (e.g., economic attraction and market impacts will be addressed within the context of the broader category of socioeconomic impacts of alternatives).

Concerns that positive and negative impacts of CPIP be addressed are noted. Addressing all impacts, both positive and negative, is mandated by the National Environmental Policy Act (NEPA), under authority of which the CPIP EIS is being prepared. Impacts will be addressed equitably to provide the public and decision-makers with the information needed to make informed decisions, as is required by NEPA. As is also required, impacts will be avoided and minimized to the extent possible, and mitigation measures for unavoidable impacts will be developed and documented.

In addition to NEPA, the CPIP EIS is being prepared under authority of state and local environmental laws and regulations, and will address issues to the extent required by them and as directed by the CPIP EIS Co-Lead Agencies. Where state and/or local guidance is provided for completing of environmental review processes (e.g., CEQR Technical Manual), such guidance will be followed. In instances where different state and/or local guidance is contradictory or inconsistent, the Co-Lead Agencies, in consultation with pertinent regulatory and resource agencies, will reach consensus on and provide direction for completion of the particular analyses.

Supporting analyses and reports for all aspects of impact assessment, including cultural resources, and mitigation planning will be available for review. Such reports and analyses may be included as appendices to the CPIP EIS, or may be incorporated by reference or into the text of the EIS.

K. LAND USE AND SOCIOECONOMIC IMPACT ASSESSMENTS

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-A, page 29, para. #4 (i.e., of the Draft Scoping Document): the impact analysis should also include those land uses that would limit port/facility development.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

The alternatives should be examined to ensure compatibility of existing and expected future land uses with new rail projects, including where reactivation or expansion of rail yards and right-of-ways will occur. Examples of areas to be examined include those neighboring the Greenville Yard in Jersey City; the Staten Island Railroad; the Sunset Park waterfront in Brooklyn; the Bay Ridge Rail Line in Brooklyn and Queens; and Maspeth, Queens.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

The alternatives should be examined to determine their potential effects on the local and regional economy, focusing on how the project could support existing economic strengths in the region.

Douglas Greenfield, AICP, PP / Mark Munley / Robert D. Cotter, AICP, PP / Rachel Kennedy City of Jersey City, Department of Housing, Economic Development and Commerce, Written Comments submitted at Jersey City Scoping Meeting, January 13, 2003

The impact to municipal revenues should be evaluated, with projections regarding tax rates, and container fees to port host communities.

Douglas Greenfield, AICP, PP / Mark Munley / Robert D. Cotter, AICP, PP / Rachel Kennedy City of Jersey City, Department of Housing, Economic Development and Commerce, Written Comments submitted at Jersey City Scoping Meeting, January 13, 2003

Port Operators and related industries should make great effort to recruit and train workers who are indigenous to the port host community. Such effort will help encounter urban unemployment rates, provide additional income to the local economy, and reduce the environmental impacts of the journey to work.

RESPONSE:

Commentators' concerns regarding land use and economics effects of CPIP will be addressed in the analyses of potential impacts resulting with port improvement and associated transportation improvement alternatives.

L. MITIGATION CONSIDERATIONS

Robert Belzer, Township of Millburn resident, Written Comments submitted at Newark Scoping Meeting, December 4, 2003

The Newark area has been designated an urban heat island (UHI) in the study “*The Urban Heat Island in the Greater Newark and Camden Regions of New Jersey: Current and Future Dimensions.*” Specifically, the port facility and Newark Airport adjacent to the facility have been identified as area hot spots. Dr. William D. Solecki, one of the authors of the study, has indicated his research suggests that area hot spots contribute to regional UHI's. The study also concludes that the air quality program in the Newark area

is “likely to be enhanced by interactions between climate-related warming temperatures and the UHI effect.” The study recommendations include extensive urban reforestation and reducing emissions to combat the UHI. The EIS should include the following:

- identify mitigation strategies for how the UHI problem in the Newark area will be addressed; and
- identify measures as to how aggregate air pollution will be reduced since the area is identified as a severe-17 ozone nonattainment area.

(Note – Mr. Belzer submitted highlights of the *Urban Heat Island Study* as part of his written comments.)

RESPONSE:

The CPIP EIS will evaluate the potential impacts that resulting from implementation of port and associated transportation improvement alternatives, compared to future conditions without the CPIP. For any significant impacts, including during construction and operation of a given alternative, measures to mitigate *project-related* impacts will be identified and evaluated.

For any significant regional air quality impacts identified through the mesoscale air quality analyses, reasonable mitigation measures will be identified and analyzed to determine their efficacy in reducing regional emissions.

M. NAVIGATION IMPACT ASSESSMENTS

Lauren Gallagher, Project Manger, New York City Department of Environmental Protection, Written Comment, Red Hook

The study should consider how additional port traffic might adversely affect the opportunity for the expansion of waterborne mass transit.

Joshua Laird, Chief of Planning, City of New York Parks and Recreation, Letter dated February 13, 2004

An analysis for increases and changes to maritime traffic within the New York Harbor as a result of the CPIP Plan should be considered within the scope of work for the EIS.

RESPONSE:

The potential effects of increased maritime traffic to and from the port facilities under study -- based on the CPIP Plan’s cargo demand forecasts to the year 2060 -- on other maritime traffic and navigation will be evaluated.

N. NOISE AND VIBRATION IMPACT ASSESSMENTS

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

Alternatives should be assessed based on their impact on localized noise levels. As with air quality and transportation impacts, regional improvements must be weighed against localized increases in noise levels.

RESPONSE:

Potential local noise effects resulting from port and associated transportation improvement alternatives will be evaluated. For any potential significant noise impacts, reasonable mitigation measures will be identified and evaluated.

O. OPEN SPACE AND PARKLAND IMPACT ASSESSMENTS

Joshua Laird, Chief of Planning, City of New York Parks and Recreation, Letter dated February 13, 2004

The open space and parklands analysis should utilize the methodologies and criteria of the New York City Environmental Quality Review Technical Manual to disclose potential adverse impacts of the CPIP Plan. In addition to disclosing potential adverse impacts to open space, park impacts on a temporary or permanent basis trigger Park permit or alienation requirements. If any of the actions of the CPIP Plan entail the use of parkland for non-parkland purpose, it may constitute a parkland alienation or conversion and requires the authorization of the New York State legislature. Approval from the New York City Council is required, as well. Mitigation for the alienation or conversion of public parkland typically involves the acquisition of replacement parkland of equal or greater size and value to service the same community as users. Upon any determination to consider the alienation or conversion of parkland, the project sponsor should contact Parks for discussion of these matters.

RESPONSE:

The evaluation of potential open space and parkland impacts will be conducted in accordance with applicable regulations and guidance, as directed by the CPIP EIS' federal, state, and local Co-Lead Agencies, including guidance in the CEQR Technical Manual. If any parklands would be taken or otherwise used for a given alternative, all applicable regulations, permits, and approvals will be identified. For any near-term elements of a given alternative that would result in parkland impacts, the necessary mitigation will be identified and processes undertaken, in consultation with the pertinent state and/or local agencies (e.g., New York City Department of Parks and Recreation, as noted in comment, for parkland impacts near the Staten Island or Brooklyn port sites). For later-phase improvements, for which subsequent environmental evaluations and documentation would be required, the permits, approvals, and mitigation that would be required will be identified in the CPIP EIS.

P. POTENTIAL PORT DEVELOPMENT SCENARIOS/IMPROVEMENTS

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

We recommend that the scope of the CPIP and companion EIS include off-site alternatives such as other ports that may be able to absorb some of the projected increase in shipping and transportation needs with less adverse impact to fish and wildlife resources. Because many of the materials processed through the Port are transported to sites well beyond the stated project area (the Port District), other ports may represent viable alternatives to future needs.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The final Scoping Document should include an expanded discussion of the development and evaluation of the various alternatives. Pursuant to the Fish and Wildlife Coordination Act, fish and wildlife resources must receive equal consideration during alternative development and assessment.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The Service supports statement in the draft Scoping Document that the “combination alternatives” evaluated in the CPIP will include short and long-term elements, and will be assessed at various target years through 2060. The combination alternatives will include Port and associated transportation improvements that may be phased in over time, potentially decades.

Forecasts of needed Port and transportation capacity are certain to change over the long (56-year) planning horizon. In addition, future developments in technology and shipping practices may produce greater efficiencies on existing Port acreage with minimal environmental impacts. A phased approach would help ensure that unavoidable environmental impacts are incurred only as clear needs for facility expansions actually materialize over time. Any combination alternatives under serious consideration in the draft EIS should not include environmentally damaging Port developments in the short term (2005-2020) based on uncertain projected capacity needs in the long-term (2040-2060).

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

As there are decades before a projected capacity shortfall in any sector, the (Co-Lead Agencies) have ample time to seek future capacity increases entirely on existing Port acreage, through further improvements in technology and efficiency. If future acreage expansions become unavoidable in the distant future, the Service supports statements in the draft Scoping Document to focus on redevelopment of brownfields and other previously developed uplands as alternatives to developing or impacting existing fish and wildlife habitats.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

Although no sector is expected to deplete capacity before 2047, some individual facilities will reach capacity on existing acreage sooner than others. According to the draft Scoping Document, individual facility shortfalls may require capacity enhancements before 2037. The Service recommends against physical (acreage) expansion of these facilities over this timeframe. Expansion of individual facilities while capacity in that sector still exists at other sites would unnecessarily impact the environment. The Service suggest that the (Co-Lead Agencies) focus on sector-wide planning to alleviate shortfalls at individual facilities by shifting throughput to where capacity exists and through development of shared resources, such as warehouses and other storage. In addition, individual facilities expected to reach capacity before the sector as a whole should be the focus of enhanced efforts to continually improve technology and efficiency on existing acreage.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The Service supports statements in the draft Scoping Document to identify a “least-fill” Port development strategy. Based on capacity increases projected on existing acreage, plus available upland brownfield expansion sites, the Service anticipates that the “least fill” strategy will approach a “no fill” proposal.

New York State/New York City Interagency Scoping Meeting, November 13, 2003

The CPIP Plan should include an implementation plan, particularly for its longer-term projects.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 4.0-A, page 20, para. #2 (i.e., of the Draft Scoping Document): could the EIS consider that lack of capacity on the transportation infrastructure system serves to “limit” ultimate port development? For example, if transportation infrastructure improvements are needed to serve the port, but there are no plans/commitments to make such improvements, could port development activities then be “limited” because of the resulting potential adverse impacts to traffic and air quality?”

New Jersey Department of Environmental Protection, Office of Dredging and Sediment Technology, New Jersey Interagency Scoping Meeting, November 19, 2003

As long as the port remains within its existing footprints, some elected officials have interest in non-port uses and in waterfront access.

Robert Gottheim, Brooklyn Director representing Congressman Jerrold Nadler, RH 26:25-27:12 and SB 18:24-19:23

After 9/11, we have to be concerned about national security and terrorism. The Kill Van Kull is less than eight hundred yards wide. You sink one medium-sized ship in that channel, and the whole port is closed for six months to a year. Dead. Closed. You can't do that to Brooklyn or Bayonne. The Narrows, despite their name, is not that narrow. You can't blockade it by sinking a ship. We have to have the capability of a port in Brooklyn and Bayonne as well, from a national security argument.

Robert Gottheim, Brooklyn Director representing Congressman Jerrold Nadler, RH 28:14-29:7 / Written Comments Submitted at Red Hook Scoping Meeting, December 9, 2003

New York and New Jersey are in competition with Norfolk and Halifax. It is a regional priority to make the Port of New York and New Jersey the hub port. If we develop a container port in Bayonne, then a rail freight tunnel and finally a container port in Brooklyn, and I emphasize a container port, not break bulk, a container port, within ten years we should be able to beat everybody else in terms of becoming the hub port. Then our natural geographic advantages will make sure we get the bulk of the Atlantic maritime commerce. If we do that in an environmentally sensitive way, we will be able to achieve the economic vitality in the 21st Century that we achieved in the 19th and the first half of the 20th Century.

Marty Markowitz, Brooklyn Borough President, Letter dated February 19, 2004

The CPIP study team will be challenged to make their proposals compatible with the recommendations emanating from the many other studies of recent vintage, or continuing during the term of the CPIP studies. The long term projections of cargo traffic to the 2060 horizon presents a particularly difficult problem, since such projections will extend beyond those of the other studies...and become, therefore, more speculative. Thus, multiple scenarios based on different assumptions will be needed to fairly evaluate alternative proposals.

Marty Markowitz, Brooklyn Borough President, Letter dated February 19, 2004

The CPIP should assess broadly various other related effects of these measures. The measures recommended by the CPIP should have the potential to accommodate more than the expected increases in cargo traffic. Many of these effects are primary objectives of the other projects ...and are of particular interest to Brooklyn's citizens and commercial interests. They include a reduction of the City's dependence on truck deliveries and the intensive development of Brooklyn's waterfront in a way to spur economic revival, create more jobs, and enhance economic competitiveness. They also contemplate an integrated system of waterborne, rail and highway facilities for the movement of goods and people.

