

APPENDIX B

USACE JURISDICTIONAL DETERMINATION APPLICATION

REQUEST FOR:

**U.S. ARMY CORPS OF ENGINEERS
JURISDICTIONAL DETERMINATION**

**New Meadowlands Stadium Project
Meadowlands Sports Complex
Portion of Block 107.01, Lot 1
Borough of East Rutherford
Bergen County, New Jersey**

Submitted to:

**U.S. Army Corps of Engineers, NY District
Attn: Regulatory Branch-Room 1937
26 Federal Plaza
New York, New York 10278-0090**

Prepared For:

**New Meadowlands Stadium Company, LLC
50 West 57th Street
Suite 200
New York, NY 10019**

Prepared By:

**Langan Engineering and Environmental Services, Inc.
River Drive Center 1
Elmwood Park, NJ 07407**

**28 July 2006
4517103**





28 July 2006

Mr. George Nieves
U.S. Army Corps of Engineers, New York District
Attn: Regulatory Branch-Room 1937
26 Federal Plaza
New York, NY 10278-0090

**Re: Jurisdictional Determination Request
New Meadowlands Stadium Project
Meadowlands Sports Complex
Portion of Block 107.01, Lot 1
Borough of East Rutherford, Bergen County, New Jersey
Job No. 4517103**

David T. Gockel, P.E., P.P.
George E. Derrick, P.E.
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Nicholas De Rose, P.G.
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Christopher M. Hager, P.E.
Joel B. Landes, P.E.
Matthew E. Meyer, P.E.
R. S. Murali, M.S.
Richard R. Steiner, P.E.

Dear Mr. Nieves:

As agent for the New Meadowlands Stadium Company, LLC, Langan Engineering and Environmental Services, Inc. (Langan), herein requests a Jurisdictional Determination (JD) from the U.S. Army Corps of Engineers to confirm the absence of jurisdictional wetlands and other waters of the United States on the above-referenced project site, which encompasses approximately 269 acres of the west side of the Meadowlands Sports Complex. Three copies of this JD request are enclosed for your use. Please refer to the table of contents for the location of specific review items.

The study area for this JD includes a portion of the New Jersey Sports and Exposition Authority (NJSEA) Meadowlands Sports Complex located in the Hackensack Meadowlands District in East Rutherford, Bergen County, New Jersey where the New Meadowlands Stadium Project is proposed. The study area, which encompasses a portion of Block 107.01, Lot 1, is located on the west side of the Meadowlands Sports Complex. The study area is almost entirely developed with impervious surfaces and contains Giants Stadium, training facilities, parking lots, and internal roadways.

The construction of a new stadium, Giants Training Facility and ancillary development is planned within the study area. Per a June 22nd letter from Jim Cannon of the USACE to Robert Ceberio of the New Jersey Meadowlands Commission requesting design plans for the proposed stadium, enclosed please find the following project plans from the Master Plan prepared for the New Stadium, dated June 30, 2006:

- Master Utility Plan (Drawing A4.1.2-5)
- Enlarged Site Infrastructure Proposed (Drawing A4.1.3-3)
- Proposed Site Infrastructure Plan (Drawing A4.1.3-4)
- Landscape Master Plan (Drawing A4.3.1-2)

Due to site access procedures of the NJSEA, notification is required prior to entry onto their property. Therefore, we request you notify us prior to your site inspection so that we may arrange site access and accompany you.

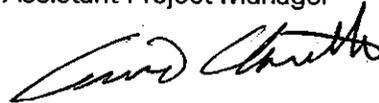
If you have any questions or require any additional information, please contact us.

Sincerely,

Langan Engineering and Environmental Services, Inc.



Kelly McCormick
Assistant Project Manager



David Charette, P.W.S.
Associate

KMC/DC:mc
Enclosure: JD Request

cc: Barbara Lampen, New Jersey Sports and Exposition Authority
Mary R. Musca, New Meadowlands Stadium Company, LLC
William Senn, New Meadowlands Stadium Company, LLC
William Robinson, Hammes Company
Elizabeth McLoughlin, Paulus, Sokolowski and Sartor, LLC
Edward Shea, Windels Marx
David McPherson, Waters, McPherson & McNeill, P.C.
Steven Gray, Waters, McPherson & McNeill, P.C.
David Gockel, Langan

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Drawings 41.00-41.04 Jurisdictional Determination Plan

LIST OF ATTACHMENTS

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Attachment B	Site Photographs

1.0 APPLICANT INFORMATION

Current Property Owner:

