



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

WATERSHED & LAND MANAGEMENT PROGRAM

Division of Resilience Engineering & Construction

Bureau of Flood Engineering & Climate Resilience Design

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Commissioner

July 19, 2023

Annisia Cialone, Director
Jersey City Department of Housing, Economic Development and Commerce
1 Jackson Square
Jersey City, NJ 07305

Ms. Cialone,

DEP remains open and committed to working with the City of Jersey City, Holland Park Owners LLC (Holland Park), and New Jersey Transit (NJT) to ensure that the Rebuild by Design Hudson River (RBDH) Resist Structure, the Holland Park Development, and a future Hudson-Bergen Light Rail Station can all coexist within Block 6002, Lot 7 of Jersey City.

The DEP has reviewed the conceptual design material provided by Holland Park and information available in the public domain for this project. The DEP Storm Surge Resist Structure (DEP Structure), the Holland Park Site Development, and a light rail station can all be constructed at this site in a cohesive way.

On March 27th, 2023, Holland Park shared two proposed concepts for the support structure of the light rail station with the DEP, called the “Bent Option” and “Cantilever Option”. DEP has reviewed both proposals and determined that the “Cantilever Option” is the only feasible alternative of the two options provided. DEP’s engineering and design consultants identified that the “Cantilever Option” would provide sufficient clearance and access for operation and maintenance and is compliant with Operations and Maintenance protocol for the Resist Structure to meet FEMA accreditation requirements. DEP so advised Holland Park on April 20th, 2023.

Based on the conceptual cantilever design shared by Holland Park, the final design for the DEP Structure, the DEP and its design and engineering consultants can confirm that the DEP Structure, the proposed light rail station, and the Holland Park proposed development can all collocate on the property.

It should be noted that the property owner has not shared information as of yet regarding pedestrian access to and egress from the platforms other than two potential locations, so our team would need to review the proposed design for those elements of the station before we can provide any final assessment of feasibility for those pedestrian access locations. However, our engineering consultants agree that the two locations shown on the “Cantilever Option” can and should be considered as likely feasible pedestrian access points.

As it pertains to cost implications on the subject property, the DEP has gone through an appraisal process as governed by the Uniform Relocation Act. This appraisal process resulted in a report that concluded that the temporary and permanent easements obtained from Holland Park have a fair market value of \$2.1 million. The DEP has deposited this amount with the NJ Superior Court.

A Commissioners’ hearing regarding this compensation is scheduled for October of this year. The Commissioners’ hearing in an eminent domain proceeding is a non-binding arbitration hearing to determine just compensation. The commissioners are three arbitrators established by the court in Hudson County. Typically, the Commissioners are

comprised of attorneys, real estate agents/appraisers from the area. The outcome of this hearing can be appealed by either party which would lead to a jury trial in the Superior Court to determine compensation.

The procedural process outlined above is the established legal process which is already underway concerning the DEP's easements on this property. Holland Park will have the opportunity to obtain compensation from the State through this process as it relates to the taking.

If Holland Park proposes other alternatives for the light rail station and/or more specific details for pedestrian access in the future, the DEP team and its engineering consultants are committed to continuing to work with them to analyze the feasibility and constructability of such proposals as it relates to the DEP structure.

NJT agrees with DEP's assessment that the "Cantilever Option" represents the most suitable alternative based on the information that has been shared by DEP and Holland Park to date. This option provided on the preliminary and conceptual plans confirms the different projects can coexist at the site. More detailed design plans from Holland Park will be required for NJT to review and provide full and final approval on any light rail station in the area. Like DEP, NJT is committed to working with Jersey City and Holland Park to accommodate a future light rail station in the area to ensure that flood protection, private development, and mass transit can co-exist in the project area.

If Jersey City's easements are granted in a timely manner, the DEP will comply with Holland Park's request to have the Resist Structure completed within 400 calendar days of contract award, allowing the developer and NJT to advance their project.

Both DEP and NJT look forward to continued collaboration and consultation with Jersey City and Holland Park to achieve this historic combination of infrastructure projects in Jersey City.

Sincerely,



Dennis Reinknecht, Director
Division of Resilience Engineering and Construction
New Jersey Department of Environmental Protection

c: Dan Kelly, Governor's Office of Recovery and Rebuilding
Kevin Corbett, New Jersey Transit
Justin Davis, New Jersey Transit
John Gray, New Jersey Transit
Kati Angarone, New Jersey Department of Protection