Marty Markowitz, Brooklyn Borough President, Letter dated February 19, 2004

A twinning of the Goethals Bridge, as proposed by the Port Authority, would eliminate current capacity constraints on that bridge with ripple effects throughout the I-278 corridor; therefore, an integrated plan formulated for the CPIP which is dependent on a twinning of the Goethals Bridge needs to be fully analyzed.

John Arntzen, ACTA Maritime Development Corporation of New York, B 25:3-24

We are very supportive of the development plans and the CPIP, and would encourage the Port Authority to look beyond the present-day technology that is employed in terminals today at what can be accomplished with technology to move containers quickly through the designs and again, new technology. Using sophisticated software and the strength of materials that are available today, terminal designs, as the one we are proposing for the Military Ocean Terminal Maritime Industrial District, which is called Speed Port. I would just encourage the CPIP to look beyond what is available today in terms of port design because the future will definitely depend on the ability to move much greater quantities of containers rapidly off even larger ships directly onto rail, and that's something that we're proposing to do today here in Bayonne.

Janine Bauer, General Counsel to the Tri-State Transportation Campaign, EL 18:8-14

Any comprehensive Port Improvement Plan will negatively affect the natural resources of the Estuary, but there are ways to develop a plan that respects the environment and cultural resource of the Estuary, and enhances the economy of the region and host communities.

Janine Bauer, General Counsel to the Tri-State Transportation Campaign, EL 23:8-19

In Europe where inner cities and port areas have cordon requirements and so forth, where trucks entering and leaving have to have or just operating in the cordon area have to operate on clean fuel or have new engines or, you know trap equipment and so and so forth, and that's the kind of thing that we want to see coming out of this port plan.

Janine Bauer, General Counsel to the Tri-State Transportation Campaign, EL 29:9-16

It's clear that efficiency and environment measures will get us through a very long period to come, and there's no need to resort to filling wetlands or open waters, further subsidizing diesel trucks and ignoring needed improvements for point, non-point, or dredge spoil sources of pollution. (Note: Submission of "Fostering "Green" Port and Rail Freight Development to Reduce Trucking and Protect Public Health, Neighborhoods and the NY/NJ Harbor Complex" as part of written comment.)

Carolina Salguero, Brooklyn resident, RH 41:5-42:15

In terms of things involving vessels, I would like to see some research on mid-stream unloading. Every time I bring it up, I don't have a definite answer yet. It goes on in Hong Kong. For those people who don't know, from what I understand, thirty percent of their goods are handled that way. What that means is the ship is actually unloaded not up at a dock, but out at anchor or on a mooring in the water. We have an awful lot of deep water in the Upper Bay. If that worked here, it doesn't require any dredging. It doesn't require filling. It doesn't require building infrastructure. It could happen soon. And, also, if, as I understand it, the Port Authority has started a PIDN, the Port Inland Distribution Network, to barge goods north to New England and south to Delaware, and there are other groups studying other ways of moving freight around, if we are going to be going in that direction. In other words, moving freight out on water. My question to those of you doing the study is, why even put the box on land. If the box is going to leave on the water, unload it on the water and get it out of here, you know, to reduce the box moves. The other thing was, if PIDN – oh, yes, CPIP's focus is internationally sourced cargo, but I was thinking and it seemed reasonable that if we are looking out to 2060, is there any way that you all could consider –if we are looking out to 2060, how much could CPIP incorporate, in some kind of way, goods that are also moving around domestically, and it is a question that I have.

Ernest Migliaccio, Brooklyn Community Board 6, RH 44:18-45:16

In addition to all the infrastructure changes, which obviously CPIP is going to get itself involved in, I've had the thought that there is some kind of information technology change or advancement that CPIP ought to become interested in. That is to say, I understand it now, somebody who wants to ship something to a specific place, let's say Brooklyn, from Amsterdam, writes the address on it, and it gets thrown into a large package and it is bound for New York, and it may be in a container that goes anywhere in New York. It may go to New Jersey. It may go anywhere. I'm wondering if CPIP shouldn't be involved in designing some kind of informational system, whereby the destination of a package can be necessarily routed more specifically before it even gets to the boat, so that all of this cross-harbor - - all the unnecessary cross-harbor traffic that come as a result of putting things in large clumps without any previous or preliminary breakdown, can be eliminated.

Curt Ward, Staten Island resident, SI 27:9-18

When are we going to stop trying to please the ship owners and start looking at our economy, saying, you know what, bring two ships in. Instead of one ship with four million TEU's on it a year, let's bring in twenty thousands ships a year. It's going to put that many more longshoremen to work. It's going to put that many more truck drivers to work. It's going to spread things out a little more evenly.

Curt Ward, Staten Island resident, SI 27:19-28-7

Do you have like in the Panama Canal, they call it Panamax? That's the biggest ship that's ever going to fit through the Panama Canal. Do you have a New York Harbor max calculated in this because in fifty years from now, I don't know, number one, are there still going to be containers because they weren't here fifty years ago, so who is to say they're going to be here fifty years from now. And it's got to reach a saturation point, where you can't - - the ships are just too big for New York. You have to bring two medium ships instead of one big one.

*Douglas Greenfield, AICP, PP / Mark Munley / Robert D. Cotter, AICP, PP / Rachel Kennedy
City of Jersey City, Department of Housing, Economic Development and Commerce, Written
Comments submitted at Jersey City Scoping Meeting, January 13, 2003*

The following Jersey City locations should be evaluated as part of the CPIP EIS for future PONY&NJ and related use:

1. Expansion of Port Jersey
2. Current municipal Port Industrial (PI) zone

*Andrew Willner, Executive Director of New York/New Jersey Baykeeper B 19:6-14 / Letter dated
February 12, 2004*

Based on the findings and data provided by previous studies by the Port Authority and the Corps of Engineers and the states, it is obvious to us and several in both the transportation and conservation community that the port of the 21st Century should be located in the Upper Bay, not Newark Bay, and connected to the rest of the region and the nation by rail.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper B 19:22-20:7

Critical to the success of any real change in the way we move goods is a shift from the perception that the Newark and Elizabeth ports are the preferred alternative to one that accepts the common sense premise that MOT, Global, Greenville Yards, and the Brooklyn Ports should be the area of concentration for the future port development. This does not mean that the Newark ports should be abandoned or that they are obsolete.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper B 20:20-22:3

Several factors lead to the inevitable conclusion the most efficient, greenest port, with the best opportunity for economic improvements and environmental quality of life benefits is the Hudson River Port Complex (HRPC) (MOT, Global, Greenville Yards, and the Brooklyn Ports). Development of this HRPC as a post-panamax ship port will require significant landside infrastructure improvements, as each of these larger ships will discharge thousands of containers at a time. That is why a marshalling yard at the Greenville Yards is an important component to this alternative. Containers can be unloaded directly to double stack trains for marshalling at Greenville, from MOT and Global, and be discharged directly to rail barges for distribution east of the Hudson and north. Ships can be unloaded in Brooklyn for distribution by barge to any waterfront rail yards in the region and for marshalling at Greenville Yards.

*William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/
Biologist, Letter dated February 7, 2004*

The alternative analyses under the CPIP EIS need to go beyond the ambitions of the Port Authority of New York and New Jersey. Would the traffic congestion and pollution caused by forcing additional millions of containers of marine cargo annually through one of the most populated and congested areas of the country on an archaic rail freight system justify using other ports of entry or a new alternative deepwater port serviced by dedicated rail lines and located somewhere along the Eastern Seaboard such as the Delaware Bay? Is there an immediate need to expedite improvement along the Great Lakes/St. Lawrence Seaway system? Does the fact that immediate and long-term increases in rail freight movements across New Jersey will: 1) cause conflicts with established patterns of commuter transportation across dozens of grade crossings across the state, 2) create the potential for traffic gridlock of both motor vehicles and commuter rail, 3) result in lost productivity as hundreds of thousands of vehicular and rail

commuters wait for freight trains to clear the tracks, 4) cause consequential losses of leisure time, 5) add tons of additional pollutants that freight trains and waiting vehicles and commuter trains will create, 6) add additional noise load along rail lines, 7) create odor pollution from loads of garbage, and 8) consequentially degrade quality of life ultimately indicate that there needs to be a better way to supply the northeastern North American continent? As an agency of the State of New York and the State of New Jersey, the Port Authority of New York and New Jersey has a responsibility beyond the ambitions of local importers and the desire to achieve exponential economic growth beyond the capacity of available infrastructure with no consideration of the deleterious effects on great numbers of the general population. As the ultimate approving authorities over the port expansion, the participating federal agencies have a responsibility for directing national policy, assuring that the application of federal policy does not place other ports at a severe competitive disadvantage, and finding solutions that limit adverse environmental impact and meet the needs of the entire country. The CPIP EIS should endeavor to meet those statutory mandates.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 14:17-15:3

Is it sensible to have the Port of New York and New Jersey be the only major inlet for imported goods in the whole northeastern segment of North America? It would appear that the loss of some of the business to Halifax, if you want to call it a loss, may actually be desirable, because it would set up the need to actually do the improvements along the St. Lawrence Seaway and the channels that exist within the Great Lakes.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 15:16-21

It would be more economical, more efficient, and more environmental friendly to concentrate some real effort in getting access to the Great Lakes through the St. Lawrence Seaway system sooner rather than later.

RESPONSE:

The master plan for the Port of New York and New Jersey that will be developed in the CPIP planning process, and evaluated in the CPIP EIS, will be defined explicitly to address the CPIP Project's purpose and need, and to fulfill the related goals and objectives, to the maximum extent possible. The CPIP Project's purpose is to prepare a port master plan and conduct the necessary environmental review such that the Port of New York and New Jersey will be positioned to accommodate projected cargo demand to the year 2060 in an economically viable and environmentally sustainable way, while also supporting the ongoing restoration of the harbor and its environment. Commentators' suggestions regarding possible port development scenarios will be evaluated in this context, to identify alternatives that are responsive to the project purpose and need; would best satisfy the project goals and objectives; and, therefore, warrant detailed analysis in the CPIP EIS.

The CPIP Plan will define a multi-phased program of port and associated transportation improvements, the different elements of which will be assessed in the CPIP EIS for different analysis years. Decisions regarding future implementation of improvements will require additional analyses after completion of the CPIP Plan and CPIP EIS.

Commentators' port improvement suggestions – ranging from specific infrastructure and technological improvements, to port site preferences, to environmental performance-

related preconditions for port operation, to issues related to shipping industry trends – will be considered in the development of CPIP alternatives. These investigations and their outcome will be documented in the CPIP EIS.

However, discussion of large-scale, regional economic development related to international trade for the nation, as a whole, is beyond the scope of the CPIP EIS. Similarly, concerns related to the economic impact of the CPIP to all ports on the East Coast and assurance that these ports will not be harmed by CPIP is beyond the CPIP EIS's scope of analysis.

Development of CPIP alternatives -- including both near- and long-term port and associated transportation improvements -- will be done in consideration of other proposed port-, freight-, and transportation-related initiatives and projects in the New York/New Jersey region (e.g., Cross Harbor Rail Freight Tunnel, Port Inland Distribution Network, Goethals Bridge improvements and/or expansion). The CPIP's relationship to projects that are programmed and committed for implementation will be investigated and reflected, as appropriate, in the CPIP alternatives. The CPIP Project will coordinate with other initiatives and projects that are either in early stages of project development or whose implementation is uncertain to ascertain how best to consider them in the development of CPIP alternatives.

Potential limitations on port development due to the port's associated landside transportation systems will be evaluated, and potential transportation improvements to address such limitations will be defined. The CPIP Project will coordinate with the appropriate state and local transportation departments (NYSDOT, NJDOT, NYCDOT) and the metropolitan planning organizations (New York Metropolitan Transportation Council, North Jersey Transportation Planning Authority) to receive recommendations of potential transportation improvements for evaluation in the CPIP EIS. The CPIP EIS will evaluate and document any potential significant adverse traffic and transportation, and related air quality and noise, impacts resulting from the port and associated transportation improvements; mitigation measures for any unavoidable impacts will be investigated and documented. Consideration of limiting port development activities in the absence of necessary transportation improvements is an issue to be addressed by regulatory agencies in their review of CPIP permit applications.