New Jersey Sports and Exposition Authority
50 State Route 120
East Rutherford, NJ 07073
(201) 935-8500
POC: Barbara Lampen

Applicant:

New Meadowlands Stadium Company, LLC
655 Madison Avenue, 7th Floor
New York, NY 10021
(212) 521-2243
POC: Mary R. Musca

Wetland Delineator:

Langan Engineering and Environmental Services, Inc.
River Center Drive 1
Elmwood Park, NJ 07407
(201) 794-6900
POC: David Charette

2.0 SITE LOCATION AND DESCRIPTION

This request for a Jurisdictional Determination (JD) from the United States Army Corps of Engineers (USACE) was prepared for a 269± acre portion of the Meadowlands Sports Complex located in the Borough of East Rutherford, Bergen County, New Jersey where the New Meadowlands Stadium Project is proposed (Figure 1). As identified on the East Rutherford Tax Map, the project study area for which this JD is requested includes a portion of Block 107.01, Lot 1 (Figure 2). The project study area is generally bounded on the north by Paterson Plank Road, on the south by NJ State Highway Route 3, on the east by NJ State Highway Route 120, and on the west by Berry's Creek wetland complex (Figure 3). The Hackensack River is located approximately ½-mile east of the site. Berry's Creek Canal is located approximately ½-mile south of the site. An aerial photograph of the project study area is provided in Figure 4.

As shown in the enclosed site photographs (Attachment B) and the aerial photograph (Figure 4), the project study area is currently utilized as part of a sports complex and consists of structures (Giants Stadium), paved parking areas, internal roadways and other impervious surfaces. As seen in Figure 4, several small grassed and landscape areas are located within the project study area.

The Jurisdictional Determination Plan (Drawing 41.00 through 41.04) depicts the existing conditions of the project study area. Photograph locations, which correspond to the photographs in Attachment B, are also depicted on this plan.

3.0 WETLAND IDENTIFICATION AND DESCRIPTION

3.1 Methodology

The project study area was inspected by Langan wetland scientists in accordance with USACE guidelines, as specifically referenced in the 1987 Corps of Engineers Wetlands Delineation Manual. This methodology utilizes a three-parameter approach to identify and delineate wetlands. The technical criteria require a field evaluation of the dominance of hydrophytic vegetation, the presence of suitable wetland hydrology, and hydric soils in a positive determination. Observations for each of these parameters are discussed below.

3.2 Field Observations

Langan wetland scientists inspected the project study area on 30 August 2005 and 09 February 2006. None of the three parameters for identifying and delineating wetlands discussed above in Section 3.1 were observed in the project study area. Therefore, no wetlands or other waters of the U.S. were determined to be present in the study area. As previously discussed and as seen in the site photography (Attachment B), the majority of the project study area

contains structures, including the existing Giants Stadium, and other impervious surfaces such as parking lots, building roofs, and internal roadways.

On-site observations made regarding vegetation, soils, and hydrology is discussed below.

3.2.1 Vegetation

No wetland vegetation was observed within the project study area. The vegetation observed was primarily located within landscape areas on the Sports Complex property. The vegetation consisted of maintained lawn and upland tree and shrub species typically used for landscaping purposes.

3.2.2 Soils

Soils on the project site were mapped using GIS data provided by the Natural Resources Conservation Service (NRCS) Soil Survey Geographic (SSURGO) Database (Figure 5). Two soils are mapped in the project study area: Urban Land (UR) and Udorthents organic substratum (UdoB), neither of which is identified as hydric soils in the Bergen County hydric soils list. Urban Land consists mostly of areas that are either paved or built upon. The soils in the remaining open spaces have been reworked to the extent that the original profile cannot be recognized. Udorthents consist of areas where various types of material have been used to fill tidal marsh. Dredged material makes up a considerable portion of this unit.

Due to the developed nature of the site, soil samples taken during the site inspection consisted mostly of fill material within landscaped areas. No hydric soils were encountered.