Q. POTENTIAL ASSOCIATED TRANSPORTATION IMPROVEMENTS

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

Inland and cross-Hudson transportation improvements should be designed to accommodate future energy and communication infrastructure. The (Co-Lead Agencies) should coordinate project planning with the New York State Public Service Commission, the New Jersey Board of Public Utilities, and the Federal Energy Regulatory Commission, as well as the Long Island Power Authority, the New York Independent System Operators, and individual power companies to consolidate transportation, energy, and communication projects. Coordination of projects involving regional infrastructure (Port, transportation, energy, and communication) will reduce the impacts on natural resources that result from multiple, uncoordinated linear projects and aquatic crossings. For example, the Federal Transit Administration and the New Jersey Transit Corporation propose to improve the existing rail system in New York City and Essex and Hudson Counties, New Jersey by 2015, via constructing an additional tunnel under the Hudson

River, and expanding rail lines. We recommend that (the Co-Lead Agencies) work with these agencies to develop a coordinated development plan that will accommodate energy, communication, and commuter transit infrastructure while meeting future Port capacity and transportation needs.

North Jersey Transportation Planning Authority, New Jersey Interagency Scoping Meeting, November 19, 2003

The CPIP Plan's transportation improvements should be taken as far as possible, but must also rely upon ongoing transportation planning projects.

New Jersey Department of Transportation, Bureau of Environmental Services, New Jersey Interagency Scoping Meeting, November 19, 2003

The proposed near-term transportation projects need to be detailed in order to be able to assess their potential impacts.

Richard T. Roberts, Chief Planner, New Jersey Transit, Letter dated February 13, 2004

We note that the section of the Scoping Document focusing on Rail Transportation (Section 5.C.2) mentions the word "passenger" only once, and seems to treat the level of passenger rail traffic as static in the analysis. The key sentence from the Scoping Document is: "Current and projected cargo volumes (emphasis added) on these lines will be identified by number of trains per day, including through freight, switching and passenger, or by number of rail cars per day."

It is imperative that this project consider future growth in rail passenger traffic as the CPIP analysis is undertaken...At the appropriate time in your study I ask that you contact me so that a meeting with appropriate NJ TRANSIT staff can be arranged.

Joseph Doria, Mayor, City of Bayonne, B 32:17-33:33

It was said that only twelve percent of the product that is moved out of our ports is moved on rail. It would be my priority that we increase that at least twenty-five to thirty percent because obviously rail is more environmentally friendly. It lessens the congestion and allows for the movements to take place easier. I would also think that barging of product would also be important. Given the waterways that surround the various ports in this area and the ease of movement between the various facilities and sites by water, it would seem that barges also would be another means that should be considered.

Douglas Greenfield, AICP, PP / Mark Munley / Robert D. Cotter, AICP, PP / Rachel Kennedy, City of Jersey City, Department of Housing, Economic Development and Commerce, Written Comments submitted at Jersey City Scoping Meeting, January 13, 2003

The CPIP EIS should also identify and evaluate existing and potential cargo transportation modes, routes, technologies and capacity throughout the 17 state area. The evaluation may consider the expansion of certain existing local, regional and multistate road and rail freight routes, as well as the creation of new routes. Particular emphasis should be placed on identification of cargo transportation improvements that will be most efficient and have the least negative local and regional environmental impacts.

*Douglas Greenfield, AICP, PP / Mark Munley / Robert D. Cotter, AICP, PP / Rachel Kennedy
City of Jersey City, Department of Housing, Economic Development and Commerce, Written
Comments submitted at Jersey City Scoping Meeting, January 13, 2003*

PANY&NJ transportation infrastructure should be evaluated for potential positive and negative impacts on the City of Jersey City. Specific road and rail projects should also be examined as part of the CPIP EIS, as follows:

- Road:

1. *General Scope*

Port generated truck traffic is only a small percentage of regional truck movement, and the CPIP would seem to advance potential solutions for dealing with port-related traffic as distinct from other truck movement. However, to the extent that port-related truck movement shares the roadway with all other trucks, should the CPIP be expanded to consider the larger concern of truck movement in general?

2. *Local Streets*

Port-related truck traffic should be prohibited from the local street grid. Particular concern should be directed to keeping port trucks away from Communipaw Avenue. It provides a major east-west route across the city without fee, and may be attractive to trucks. However, Communipaw Avenue also bisects a number of residential neighborhoods, and should serve as an attractive gateway to the City. Port traffic should be prohibited from Communipaw Avenue.

3. *Boulevardization of State Highway 440 in Jersey City*

The City of Jersey City is currently evaluating a proposed Bayside Redevelopment Plan, which calls for the removal of truck route status from State Highway 440 in Jersey City. Potential alternative roadways for truck routes should be identified, and the impact of the removal of Route 440 from the port cargo movement system should be evaluated.

4. *Casciano Bridge – Second Deck*

The Casciano Bridge is located at the point at which the New Jersey Turnpike Extension crosses Newark Bay. New Jersey's Portway program proposes to add additional on and off ramps to the bridge to improve port truck access. However, in its current condition the bridge is sometimes highly congested and very slow moving. Additional bridge capacity may be needed in order to facilitate efficient movement of port-related truck traffic along this proposed Portway Route.

5. *Holland Tunnel Truck Ban*

The post 9/11 ban on trucks appears to have greatly improved vehicular traffic flow to and through the Holland Tunnel. The benefits to commuter travel time and local air quality from continuing this ban should be evaluated.

- Rail:

1. *Cross Harbor Freight Movement Project*

The Cross Harbor Freight Movement Project strives to examine ways to improve rail freight linkages between Brooklyn, geographic Long Island, and the rest of the continental United States. The Cross Harbor Project should not proceed in isolation, nor advance, of the CPIP process. Instead, it should occur within the context of a Comprehensive Port Improvement Program,

with due consideration on its role in linking all of the PONY&NJ ports to RDCs throughout the 17 state area. The CPIP EIS should also balance proposed capital expenditures under the Cross Harbor Project with other capital expenditures that will likely be needed as part of CPIP throughout the PONY&NJ and 17 state area.

Within this framework, the CPIP should evaluate all of the potential alternatives that would be considered by the Cross Harbor Project, as follows:

- a. One and two track rail freight tunnel alternatives from Brooklyn to Jersey City
- b. One and two track rail freight tunnel alternatives from Brooklyn to Staten Island, with an eastern Staten Island rail alignment.
- c. One and two track rail freight tunnel alternatives from Brooklyn to Staten Island, with a western Staten Island rail alignment to Tottenville.
- d. One and two track rail freight tunnel alternatives from Brooklyn to Newark, New Jersey
- e. Hudson River bridge crossing at the Bronx.
- f. Hudson River bridge crossing at Westchester County.
- g. Use of existing Hudson River bridge crossing at Poughkeepsie, NY.
- h. Improved rail car float system.
- i. Shared freight and passenger use of the ARC rail tunnel from New Jersey to Manhattan.

2. *Lehigh Valley Drawbridge*

The Lehigh Valley Drawbridge across Newark Bay provides a critical freight rail transportation link to Jersey City and Bayonne. The ability of the bridge to handle increased freight rail capacity as Jersey City and Bayonne port activity increases should be evaluated, as well as the feasibility of expanding bridge capacity.

Douglas Greenfield, AICP, PP / Mark Munley / Robert D. Cotter, AICP, PP / Rachel Kennedy City of Jersey City, Department of Housing, Economic Development and Commerce, Written Comments submitted at Jersey City Scoping Meeting, January 13, 2003

The extent to which valuable port land is used for port worker parking should be minimized through implementation of mass transportation alternative. Port areas should be linked to local and regional transit systems. Modes to consider should include bus, jitney, ferry, and light rail.

Christis Genes, Lieutenant, Hudson County Sheriffs Department, Written Comments Submitted at Bayonne Scoping Meeting, January 15, 2003

Would there be a dedicated roadway from the NJ Turnpike Extension to the Bayonne Peninsula?

Arnold Cohen, Policy Director, Housing and Community Development Network of NJ, NWK 45:25-46:4

I like the idea of looking at rail, and I would encourage you to expand that look, and that whole rail system could be one that serves multi-functions.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper B 22:9-23 / Letter dated February 12, 2004

Even if the Portway project is part of the CPIP scope of work, there will need to be a significant increase in rail capacity and efficiency. In this regard, we suggest the CPIP EIS include as one of its goals a two track, double stack container route through the Bergen Arches. Essentially, this rail route would serve as the East Coast version of the Alameda Corridor, and would provide the capability to handle most of the arriving cargo with on-dock rail. As we develop the HRPC (MOT, Global, Greenville Yards, and the Brooklyn Ports) and the new Alameda Corridor for the East Coast, the region gets a competitive post-panamax ship port with less impact on roads and air quality. The other benefits are significant taxpayer savings from the Newark Bay alternative and improve rather than diminish the quality of life.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

For the cost of studying the feasibility of a Cross Harbor Freight Tunnel, an entire cross harbor float system – a rail barge transit of goods from Brooklyn to Jersey City and several other rail yards located on the water - could be implemented. We believe the member agencies will agree that for CPIP to truly be a comprehensive plan for the port of New York and New Jersey, one that actually changes the modal split to favor rail, is protective of human health and the environment, and uses common sense decision making – consideration of a Cross Harbor Freight Tunnel must be included.

Neil Kronley, Metropolitan Waterfront Alliance. SB 48:13-49:8

I was curious about the transportation enhancements, specifically with truck traffic, considering the Gowanus Expressway and what types of things will be used to mitigate that already precarious and overstuffed corridor?

Carolina Salguero, Brooklyn resident, RH 43:12-19

We can't keep up with the maintenance of our roadways because they are so heavily trucked. The air quality is awful and so what I really hope is that that CPIP not only comes up with some interesting loading solutions and vessel tie-up solutions, but really address this bottleneck problem with trucking.

James Greller, Alan M. Voorhees Transportation Center of Rutgers in University, B 27:4-9

The rail connection into that pier (Bayonne cargo facility) is of the utmost importance. No matter what else happens in the highways, if we have an incredible highway system, we still have to have the adequate rail system in which to move this material in and out.

James Greller, Alan M. Voorhees Transportation Center of Rutgers in University, B 27: 14-19

We have to utilize the Bergen Arches as a multi-faceted conduit in which to propel a lot of freight, motor vehicle and also other transportation through that particular area. That is key.

James Greller, Alan M. Voorhees Transportation Center of Rutgers in University, B 28:16-19

Greenville Yards is another key thing. Those warehouses could choke off any possibility of us having to be able to handle the freight in this area.

Mitch Schneiderman, Township of Millburn resident, B 23:17-23

The issue of rail, is the inefficiency having more to do with this double-tracking concept or where are the choke points, in terms of being able to more efficiently and quickly unload and then load onto rail in any of these existing ports and proposed ports?

Michael McMahon, New York City Councilman from the North Shore 49th District, SI 41:17-20

Are you considering in this analysis the eventuality that there will be a cross-harbor tunnel being built or is that something that you will not look at?

Candie Ferrazzoli, Staten Island resident, Written Comments Submitted at Staten Island Scoping Meeting, January 8, 2004

I just keep thinking...what comes in has to come out...how do we prepare for that? Absolutely, there must be a rail system in place for freight and hopefully a passenger/freight type system connecting Staten Island to Jersey and Brooklyn. Ideally Staten Island should have a direct rail link to Manhattan. It is important to consider failure of a system, if one system becomes disabled, there should be a back-up plan (or disaster plan). We have to consider safety and disasters in our future planning to be prepared for 9/11 type occurrences, hopefully not as severe but defiantly a reality. There should also be some redundancy of transportation available, like a rail system in Jersey along with the connection on Staten Island. The Bayonne area can easily connect with the Island by rail, if political will allows it.

Staten Island really needs relief from truck traffic. The "Corridor Study" proves this. The air quality is really bad, you can see a dirty yellowish cloud in the air most of the time when driving down some of the hills of Staten Island (summer is the worst). There needs to be some alternative transportation method, like rail, for cargo with a destination other than Staten Island. This should be thought out carefully and perhaps consider barging cargo destined to Staten Island or Jersey from other sites. There is a need to consider preparing for truck traffic headed to Jersey from other sites than Staten Island, which could potentially happen since they are considering building a Goethals Twin bridge, located near Howland Hook.

Finally, since Staten Island is the only borough in New York City with capabilities of a national rail connection, they should be not left out of the loop. Environmentally speaking I feel that the rail and waterway systems are probably the best.

Janine Bauer, General Counsel to the Tri-State Transportation Campaign, EL 21:3-8 /

Considering the high level of respiratory disease in urban counties in the metro New York area, examining ways to reduce port-related truck trips is necessary to protect the environment and public health.

Reverend Joseph Parish, St. John's Parish/New Jersey Environmental Watch, EL 31:21-32:11

Trains, which would probably cut the traffic by half or maybe more than a half, would certainly be the way to go to reduce the particulates. The problem in traffic, is if you end up with idling cars, you're going to have more particulates than normal coming out of the vehicles. So you're going to have to have - - there will need to be some sort of study to know where you would potentially have to add rail bridges. To use the current rails without assuming that they need to be upgraded, I think is not reasonable.

*William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/
Biologist, Letter dated February 7, 2004*

The CPIP EIS may very well have to identify the point at which the Port's contribution to rail freight flow is so considerable that complete grade separation is the only alternative, because the motor vehicle delays caused by having freight trains blocking roadways will actually cause a demonstrable loss of truck carrying capacity on affected and nearby roadways. Some of this loss of truck carrying capacity would result from motor vehicles seeking alternative routes to avoid block grade crossings. This competition for access to grade crossings and consequential loss of combined road and rail carrying capacity does not appear to be factored into Port Authority projections, because the Port Authority is presenting data as if road and rail are isolated entities. Clearly, they are not.

RESPONSE:

Potential transportation improvements associated with the CPIP port improvement alternatives for each of the port facilities under study will be identified in coordination with the appropriate state and local transportation departments (NYSDOT, NJDOT, NYCDOT) and the metropolitan planning organizations (New York Metropolitan Transportation Council, North Jersey Transportation Planning Authority). These agencies will provide recommendations of potential transportation improvements for detailed evaluation in the CPIP EIS. Identification of transportation improvements will be based on evaluation of existing and projected roadway and rail network capacities (assuming background traffic growth, projected commuter rail ridership growth, and implementation of programmed and committed projects for the future condition). Based on these capacity analyses, choke points for vehicular/truck and train movements in the roadway and rail systems, respectively, will be identified. The potential transportation improvements associated with the port improvement alternatives are likely to be local, in the port sites' vicinities, where they may be expected to reduce congestion and improve future cargo flows, and/or induce shifts of cargo movement from truck to rail or waterborne modes.

Commentators' suggestions regarding potential transportation improvements will be investigated. During Phase II of the CPIP EIS scoping process, potential port and associated transportation improvement alternatives identified for environmental impact evaluation in the CPIP EIS will be presented for agency and public review and comment.

Pertinent agencies and other transportation planning studies (e.g., Cross Harbor Freight Tunnel EIS, Portways Study, Goethals Bridge EIS, Gowanus Expressway EIS, etc.) will be consulted during development of potential transportation improvements that will be associated with port facility improvement alternatives.

R. PROJECT PURPOSE AND NEED

Federal Aviation Administration, Federal Interagency Scoping Meeting, November 20, 2003

The EIS should examine the potential for increases in air freight cargo and the development of the A380 (Airbus) as an example of an industry change that might increase the importance of air freight for the Port of New York and New Jersey region.

Janine Bauer, General Counsel to the Tri-State Transportation Campaign, EL 27:21-28:14

We do have continuing concerns that the planning process will not be as forward-looking as possible, and that it will lapse into the possible, feasible and practical. We were especially alarmed at a pre-scoping stakeholder meeting in October, when a power point

presentation was shown, which sort of carried the tired balance of the environment against economic development theme. It's clear that we should be pursuing both objectives, and that we can serve both masters.

Cindy Zipf, Executive Director, and Kristen Milligan, PhD, Staff Scientist, Clean Ocean Action, Letter dated February 12, 2004

Regarding page 3 (3.0 Purpose and Need for the Project.) of the Draft Scoping Document [commentator actually referring to Public Scoping Information Packet]: One purpose of the comprehensive port improvement plan and the required environmental review should be “support the ongoing restoration of the Harbor and its environment, including the reduction of toxics in the water, sediments, and food chains.”

Cindy Zipf, Executive Director, and Kristen Milligan, Ph.D., Staff Scientist, Clean Ocean Action, Letter dated February 12, 2004

Regarding page 4 (The port seeks to be a good neighbor to its host communities.) of the Draft Scoping Document [commentator actually referring to Public Information Scoping Packet]:

- Define “Green Port.” A Green Port should be compatible with the ecosystem and its natural resources and require industries serviced by the port to be consistent with natural resource restoration and preservation program. For example: airports should control runoff of deicing fluids so they do not enter waterways and dredging should be minimized and use environmental techniques. Additionally, a Green Port should be sustainable – for example, not require frequent maintenance of dredging.
- Regarding programs to restore the Harbor’s natural resources: The document states “The CPIP will be consistent, to the extent possible, with the goals of these programs....” Delete the phrase “to the extent possible.” The CPIP **must** be consistent with programs for restoring the harbor’s ecosystem. If the CPIP is not consistent, then it will undermine any progress to restore this impacted harbor estuary. Any alternative other than consistency is not acceptable.

RESPONSE:

The Project’s purpose and need is to plan for the future development of the Port of New York and New Jersey such that it will be positioned to accommodate future cargo growth in a way that is *both* economically viable and environmentally sustainable. Various elements of the CPIP Plan and CPIP EIS development will be coordinated with other projects and initiatives in the New York/New Jersey region, including the programs focused on restoring the harbor’s ecosystem. Supporting ongoing restoration of the harbor and its environment is an integral part of the CPIP Project’s purpose and need.

A “Green Port” is one that is developed, managed, and operated consistent with avoiding, preventing, minimizing, mitigating, and/or remediating *port-related* environmental impacts. Green port techniques and management practices are applied by port authorities and port facility owners and operators to address port-related effects on the natural environment and surrounding host communities. The CPIP Project will investigate and apply appropriate “green port” technologies and management measures during the development of potential port improvements for the Port of New York and New Jersey.

As the CPIP Project’s purpose is to plan for future Port development for the handling and transport of ocean-borne cargo, issues of air freight cargo and the air freight industry are beyond the scope of the CPIP Plan and CPIP EIS.

S. PUBLIC OUTREACH AND INTERAGENCY COORDINATION

New York State/New York City Interagency Scoping Meeting, November 13, 2003

Outreach should include port operators and users.

New York State Department of Environmental Conservation, New York State/New York City Interagency Scoping Meeting, November 13, 2003

CPIP should consider establishing an interagency working group(s) to reach consensus on evaluation methodologies and models to be used in the CPIP EIS; environmental categories mentioned for interagency working group discussion included for air quality, hazardous materials, and land use (land use was noted specifically for issues near Howland Hook). The CPIP Steering and Management Committees should discuss which interagency working groups should be established and which agencies should be involved.

New York State/New York City Interagency Scoping Meeting, November 13, 2003

The CPIP project should provide many opportunities for dialogue with agencies rather than just at single points within the project timeframe.

New Jersey Department of Transportation, Bureau of Environmental Services, New Jersey Interagency Scoping Meeting, November 19, 2003

CPIP should get in touch with the Title VI Environmental Justice Office for ideas on how to identify stakeholders.

New Jersey Department of Transportation, Bureau of Environmental Services, New Jersey Interagency Scoping Meeting, November 19, 2003

The CPIP Management Committee should establish ad hoc working groups to discuss and reach consensus on evaluation methodologies, and the project should prepare technical memoranda on methodologies and distribute to the pertinent agencies, with sufficient time for review.

New Jersey Interagency Scoping Meeting, November 19, 2003

CPIP should invite the rail companies, as businesses, to become involved.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, Letter dated February 7, 2004

Confining the scheduling of CPIP public meetings solely to port communities leaves other communities, especially those along affected rail freight lines, woefully unaware of potential negative impacts caused by port expansion.

Because of the effect that this freight will have on the suburban communities, and even as far as Hunterdon County, I would think that there needs to be public outreach to a number of the communities that exist on these freight lines that are suddenly going to see massive amounts of freight coming through.

The idea is to reach out to these people before the rail traffic increases and decide if we have a good plan or not. We have a plan, I guess, but do we have planning in order to try to alleviate the sorts of problems that the traffic will involve.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, Letter dated February 7, 2004

...there is a need for public outreach that would present more meaningful data to the general public, and present data that is comprehensive and comparable in scale with regard to the presentation of the positive and negative impacts of port expansion.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 13:11-13

I think we need to look at the overall aspects of port expansion from the politics that are involved.

RESPONSE:

A public participation program has been developed and implemented to meet the requirements of NEPA, as well as state and local environmental review requirements. Recommendations on how to increase CPIP outreach are appreciated and are being considered. Outreach to port operators, port users, and rail companies has been conducted for the CPIP Plan, and input received through such outreach will continue to shape Plan development. Outreach to environmental justice groups was initiated prior to the first scoping phase for the CPIP EIS, and will continue. Commentator's suggestion that public meetings be held in other than port host communities for discussion specifically of rail freight-related issues will be considered more fully as potential transportation improvement options are developed in the CPIP Plan and evaluated as alternatives in the CPIP EIS.

T. RELATED PORT ACTIVITIES AND STUDIES

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The Service supports statements in the Draft Scoping Document that the CPIP planning process will be coordinated with EPA's New York-New Jersey Harbor Estuary Program and the Corps' Hudson-Raritan Estuary Restoration Study. Close coordination with these environmental restoration efforts will help steer Port developments away from the most environmentally sensitive area, and may provide opportunities for needed habitat restoration and enhancement through compensatory mitigation for any unavoidable adverse impacts on aquatic resources from Port activities.

New York State/New York City Interagency Scoping Meeting, November 13, 2003

Given EPA's involvement in the CPIP EIS, should consider holding a meeting with the Harbor Estuary Program (HEP), separate from the interagency scoping meeting.

Marty Markowitz, Brooklyn Borough President, Letter dated February 19, 2004

The CPIP studies should make maximum use of the information already available from previous and ongoing studies related to Brooklyn's waterfront. Three closely related current studies are the Cross Harbor Freight Movement Project (CHFM), the Gowanus Expressway Reconstruction DEIS, and the East of Hudson Rail Freight Infrastructure Needs Assessment. Other ongoing studies specifically related to cargo movements affecting Brooklyn include the redevelopments of the South Brooklyn Marine Terminal, the Brooklyn Marine Terminal, and the Red Hook Container Terminal.

Marty Markowitz, Brooklyn Borough President, Letter dated February 19, 2004

While truck movements in the vicinity of the waterfront facilities must be a primary focus, the studies should consider and incorporate all useful information that may be gleaned from the many ongoing traffic studies of all modes of transportation and that extend throughout the entire metropolitan New York region. For example, the ongoing Southern Brooklyn Transportation Investment Study considers both road and rail traffic, and both people and commodities, but will limit its recommendations to a point in time much shorter than the 2060 time horizon of the CPIP. A common data base needs to be established for the project.

Marty Markowitz, Brooklyn Borough President, Letter dated February 19, 2004

Based on experience with other study projects in Brooklyn, local community boards and local citizen organizations can provide valuable interactions with the planners and analysts of the CPIP organization. If advantage is taken of these community resources, the conclusions of the CPIP (particularly the shorter term projections and recommendations) will be realistic and acceptable to the community.

Arnold Cohen, Policy Director, Housing and Community Development Network of NJ, NWK 47:14-20

It would be nice to see what is the status of dredging and how does it relate to the overall project.

Carolina Salguero, Brooklyn resident, RH 43:2-5

How much is Port Inland Distribution Network in the CPIP concept, and if it is, are you guys looking at ways to pay for it and ways to move things around that way?

Reverend Joseph Parish, St. John's Parish/New Jersey Environmental Watch, EL 36:19-24

Since part of the increasing of the utility of the port here will include dredging, where will the spoils go and why aren't they including the cost of decontamination as part of the work.

RESPONSE:

CPIP Plan and CPIP EIS development will be coordinated with other relevant studies, projects, and initiatives in the New York/New Jersey region, including those identified by scoping commentators. This coordination will extend, as necessary and appropriate, to identification of mitigation for unavoidable impacts. Information and data pertinent to the CPIP Project will be obtained from such sources. Similarly, project staff has consulted, and will continue to do so, with local community boards, community organizations, and other such entities on specific issues. Coordination and consultation activities with other studies and local sources of information have been initiated and will continue through the course of the CPIP Project.

The investigation of port-related traffic and transportation needs and effects associated with proposed port improvements will be coordinated with pertinent studies; such coordination activities have already been underway. Any appropriate and applicable data and information obtained from such studies will be used, to the extent possible. However, the CPIP Project will not create a common database with other studies, due to issues related to the studies' different geographic scopes, currency and completeness of datasets, and differences in data needs and technical methodologies.

Dredging related to deepening federal channels was addressed in the *New York and New Jersey Harbor Navigation Study Environmental Impact Statement* (FEIS, 1999) and in subsequent permit applications and approvals. Current and future dredging is under the purview of the U.S. Corps of Engineers and the Port Authority of New York and New Jersey. As noted in the Draft Scoping Document, “Irrespective of the CPIP, deepening of the Port’s channels to 50 feet has been approved and funded, and channel improvements in the Port are underway (p. 12).” On that basis, the CPIP Plan and CPIP EIS will be developed with the assumption that dredging for channel deepening will continue, as approved and funded, with remaining issues to be addressed outside the scope of the CPIP EIS.

Impacts related to dredging and construction of berths at Port facilities, if identified as an element of a port improvement alternative, will be evaluated in the CPIP EIS. Impacts of dredging berths would include those associated with disposal of dredge materials. Summaries of dredging activities conducted throughout the harbor at other marine facilities (e.g., marinas, marine transfer facilities, and passenger terminals) are not within the scope of the CPIP EIS.

U. SECONDARY AND CUMULATIVE IMPACTS

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The final Scoping Document should include a detailed description of the methods that will be used to address cumulative and indirect adverse impacts to natural resources associated with new road and rail construction, improvements to existing infrastructure, and the associated residential and commercial sprawl.

New Jersey Department of Environmental Protection, New Jersey Interagency Scoping Meeting, November 19, 2003

The CPIP EIS needs to address NJDEP’s concerns regarding inclusion of assessment of secondary and cumulative impacts of assuming the harbor’s 50-foot deepening is part of the future No-Action.

Robert Belzer, Director, New Jersey Coalition Against Aircraft Noise, Letter dated December 7, 2003 and e-mail dated December 7, 2003 / Laura B. Diamond, Maywood resident, e-mail dated December 13, 2003

The Port Authority of New York and New Jersey terminal facility in question lies within a severe non-attainment area for air pollution within the state of New Jersey. The Port Authority of New York and New Jersey and the Federal Aviation Administration’s growth projections for Newark Liberty International Airport, adjacent to the port facility and operated by the Port Authority of New York and New Jersey, forecast substantial increases in aircraft operations at Newark Airport for the foreseeable future. The National Environmental Policy Act requires the study of cumulative impacts of all projected growth activities in an area to gain a true impact on air quality. In order to better access the contribution to the air quality problem in the Newark area, the Environmental Impact Statement (EIS) should include an inventory of current and projected future emissions from all sources including trucks, air craft, ships and ground services for the port facility, and as well as Newark Airport.

The 1999, U.S. Environmental Protection Agency study, “Evaluation of Air Pollutant Emissions from Subsonic Jet Aircraft,” concluded that emissions from Newark Airport

are expected to increase materially. For instance, the study estimates an increase in nitrogen oxide of 92% between 1990 (base year) and 2010. Given the non-attainment air pollution status for the project vicinity, all activities that might increase air pollution must be scrutinized carefully and appropriate mitigation measures considered.

Note – Mr. Belzer submitted highlights of the USEPA Study as part of his written comments.

Robert Belzer, Township of Millburn resident, NWK 56:14-20 / Written Comments submitted at Newark Scoping Meeting, December 4, 2003

I would also like to reference that studies (USEPA studies) indicate that the emissions from Newark Airport reflect a possible doubling of emissions from that facility, and that's obviously a concern as well, and it should be, obviously addressed in the scope of the EIS. (Note – Mr. Belzer submitted highlights of the USEPA Study as part of his written comments.)

Janine Bauer, General Counsel to the Tri-State Transportation Campaign, EL 27:13-20

We've read the Federal Register notice, and are hoping you pay close attention to especially the indirect and cumulative impacts of expanded port operations, but since everything seemed to be listed there, we really don't have anything to offer that seems to be missing or a gap.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

In addition to the direct impact..., the study should determine how all alternatives affect secondary development, economic growth and possible changes in land use and neighborhood character over time.

RESPONSE:

The CPIP EIS will address secondary impacts (i.e., impacts associated with project-related induced growth). Additionally, cumulative impacts will be evaluated per procedures and guidance provided in the Council on Environmental Quality's "Considering Cumulative Effects Under the National Environmental Policy Act" (1997) and other regulatory guidance (e.g., *CEQR Technical Manual*, 2001). Technical methodologies for conducting these evaluations will be defined and applied, as directed by the CPIP EIS Co-Lead Agencies in consultation with pertinent regulatory and resource agencies.

V. SECURITY CONSIDERATIONS

Robert Alpern, Retired from the New York City Department of Environmental Protection, SB 26:20-27:14

My understanding is that security issues related to the port were handled by the port security plan that the Coast Guard was preparing for the Department of Homeland Security and was to be submitted in November, I understand that the security plans are not necessarily going to be public knowledge. Yet, in fact, we know that the security issues are probably going to drive much of what happens in the port in the coming fifty years. Is this EIS going to deal with security issues, and how can we as citizens, who are not going to have security clearances required to really review these plans, going to be able to deal with that issue? How are you, in fact, handling that? So, there are issues relating to security that need to be resolved.

RESPONSE:

As noted in the comment, issues of port security are being addressed by the United States Coast Guard. In coordination with the Coast Guard, the Port Authority of New York and New Jersey is also addressing port security issues. The CPIP EIS will not investigate port security nor identify port security measures, but will describe the Coast Guard's and Port Authority's efforts and plans, to the extent that they are publicly disclosed by the agencies.

W. STUDY AREAS

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-A, page 23, para. #3 (i.e., of the Draft Scoping Document): the study area may (probably will) vary with each "No Action" alternative and "analysis year."

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-A, page 23, para. #5 (i.e., of the Draft Scoping Document): the size of the "regional transportation study area" must be large enough to evaluate all potential impacts, and may vary with each "No Action" alternative and "analysis year."

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, Letter dated February 7, 2004

Existing patterns of distribution and the expansion plans of the Port of NY/NJ reach well beyond the twenty-five mile radius of the CPIP EIS Regional Study Area, and certainly extend across the northeastern North American continent. Accordingly, the alternative analyses conducted under 40 CFR 1502.14 will have nationwide significance and will have impact on national policy regarding the desirability of moving as much of the marine cargo for the northeastern North American continent through the Port of NY/NJ and across one of the most populated and congested areas of the country by road and rail.

RESPONSE:

Local study area(s) for each port facility and regional study area(s) for the entire port network will be defined following identification of port improvement and associated transportation improvement alternatives, to ensure that the study areas encompass sufficient area to comprehensively evaluate all potential local and regional impacts. Study area boundaries will vary by environmental impact category and, potentially, by analysis year, the latter depending on the specific elements and phasing of a given alternative.

Following identification of alternatives for evaluation in the CPIP EIS, and definition of local and regional study areas, the second scoping phase for the EIS will be held, to elicit public review and comment on the study area boundaries, as well as the alternatives that will be evaluated in detail.

X. TRAFFIC AND TRANSPORTATION IMPACT ASSESSMENTS

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-C-1, page 34, para. #1 (i.e., of the Draft Scoping Document): within the larger study area, traffic impact analyses should be conducted irrespective of whether or not specific “port-generated traffic” would be large enough to cause adverse impacts. “Background” conditions, together with even small “additions” of port-generated traffic may be large enough to result in adverse impacts.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-C-1, pages 34-35 (i.e., of the Draft Scoping Document): it will be difficult (if not impossible) to conduct these analyses (i.e., traffic and transportation) on all but the most current “No Action” alternative and “analysis year” conditions.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

Traffic analysis protocol and back-up data should be submitted to DEP in order to properly review potential adverse air and noise impacts.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

The alternatives should be evaluated based on their impacts on congestion and traffic patterns. As with air quality, the study will look closely at the tradeoffs between improved regional traffic movement, and potential local traffic problems surrounding intermodal terminals.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 5:23-6:18

We have a 19th century rail freight system that will suddenly be expected to co-exist with a 21st century set of vehicular and commuter rail facilities. In Union County alone on the two short-lines, the Rahway Valley and the Staten Island, we have twenty-four crossings at grade in one of the most densely populated areas of the country. So, our concerns exist here because what will happen when freight begins to move across Union County and begins to shut off a number of significant roadways in Union County, and that includes Route 22 on the Rahway Valley, in Union.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 7:12-8:2

I would even be concerned that there is a significant amount of commuter rail that is going to be affected by the eventual volume of freight that will move along these lines. The Lackawanna, from Summit on through Morristown and up to Dover, already has some capability to move freight. They service a chemical plant in Berkeley Heights, but there’s an abandoned freight siding in Millington that, believe it or not, could probably attract an intermodal truck distribution facility there if the amount of freight coming out of the port is significant enough.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 8:18-9:6

I would anticipate that if there is any significant amount of freight coming up to Staten Island, and then transferring over to the Rahway Valley or somehow or other moving onto the Lehigh Valley, you're going to cause a bottle neck there that will affect commuter rail. The problem is that, you know, with rail having the right of way, we will have the imminent capability to create gridlock all along these archaic freight lines.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 9:17-23

If we begin to increase the number of trains that go through (the Township of Clark), I would anticipate an increase in the amount of gridlock that would occur in Clark, and I would anticipate the same sort of increases all along the line.

William T. Fidurski, Township of Clark Resident/Retired from the U.S. Public Health Service/Biologist, EL 12:14-24

All of the delays that become built into the traffic system are going to cost people money from the standpoint of productivity, and that is whether or not they're haulers or whether or not they're people who are on their way to work. Once you deprive people of time, you deprive people of productivity, and that needs to be factored into the equation when you set up a model to look at traffic patterns in the area.

Janine Bauer, General Counsel to the Tri-State Transportation Campaign, EL 22:20-24

It is extremely important to focus on the port-related truck traffic, even though it's actually a tiny portion of the overall background traffic and even a small portion of the truck traffic.

Carolina Salguero, Brooklyn resident, RH 39:12-40:2

I wanted to make one comment. This came up at the last Stakeholder Committee Meeting where I was, about the low percentage of trucks at seven percent. It was discussed in that meeting, but I wanted to put it out here in front of the public who is here, that the seven percent figure was kind of misleading because a truck has much more effect on other traffic than a car does, and we all know from driving, or those of us who drive, had that sort of domino effect of how it slows things down. So, I don't know how you can sort of maybe describe trucking's effect, but to simply use the statistic of seven percent doesn't really capture it.

RESPONSE:

Potential transportation improvements associated with the CPIP port improvement alternatives for each of the port facilities under study will be defined by evaluating capacity of the existing and projected roadway and rail networks (assuming background growth and implementation of programmed and committed projects for the future condition). Based on these analyses, choke points for vehicular/truck and train movements in the roadway and rail systems, respectively, will be identified. Local transportation improvements in the port sites' vicinities that may reduce congestion and improve cargo flows, and/or induce shifts of cargo movement from truck to rail, will be identified for detailed evaluation.

Following identification of the transportation improvement elements of the CPIP alternatives, local and regional study areas will be defined for the assessment of potential local and regional impacts associated with such transportation improvements. The study

areas will be presented during Phase II of the CPIP EIS scoping process, for agency and public review and comment.

As for all of the environmental impact categories, detailed evaluation will be conducted of potential transportation improvements that would be recommended for implementation in early stages of the CPIP Plan. In addition to considering port-related truck traffic, the impact analyses will include overall port site-generated traffic, including employee-based auto trips. Later-phase transportation improvements for which later analysis years will be defined will be evaluated in a general, qualitative way. A Traffic/Transportation Methodology Report will be prepared for review by a Traffic/Transportation Interagency Working Group that the CPIP EIS Co-Lead Agencies and Management Committee will establish to obtain consensus from pertinent transportation agencies on the analytical methodology for impact assessment.

There are a number of grade crossings in the region that may be affected by rail-related transportation alternatives and future growth in rail freight volumes. Growth in rail freight volumes would generally affect only mainlines and secondary routes to/from the port sites under study. Since much of the region's freight rail network is constrained today, the principal future impacts would occur on lines where track infrastructure and/or signal systems would have to be upgraded to accommodate future growth in rail freight demand. The CPIP EIS will evaluate potential impacts to vehicular traffic at selected representative at-grade crossings in the study area. In addition, since some of the busiest segments of rail line in the New York/New Jersey region carry both freight and passenger trains, the traffic impact analyses at representative at-grade crossings on such dual-use line segments will consider the combined volume of freight and commuter trains.

Other studies (e.g., Cross Harbor Freight Tunnel EIS, Portways Study, Gowanus Expressway EIS, etc.) will be consulted during the traffic/transportation analyses regarding data, information, and assumptions that may be pertinent to the evaluation of traffic/transportation impacts of the CPIP alternatives.

Y. UTILITIES AND INFRASTRUCTURE IMPACT ASSESSMENTS

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

Include the analysis of any impacts on wastewater and water supply infrastructure. Furthermore, include the possibility of obtaining DEP permits for such infrastructure.

RESPONSE:

Potential impacts of alternatives on utilities and infrastructure will be addressed in the CPIP EIS. All permits, approvals, and authorizations, including those from NYCDEP, required for implementation of any given alternative will be identified in the EIS.

Z. WAREHOUSING/DISTRIBUTION CENTERS

Douglas Greenfield, AICP, PP / Mark Munley / Robert D. Cotter, AICP, PP / Rachel Kennedy, City of Jersey City, Department of Housing, Economic Development and Commerce, Written Comments submitted at Jersey City Scoping Meeting, January 13, 2003

Some portion of the cargo that is offloaded from ships into the PONY&NJ may need to be transported to Regional Distribution Centers (RDCs) throughout the 17 state area, prior to delivery to a final destination. RDCs should be identified as part of the CPIP EIS process so that potential transportation linkages from the port to the RDCs may be

identified. Locational criteria for the RDCs should consider geographic relationships between the port, the RDC and the final destination, as well as the economic efficiency and environmental impact of the needed transportation network.

RESPONSE:

The CPIP alternatives will comprise the staged port and associated transportation improvements for handling projected cargo volumes through the year 2060. While the alternatives will not include proposed warehousing locations, the CPIP EIS will address potential generation of additional warehousing square footage in the region and its related impacts, to the extent possible. To accomplish this, the CPIP EIS will coordinate with the NJDOT Portway Extensions Concepts Study, which has prepared projections of how much additional square footage of warehousing could potentially result in New Jersey due to the forecasted cargo volumes at the Port of New York and New Jersey. New Jersey currently contains the majority of port-related warehousing within the port region. The methodology employed in the Portway Extensions Concepts Study could be replicated to project warehousing in New York. In addition to addressing potential traffic and transportation implications related to new warehousing, the CPIP EIS can evaluate the potential new economic benefit, in terms of new jobs, that would likely be captured as part of the forecasted cargo flows. An economic impact assessment of potential new container-related warehousing was recently undertaken for the Portway Extensions Concepts and could provide the basis for a similar region-wide analysis for the CPIP EIS.

AA. WATER, WETLANDS, AND NATURAL RESOURCES

U.S. Fish and Wildlife Service, Federal Interagency Scoping Meeting, November 20, 2003

The CPIP EIS must examine the natural resource impacts of proposed alternatives even if they would not be direct impacts resulting from fills.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The Service notes that wetland fill is not the only aquatic resource impact that should be avoided. Shallow waters, including but not limited to mud flats and vegetated shallows, are rare and provide productive fish and wildlife habitats in the New York-New Jersey Harbor. Fill, dredging, or shading of these water, and hardening of the few remaining sections of natural shoreline, must also be avoided. The Service anticipates the “least fill” strategy will largely avoid such adverse impacts, based on large capacity increases possible on existing Port and brownfield acreage.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

Where limited aquatic resource impacts are forecast as unavoidable in the distant future, the draft CPIP EIS should clearly state that such impacts will not be undertaken until absolutely necessary. Alternatives that negatively affect aquatic resources should not be considered unless economic predictions have been tested and future improvements in efficiency are proven insufficient to meet increased capacity needs.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

The Service supports statements in the draft Scoping Document to avoid construction and stormwater impacts to water quality from Port improvements and operations. Erosion and stormwater management plans must be approved by the appropriate State and local

agencies. The final Scoping Document, and draft EIS, should also address other potential Port-related water and sediment quality impacts, such as: spills, leaks, and discharges of sewage, petroleum products, hazardous materials, and other cargo; ship cleaners and antifouling paints; and chemical leaching from CCA-treated lumber. Future CPIP NEPA documents should also address the potential for introduction of invasive species from ballast water releases, and proposed control measures to limit this risk. Water quality impacts from any proposed, unavoidable dredging should also be described.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

Except for an occasional transient bald eagle (*Haliaeetus leucocephalus*) or roseate tern (*Sterna dougallii*), no other federally listed or proposed endangered or threatened flora or fauna under Service jurisdiction are known to occur within the vicinity of the seven major Port terminals that are the focus of the CPIP....However, federally listed species under the jurisdiction of the National Marine Fisheries Services (NMFS), such as shortnose sturgeon (*Acipenser brevirostrum*), do occur in this core section of the Port District. The NMFS must be contacted to fulfill consultation requirements pursuant to Section 7(a)(2) of the ESA (i.e., Endangered Species Act).

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

In August 1999, the Service removed the peregrine falcon from the List of Endangered and Threatened Wildlife and Plants, removing all protections provided to the species under the ESA. The Service continues to monitor the species pursuant to Section 4(g)(1) of the ESA, and peregrine falcons continue to be protected under the Migratory Bird Treaty Act (40 Stat.775 as amended; 16 U.S.C. 703-712), and as a State-listed (endangered) species in both New Jersey and New York. The Service recommends that project proponents contact the following State agencies for current information regarding peregrine falcon nesting activity in the Port District and recommendations to avoid impacts to this species.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

Numerous occurrences of federally and State-listed species are present in the larger Port District project area (approximately 25 miles from the Statue of Liberty). We recommend that the final Scoping Document include a plan for coordination with both the New York and New Jersey Natural Heritage and Endangered Species Programs, both Service Field Offices (New York and New Jersey), and the NMFS to regularly update information on listed species, evaluate direct and indirect effects to these species, and comply with federal and State endangered species laws and regulations throughout the CPIP planning process and implementation horizon through 2060.

Clifford G. Day, Supervisor, United States Department of the Interior, Fish and Wildlife Service, New Jersey Field Office, Letter dated March 5, 2004

Because information in listed species is frequently updated, and the CPIP is intended as long-term planning, the designated lead federal agency should consult with the Service on a regular basis to ensure compliance with the ESA.

Federal Interagency Scoping Meeting, November 20, 2003

Define how sediment quality, water quality, etc. will be addressed in the EIS. Explain how existing water quality may constrain development.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 4.0-A, page 20, para. #3 (i.e., of the Draft Scoping Document): under “upland and harbor natural resources,” specifically identify water quality and Threatened/Endangered species.

Kenneth C. Koschek, Supervising Environmental Specialist, Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection, Letter dated February 23, 2004

Section 5.0-D-5, page 41 (i.e., of the Draft Scoping Document): how will potential impacts to water quality be evaluated? Will a model(s) be used?

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

Include the review of available DEP data regarding potential habitat enhancement identification since our agency works on wetlands enhancement and rehabilitation.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

The Final Scope of Work should state that soil erosion and sedimentation control plans would be developed in order to reduce any adverse environmental impacts on water quality from construction.

Angela Licata, Assistant Commissioner, New York City Department of Environmental Protection, Letter dated February 12, 2004

Include a discussion on the possible adverse environmental impacts on tidal wetlands and/or wildlife from oil spills due to the increased port traffic and the need for a modified oil spill response plan.

Joshua Laird, Chief of Planning, City of New York Parks and Recreation, Letter dated February 13, 2004

In remaining cognizant of environmental goals for the region, the viability of local wildlife populations holds importance in the urban setting for the public. Scoping objectives in these areas should expand upon federally protected categories for threatened and endangered species to consider the other documented habitat, such as important bird nesting and feeding areas, which may be impacted by the project. In addition, the natural resources analysis should utilize the methodologies and criteria for the New York City Environmental Quality Review Technical Manual.

Joshua Laird, Chief of Planning, City of New York Parks and Recreation, Letter dated February 13, 2004

In regard to maritime traffic growth, the consideration of fuel availability, expansion of fuel storage networks and projections of increased fuel spills affecting environmentally sensitive areas should be assessed. In regard to noise, air quality and traffic impacts, the consideration of human receptors should also include impacts on sensitive wildlife and natural areas.

Andrew Willner, Executive Director of New York/New Jersey Baykeeper, Letter dated February 12, 2004

The study should explore the impacts associated with the re-construction and operation of float services on water quality, and their related effects on aquatic resources of the harbor.

RESPONSE:

Potential impacts to natural resources -- including water, wetlands, wildlife, and threatened and endangered species -- from construction and operation of port and associated transportation improvement alternatives will be evaluated and documented in the CPIP EIS. Potential natural resource impacts will be evaluated even if there would be no direct impacts from fills of aquatic areas. Potential air quality, noise, and traffic impacts will be considered with respect to sensitive natural areas and wildlife, as well as to human receptors. Habitat enhancement opportunities will be considered in the application of green port planning principles during development of the CPIP alternatives. For any significant impacts, including during construction and operation of a given alternative, measures to mitigate *project-related* impacts will be identified and evaluated.

Soil erosion and sedimentation control plans that may be required to minimize construction-related impacts will be defined for any near-term improvements, as necessary; the potential need to define such plans for later-phase improvements, for which subsequent environmental evaluations may need to be conducted, will be identified in the CPIP EIS. Soil erosion and sedimentation control plans are typically addressed as an issue related to Best Management Practices and are developed when project plans are more fully defined and conformity with regulatory guidelines can be addressed.

The EIS will evaluate prevention measures (i.e., best management practices) related to potential fuel spills as part of the impacts analysis, as well as mitigation measures (i.e., spill response and other emergency planning measures) to be applied should spill incidents occur.

Consultation and coordination with the appropriate resource agencies will be conducted by the Co-Lead Agencies as the CPIP EIS is developed. Mr. Robert Hargrove, USEPA, will initiate consultation with the US Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) regarding federally listed threatened and endangered species, as well as species of concern (e.g., Peregrine falcon). For any listed species that the agencies say may be affected, or whose habitat may be affected, by an port or associated transportation improvement alternative, a Biological Assessment will be prepared in accordance with Section 7 of the Endangered Species Act (16 USC 1531). In addition to federal agencies, coordination with the appropriate agencies in New York and New Jersey will be undertaken to determine if any alternative would have adverse impacts on state-listed threatened or endangered species.

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), consultation with NMFS will be initiated. An Essential Fish Habitat (EFH) Assessment will be prepared for any port or associated transportation improvement alternative that is deemed to have an adverse impact on EFH or EFH-managed species.

Questions regarding methodology for assessment of potential natural resource impacts will be resolved through consultation between the Co-Lead Agencies and the appropriate federal and state resource agencies. As the CPIP will cover port facilities in two states and the CPIP EIS is being developed under guidelines from the federal government, the two states, and the City of New York, the criteria and methodologies used for analysis of impacts to natural resources must be consistent with requirements from each entity, including the CEQR Technical Manual.

If necessary, the Co-Lead Agencies will establish a Mitigation Working Group to address issues related to criteria and methodology for mitigation of impacts. This group will be similar to that proposed to address issues related to air quality, if necessary, as noted in Section A.

Evaluation of impacts will include identification of any required mitigation. Mitigation may be required for impacts to wetlands and to littoral zones, defined as the area from the Mean Low Water (MLW) line to 6 feet below MLW or 4 feet below MLW in New York and New Jersey, respectively. The CPIP EIS will note the area of impact as defined for the specific locality to assist in formulating the appropriate mitigation (i.e., in-kind replacement, to the maximum extent possible).

BB. LOCATION-SPECIFIC COMMENTS

1. Bayonne

Joseph Doria, Mayor, City of Bayonne, B 35:16-22

If there is any issue that really concerns the people of Bayonne, it is the blasting and the impact of the blasting upon our citizens, and that is a major concern and we need to deal with that, and that is the reason why we need ports in the areas where blasting does not have to occur.

Maria Karczewski, Counsel Member at Large for the City of Bayonne, B 51:3-9

How will the container port expansion improvement coincide with housing? How will it be people-friendly, in terms of people who would want to buy property there or even office space too? That is a major concern in town, how it is going to work together.

Maria Karczewski, Counsel Member at Large for the City of Bayonne, B 54:20-55:5

I know my constituents, many times they have major concerns with the housing, in conjunction with the container port, and that's a future concern here, along with the traffic. I know the State of New Jersey is considering a Turnpike Extension. I know there is a study on that as well, and I'm sure that is also being taken into consideration with this project.

John Chilelii, City of Bayonne resident, Written Comments Received at Bayonne Scoping Meeting

I am in favor of a container port for many reasons. It would pump money into the many businesses on Broadway. It would generate taxes, money for the company that is there. It is all around a great thing for Bayonne, as well as New Jersey.

James Greller, Alan M. Voorhees Transportation Center of Rutgers in University, B 27:22-28:4

We have to make sure that this Bayonne facility has a right of way, which will be adequate enough to flush trains, which will come on and off the pier, and in and out of here, out of the view of the public, out of view of everyone else, but certainly to a great benefit.

Mickey Shemin, City of Bayonne resident, B 38:3-13

I know the container port is an issue that a lot of people are concerned about in Bayonne, and I don't think everybody is in favor of it. It may bring jobs here, but I think the pollution from it - - the Mayor (Mayor Doria) did address the rails issue, and I think that's a good idea, but I hope they do - - if it is built, that rail is utilized because the amount of trucks that will be coming in and out of the city would be intolerable.

2. Howland Hook

Joe Carroll, Staten Island Community Board 1, SI 22:24—23:8

I would like to pay particular attention to that expansion around Shooters Island. I think that Board 1 certainly would support any expansion, but when it comes to losing the site of the sanitation garage or losing those wetlands and losing that harbor heron area, then I think that people would not have any agreement with that.

Joe Valentine, Vice President of the Woodmont Homeowners Association, SI 17:9-18

When we do these routes (truck routes), whatever the benefit is, you know, how is the community going to handle this? Is it going to interfere with the community's everyday activities and way of life? These are the things that basically - - I am speaking on behalf of a lot of thousands of people that are basically going to be asking the same questions that I'm asking, what they're concerned about.

Joe Hartigan, Rockaway Action Committee, SI 24:6-12

If you can't tell me right now where all the trucks that are stuck on Staten Island Expressway are going or the cars on the Belt Parkway or the trucks on the Van Wyck, how can you make any improvements? Where are they going when they're stuck in traffic right as we speak?

Michael McMahon, New York City Councilman from the North Shore 49th District SI 42:25-44:14

It (Howland Hook) sits in a very critical area, and there's talk any way it expands, I think, moves into very critical properties, wetlands. Whether it's south, which is the Harbor Heron or to the Arlington Marsh to the east, and we are very concerned that any expansion would infringe on these very delicate and sensitive wetlands. In a borough that is starving for open space, we've undergone incredible development here, and these are some of the last frontiers. It's a balancing act, and so any proposal should look at those factors and consider that the community is not out here now in numbers that it should be because you're not talking about taking over Arlington Marsh or expanding it to one direction or another. Once you do that, then, I think, people will be much more vocal. I would urge you from the get go not to propose that and try to find ways to allow expansion that will also allow at least considerable preservation of those very critical important areas, and then basically just to remember, these are worldwide trade centers, if you will, important to national economy, national security, New York's economy, New York's security, but they sit in neighborhoods. Howland Hook sits in a neighborhood, the neighborhood of Arlington, which borders on Mariner's Harbor, and so they do have local community impacts, and I know that some people have other ideas for that property, and we can discuss that further from a municipal point of view.

Joe Valentine, Vice President of the Woodmont Homeowners Association, SI 47:25-48:8

Could it (time of day of dredging) be considered - - consider when it could be done, you know, where there's less impact to the community and service better the community. At the same time, you'll be doing the work, and it's not going to hurt the community as much and everybody wins all the way around. It's something to consider that.

3. Newark

Carol Johnston, Ironbound Community Corporation, NWK 26:7-10

When you speak about the green design of the port, is there some way this can be extended from the Ironbound community itself into the port.

Nancy Zak, Director, Ironbound Community Corporation, NWK 17:3-6

I think there has to be a balance between what is going to happen at the port and the viability of existing communities, such as the Ironbound.

Nancy Zak, Director, Ironbound Community Corporation, NWK 19:24-20:9

We are concerned about the number of trucks and the routes they are going to take, and whether it will be through the neighborhood, around the neighborhood (Ironbound), how that will effect the air quality overall. I don't know how many studies or if there have been any about air quality as it relates to truck traffic, and, you know, I would encourage that whole thing to be looked at.

Nancy Zak, Director, Ironbound Community Corporation, NWK 20:10-17

I think some people in the community will have some issues around port security. I hope that those are areas that you are looking at. I think people are concerned somewhat about an expanding port, and the security that would go with an expanded port.

Nancy Zak, Director, Ironbound Community Corporation, NWK 20:18-21

People are concerned about jobs, local access to jobs, some kind of linkage strategy that would link the expansion to job opportunities for local residents.

Nancy Zak, Director, Ironbound Community Corporation, NWK 20:22-21

Containers, obviously, we are interested in another place to store them, not our neighborhood (Ironbound) streets, and not inside the neighborhood areas that we are trying to get as open space and parkland.

Nancy Zak, Director, Ironbound Community Corporation, NWK 17:25-18:20

I get a little weary about total port expansion, to make sure that the goal is the number one port in the whole country, that may be an economically very important goal, but it may not be compatible to the continued quality of life of a neighborhood that is nearby. So, we are very, very interested in making sure that, if possible, we can design these improvements so that the community can still exist, and there are many concerns that we have in the Ironbound community.

Carol Johnston, Ironbound Community Corporation, NWK 23:17-18

The issue of containers in this community is a very significant one.

Carol Johnston, Ironbound Community Corporation, NWK 24:13-21

Often these areas that represent the engine, an engine of tremendous economic development, seem to be totally self contained, and really don't relate to the community. So we are asking the consultants, for instance, since this is a development, down the line, what are the possibilities for identifying opportunities for employment and training.

Arnold Cohen, Policy Director, Housing and Community Development Network of NJ, NWK 44:8-10

It would be wonderful to see those sites that now house those ugly containers being brought up by the Port Authority become open space.

4. Newark/Elizabeth

Arnold Cohen, Policy Director, Housing and Community Development Network of NJ, NWK 42:13-22

What we would really like to see is more specifics in terms of what you are looking about in the Newark/Elizabeth area. What we see is a map outside that shows the port area, but there is no kinds of specifics in terms of what kind of impact we are really talking about. The planning, how will it affect the neighborhoods in which people are living. Will we be seeing additional trucking firms being sited in the neighborhood.

Arnold Cohen, Policy Director, Housing and Community Development Network of NJ, NWK 43:10-44:4

It would be good to start thinking about some formal linkage agreements between the port and Newark and Elizabeth and its residents. For example, as job training, public transportation to be able to get what jobs will be created as a result of expansion of the port, making sure that folks here in the City of Newark are going to be able to have access to those jobs that are going to be created as a result of the expansion of the port. Small businesses, to be able to have small businesses here in the city being able to be some of the suppliers for the different kinds of materials that are used.

Arnold Cohen, Policy Director, Housing and Community Development Network of NJ, NWK 47:4-10

I would like to see more leadership in terms of what kinds of ideas you have, specifically, in terms of how development is going to impact on the neighborhood, in terms of improving environmental quality, in terms of specifically these neighborhoods around Port Newark and Port Elizabeth.

5. Red Hook

Milton Puryear, Co-Chair of the Brooklyn Waterfront Greenway Taskforce, RH 32:4-19 / Written Comments Submitted at Red Hook Scoping Meeting, December 9, 2003

We now want to take it to the next level and engage the port in its green port planning, to move this towards something that is truly green and truly a welcoming meeting place for the community and the port commerce, the commerce that Rob (Gottheim) so eloquently spoke about, that really drives and support the economy of this entire City. As I said, our objective is thirty foot wide green space that accommodates two separate bike lanes, physically separated by landscaping from a pedestrian path, so that there is what is called a multi-use path, and it is worth noting that so far substantial portions of the greenway right-of-way have already dedicated.

Kevin Breslyn, District Leader for the 52nd A.D, RH 36:8-37:16

To expect container shipping on Pier 7 – well, actually, until you get south to Red Hook Terminal, it is not a very likely scenario. It is not likely because there is just not enough real estate and there is not enough upland, unless we do condemnations on Columbia Street and move it back and make upland deeper. That is not likely. The other alternative is landfill. That is an awful lot of dirt. We are going to have to import landfill to do that one. So to see a container port that far north may not be realistic. When we get to Red Hook and the Marine Terminal at Bushwick, we certainly do have realistic possibilities without great cost or great change. If that rail link becomes a reality, it now becomes incumbent upon us to imagine, how do we link Red Hook to Sunset Park. If, as Mr. Puryear said, DOT actually does in our life times reconfigure the BQE or the Gowanus, that would be an amazing opportunity as well, to include a rail link from the

port here to the port at Sunset Park. These things we have to look at. These things we have to think about. There is also, on these other piers that probably will not be used for container shipping, the opportunity to develop commercial and residential property, not in conflict with the neighborhood or the working port.

David Sharpes, Waterfront Museum in Red Hook SB 49:14-50:20

We have a historic railroad barge that does community meetings and educational and historical programs. I guess, I just wanted to encourage you, as well as ask you to certainly consider within you plans and you goals to follow what you had mentioned were your green goals and providing for - - providing and being a good neighbor to certainly encourage and even support waterfront access in spots that is appropriate, and to help highlight area of waterfront access so that the public could get to the water and certainly enjoy and be part of the port's operations, whether it be as a greenway or even in places where sometimes activity may be seasonal, be able to accommodate whether it be a specific project for a weekend or something on a seasonal basis, so that the public could enjoy the waterfront and also encourage respect as to the public as we are confined to roadways to often, and the streets that we have, a lot of times, you get to the end of streets and containers are stacked in the way, but you can't quite see into the yard to see the wonderful movement or to see the waterfront itself. Sometimes it's just a matter of how you align something or space something so that the public can feel a part of all the activity and also part of the waterfront that abuts their neighborhood.

6. South Brooklyn

Robert Gottheim, Brooklyn Director representing Congressman Jerrold Nadler SB 20:23-21:6

You really cannot have a container port in Sunset Park without the cross-harbor tunnel. You cannot have a port in Sunset Park for containers, and as soon as they come out of the terminal, they get stuck in the world's biggest traffic jam of the Gowanus Expressway. It is just not going to work.

Marc Rivlin, Director of Policy and Legislative Counsel to New York State Senator Seymour Lachman SB 22:18-23:3

Sunset Park is a residential neighborhood. There are thousands of people who live between the Gowanus Expressway and the waterfront. The planners in this process need to be mindful of the community, the quality of life that people face, and included among that, they should be mindful of the 197A plan that the community has come up with for the waterfront redevelopment.

Marc Rivlin, Director of Policy and Legislative Counsel to New York State Senator Seymour Lachman SB 23:4-11

We need to look to get trucks off the highways. Off the Staten Island Expressway, off the Verrazano Bridge and off the Gowanus Expressway, and not add them to our local streets. The planners need to consider that as a strong quality of life issue for the people of Staten Island and Brooklyn.

Marc Rivlin, Director of Policy and Legislative Counsel to New York State Senator Seymour Lachman SB 23:12-24:2

We need jobs for residents. We need living wage jobs for a community that is largely high school educated or less. We need training for people to have those jobs. If we are going to be relocating jobs from other container port facilities in Brooklyn to Sunset Park because it is a natural deep harbor port, we need to look at not destroying the jobs that exist currently in the Sunset Park because it is a natural deep harbor port, we need to look

at not destroying our the jobs that exist currently in the Sunset Park waterfront area by bringing jobs in. If we are going to be brining jobs from another place, we need to make sure that community also has jobs, and that the quality of life and the work quality in the area is not harmed by the plan.

Marc Rivlin, Director of Policy and Legislative Counsel to New York State Senator Seymour Lachman SB 24:3-13

I would urge the planners to be mindful of other projects and proposals that are being made about the port and related to both this area and the port in general. Specifically, the Gowanus Expressway replacement, reconstruction, as well as the harbor freight rail tunnel that has been proposed. Depending on what is done on those different plans, it may point to very different proposals for the Sunset Park container port.

Bob Cassara, Brooklyn resident, SB: 33:8-34:9

I just want to make a few comments about the study and in light of the Gowanus Expressway that runs through this area, and the possible replacement of the Gowanus Expressway with a tunnel. Presently, there are thirteen tunnel alternatives being considered as a replacement for the Gowanus, and these have to be taken into consideration when we do any changes in the harbor area. Also, the Gowanus is severely over-capacity. I think one of your flyers, not this one, but one of them shows that it is under-capacity. So, that needs to be corrected, and we have to get the right numbers on that. The Expressway, as we all know, is the main through truck route connecting I-95 to the south in New Jersey to points east on Long Island and points north. So, any port changes that occur in this area must take into account the Gowanus and what is going to happen in the next few years to that.

7. South Brooklyn/Red Hook

Marty Markowitz, Brooklyn Borough President, Letter dated February 19, 2004

The CPIP Studies should take account of potentially competing uses of the Brooklyn waterfront, or of the environmental impacts bearing on these locations. These include ambitious plans of various types: for the Brooklyn Bridge Park, for a terminal for cruiseships, for additional facilities to serve increased ferry services, and even for new waterfront uses resulting from various rezoning initiatives.

RESPONSE:

Location-specific comments are noted, and provide the CPIP EIS Co-Lead Agencies, the CPIP Consortium, and their respective consultants with insight regarding issues and concerns in the port's host communities.

The CPIP EIS will address the commentators' concerns in the appropriate sections of the EIS, including refinement of alternatives, to the extent possible and appropriate, to address such concerns.

APPENDIX A:
**INTERAGENCY SCOPING MEETING PARTICIPANTS
AND AGENCIES PROVIDING COMMENTS**

FEDERAL INTERAGENCY SCOPING MEETING

US Environmental Protection Agency
290 Broadway, New York, NY 10007

November 20, 2003

Agency

Federal Aviation Administration
National Oceanic & Atmospheric Administration – Fisheries
US Army Corps of Engineers – New York District
US Army Corps of Engineers – New York District
US Army Corps of Engineers – New York District
US Environmental Protection Agency – Region 2
US Environmental Protection Agency – Region 2
US Dep't of Transportation – Federal Highway Administration
US Fish & Wildlife Service – NY Field Office
US Fish & Wildlife Service
US Fish & Wildlife Service

Representative

Marie Janet
Karen Greene
Mark Lulka
Joseph Seebode
Thomas Shea
David Carlson
Robert Hargrove
Richard Backlund
Alex Chmielewski
Timothy Kubiak
John Staples

COMMENTS TRANSMITTED BY LETTER

Agency

US Department of the Interior,
Fish and Wildlife Service

Date of Letter

March 5, 2004

Signatory

Clifford G. Day, Supervisor

NEW YORK STATE/NEW YORK CITY INTERAGENCY SCOPING MEETING

NYC Economic Development Corporation
110 William Street, New York, NY 10838

November 13, 2003

Agency

Empire State Development Corporation
Empire State Development Corporation
NYS Department of Environmental Conservation
NYS Department of Environmental Conservation,
Division of Environmental Permits
NYS Department of Environmental Conservation
NYS Department of State – Division of Coastal Resources
NYS Department of Transportation
NYS Department of Transportation

Mayor’s Office of Environmental Coordination
NYC Department of City Planning
NYC Department of Environmental Protection
NYC Department of Parks and Recreation
NYC Department of Parks and Recreation
NYC Department of Parks and Recreation
NYC Department of Transportation
NYC Department of Transportation
NYC Economic Development Corporation
NYC Economic Development Corporation
NYC Law Department

US Dep’t of Transportation – Federal Highway Administration
US Environmental Protection Agency, Region 2

Representative

Paul Higgins
Soo Kang
John Ferguson
Katherine McGuckin

Daniel Walsh
Vance Barr
John Prochera
Victor Teglassi

Lee Ilan
Wilbur Woods
Gary Heath
Colleen Alderson
Alexander Brosh
William Tai
Marjorie Bryant
Michele Samuelson
Rachel Belsky
Andrew Genn
Scott Pasternack

Jeanette Mar
Robert Hargrove

COMMENTS TRANSMITTED BY LETTER

Agency

Date of Letter

Signatory

NYC Dep’t of Environmental Protection

February 12, 2004

Angela Licata,
Ass’t Commissioner

NYC Dep’t of Parks & Recreation

February 13, 2004

Joshua Laird

NEW JERSEY INTERAGENCY SCOPING MEETING

New Jersey Department of Transportation
NJDOT Training Center, Suburban Square Shopping Center, 23 Scotch Rd., Ewing, NJ

November 19, 2003

<u>Agency</u>	<u>Representative</u>
NJ Department of Environmental Protection, Fish and Wildlife	Donald Byone
NJ Department of Environmental Protection, Historic Preservation Office	Charles Scott
NJ Department of Environmental Protection, Office of Dredging and Sediment Technology	Suzanne Dietrick
NJ Department of Environmental Protection, Office of Permit Coordination & Environment	Kenneth Koschek
NJ Department of Transportation	Paul Truban
NJ Department of Transportation, Bureau of Environmental Services	Jack McQuillan
NJ Department of Transportation, Bureau of Environmental Services	Anthony Sabidussi
NJ Department of Transportation, Division of Project Planning & Development	Yosry Bekhiet
NJ Redevelopment Authority	Kim Avant-Babb
North Jersey Transportation Planning Authority	David Dawson
US Environmental Protection Agency, Region 2	Robert Hargrove
US Dep't of Transportation – Federal Highway Administration CPIP Coordinator	Michael La Pietra Laura Shabe

COMMENTS TRANSMITTED BY LETTER

<u>Agency</u>	<u>Date of Letter</u>	<u>Signatory</u>
NJ Dep't of Environmental Protection, Office of Permit Coordination and Environmental Review	February 23, 2004	Kenneth Koscheck Supervising Environmental Specialist
New Jersey Transit	February 13, 2004	Richard Roberts, Chief Planner

APPENDIX B:

**LIST OF SPEAKERS AT PUBLIC SCOPING MEETINGS AND
COMMENT LETTERS/E-MAILS RECEIVED**

SPEAKERS AT PUBLIC SCOPING MEETINGS

Elizabeth, New Jersey, Public Scoping Meeting, December 2, 2003

<u>Speaker</u>	<u>Organization/Affiliation</u>
Fidurski, William	
Bauer, Janine	Tri-State Transportation Campaign
Parish, Joseph (Reverend)	New Jersey Environmental Watch

Newark, New Jersey, Public Scoping Meeting, December 4, 2003

<u>Speaker</u>	<u>Organization/Affiliation</u>
Zak, Nancy	Ironbound Community Corporation
Johnston, Carol	Ironbound Community Corporation
Cohen, Arnold	
McNeil, Wilbur	Weequahic Park Association
Belzer, Robert	

Red Hook, Brooklyn, New York, Public Scoping Meeting, December 9, 2003

<u>Speaker</u>	<u>Organization/Affiliation</u>
Gottheim, Robert	Office of US Congressman Jerrold Nadler
Puryear, Milton	Brooklyn Waterfront Greenway Taskforce
Breslin, Kevin	Republican Party, 52nd AD
Salguero, Carolina	
Thomas, Thomas	
Migliaccio, Ernest	
Eadie, R. Frank	

Sunset Park, Brooklyn, New York, Public Scoping Meeting, December 11, 2003

<u>Speaker</u>	<u>Organization/Affiliation</u>
Gottheim, Robert	Office of US Congressman Jerrold Nadler
Rivlin, Marc	Office of New York State Senator Seymour Lachman, 23 rd Senatorial District
Alpern, Robert	
Cassar, Robert	
Kronley, Neil	Metropolitan Waterfront Alliance
Sharpes, David	Waterfront Museum, Red Hook

Staten Island, New York, Public Scoping Meeting, January 8, 2004

<u>Speaker</u>	<u>Organization/Affiliation</u>
Valentine, Joseph	Woodmont Homeowners Association
Carroll, Joseph	Community Board #1
Hartigan, Joseph	Rockaway Action Committee
Ward, Curt	
McMahon, Michael	New York City Council, representing North Shore 49 th District
Gowda, Rajiv	Community Board #1, Waterfront Committee

Jersey City, New Jersey, Public Scoping Meeting, January 13, 2004

<u>Speaker</u>	<u>Organization/Affiliation</u>
Greenfeld, Douglas	City of Jersey City, Department of Housing, Economic Development, & Commerce

Bayonne, New Jersey, Public Scoping Meeting, January 15, 2004

<u>Speaker</u>	<u>Organization/Affiliation</u>
Willner, Andrew	NY/NJ Baykeeper
Schneiderman, Mitch	
Arntzen, John	ACTA Maritime Corporation of New York
Greller, James	Alan. M Voorhees Transportation Center, Rutgers University
Angelone, John	Former president of ILA Local 1588
Doria, Joseph	Mayor, City of Bayonne
Shemin, Mickey	
Karczewski, Maria	Council Member at Large, City of Bayonne

WRITTEN COMMENTS RECEIVED AT PUBLIC SCOPING MEETINGS

<u>Commentator</u>	<u>Organization/Affiliation</u>	<u>Scoping Meeting Attended</u>
Bauer, Janine G.	Tri-State Transp. Campaign	Elizabeth/December 2, 2003
Belzer, Robert		Newark/December 4, 2003
Chilelli, John		Bayonne/January 15, 2004
Gallagher, Lauren		Red Hook/December 9, 2003
Genes, Christos M.	Hudson Co. Sheriff's Office	Bayonne/January 15, 2004
Gottheim, Robert	US Rep. Jerrold Nadler	Red Hook/December 9, 2003; Sunset Park/December 11, 2003
Greenfeld, Douglas, et al.	City of Jersey City, Dep't of Housing, Econ. Dev., Commerce	Jersey City/January 13, 2004
McNeil, Wilbur		Newark/December 4, 2003
Puryear, Milton	Brooklyn Waterfront Greenway Taskforce	Red Hook/December 15, 2003
Willner, Andrew	NY/NJ Baykeeper	Bayonne/January 15, 2004

COMMENT LETTERS/E-MAILS RECEIVED

<u>Commentator</u>	<u>Organization/Affiliation</u>	<u>Date of Letter/E-Mail</u>
Belzer, Robert	NJ Coalition Against Aircraft Noise	December 7, 2003
Ferrazzoli, Candie		January 23, 2004
Fidurski, William		February 7, 2004
Markowitz, Marty	Brooklyn Borough President	February 19, 2004
Willner, Andrew	NY/NJ Baykeeper	February 12, 2004
Zipf, Cindy et al.	Clean Ocean Action	February 12, 2004

APPENDIX C:
REVISED CPIP PROJECT GOALS AND OBJECTIVES

The CPIP Project goals and objectives have been refined, based on input received during Phase I of the CPIP EIS scoping process. The refined project goals and objectives are listed below.

GOAL 1: Identify the port improvements necessary to maintain the status of the Port of New York & New Jersey as the preeminent port on the U.S. Atlantic Coast.

Objectives:

- Review and update projections (if necessary) of maritime market demand from past studies.
- Using past studies and new work, develop phased-in container and non-container improvement programs for existing and future maritime terminals.
- Identify the costs and economic benefits associated with the proposed improvements, each as stand alone, and as an aggregate plan which results in the greatest public and private benefit.
- Identify upland transportation-related improvements directly related to proposed terminal improvements.
- Identify environmental impacts from port development to be addressed in CPIP Plan and CPIP EIS.
- Identify funding sources (federal, state, public/private partnerships) that could be used to finance the improvement initiatives.
- Thoroughly investigate technologies that increase terminal throughput capacity on existing port acreage.
- Identify coastal and inland sites that can be developed for port usage, avoiding or minimizing requirements to fill waters or wetlands. (Identify a “least-fill” port development strategy.)

GOAL 2: Link the CPIP to existing regional planning efforts.

Objectives:

- Identify relevant planning efforts that complement the strategic vision of CPIP.
- Develop CPIP so as to integrate the plan with existing regional planning efforts.
- Work closely with public agencies and officials to ensure implementation of port program is well-synchronized with other public policy goals.

GOAL 3: Develop the CPIP consistent with the enhancement of the environmental quality of the estuary.

Objectives:

- Investigate innovative best management practices for reduction of non-point sources of water pollutants.
- Support attainment of sediment, water and habitat quality to sustain a diversity of living resources.
- Identify and protect significant habitats, including wetlands and uplands, and, to the maximum extent possible, seek to avoid or minimize impacts, and compensate for unavoidable impacts.
- Support the vision of the NY/NJ Harbor Comprehensive Conservation and Management Plan (CCMP) to “establish and maintain healthy and productive harbor bight ecosystem with full beneficial uses.”

- Where wetland impacts are unavoidable, create wetlands and special aquatic site mitigation to increase the overall value of existing ecosystems.
- Where creation is not feasible, require enhancement, which will lead to an overall improvement of the aquatic ecosystem.

GOAL 4: Link development with efforts to improve environmental quality.

Objectives:

- Reduce or minimize potential future increases in regional vehicle miles of travel (VMT) and mobile source emissions from port improvement-related activities.
- Achieve Air Quality Conformity with Regional and State Implementation Plans.
- Promote rail/truck/barge mode split that will support reduced port-related VMT and improve air quality.
- Promote mass transit to port-related work facilities.
- Implement pollution prevention measures as feasible.
- Facilitate coordination between relevant regulatory and response agencies for improved data collection.

GOAL 5: Adopt “Green Port” planning criteria to guide development options.

Objectives:

- Research existing examples of “Green Port” developments that have occurred domestically and abroad.
- To the maximum extent practicable, develop plans in consideration of environmental improvement opportunities.
- Apply Green Port concepts during CPIP plan development.
- Reuse previously developed sites (brownfields) and reclaim disturbed sites where appropriate.
- Avoid, to the maximum extent possible, or minimize residential and business displacement.
- Enhance waterfront public access in conformance with State Coastal Zone Management and local plans.
- Minimize port-related truck impacts on host and nearby communities.
- Promote and encourage the use of new technologies for alternative fuels, energy efficiency and renewable energy in port facilities and operations.
- Seek to promote economic development and employment opportunities in host communities.
- Plan in accordance with federal and state Sustainable Development Initiatives.

GOAL 6: Create more certainty in the federal, state, and local permit review process to create needed port expansion capability.

Objectives:

- Work with environmental regulators and environmental non-governmental organizations to identify appropriate mitigation options.
- Coordinate CPIP Plan and CPIP EIS with existing regulatory processes (e.g., Coastal Zone Management, Clean Water Act Regulations), such that permits can be obtained on a least-time basis.

GOAL 7: Maximize public participation to ensure that port development projects achieve regional consensus.

Objectives:

- Create a meaningful public outreach program that maximizes input from the local community, elected officials, labor, and business interests.
- Convene frequent stakeholder meetings to update groups on CPIP's status.
- Promote environmental education and stewardship.
- Ensure consideration of environmental justice issues.
- Use "hands-on" planning approaches (e.g., workshops, field trips) whenever appropriate to explain port and transportation issues and gain consensus.