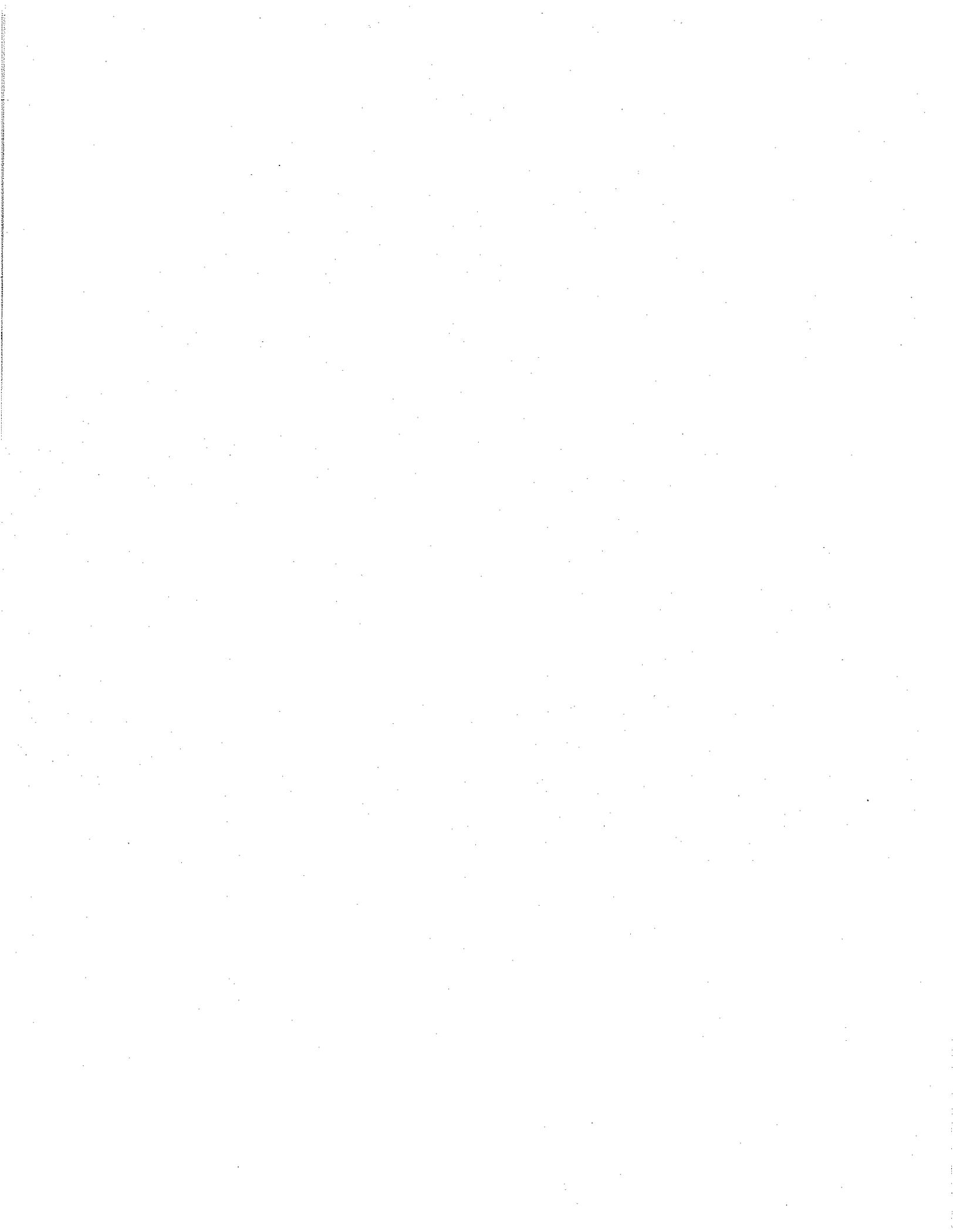
3.2.3 Hydrology

Due to the developed nature of the project study area, the hydrology of the site is controlled by groundwater systems and engineered surface water drainage systems. Stormwater from the project study area is directed to several man-made lagoons on the Meadowlands Sports Complex that are permitted by NJDEP through an existing NJPDES permit (No. NJ0023345). None of the lagoons are located within the project study area. No surface water features were observed within the project study area during the site inspection.

4.0 CONCLUSION

As documented in this report, a field inspection was conducted to determine if waters of the U.S. occur within the project study area. This inspection was conducted in compliance with USACE guidelines and the 1987 Corps of Engineers Wetlands Delineation Manual. As a result of this inspection, waters of the U. S. were not found to occur anywhere within the project study area.

We are requesting confirmation from your office that our assessment of the project study area, as depicted on the Jurisdictional Determination Plan (Drawings 41.00 through 41.04) is accurate and that the USACE has no jurisdictional areas within the project study area because of the absence of waters of the United States.



FIGURES



Map reference: USGS Weehawken Quad



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 (201) 794-6900

NEW JERSEY PENNSYLVANIA NEW YORK CONNECTICUT FLORIDA NEVADA

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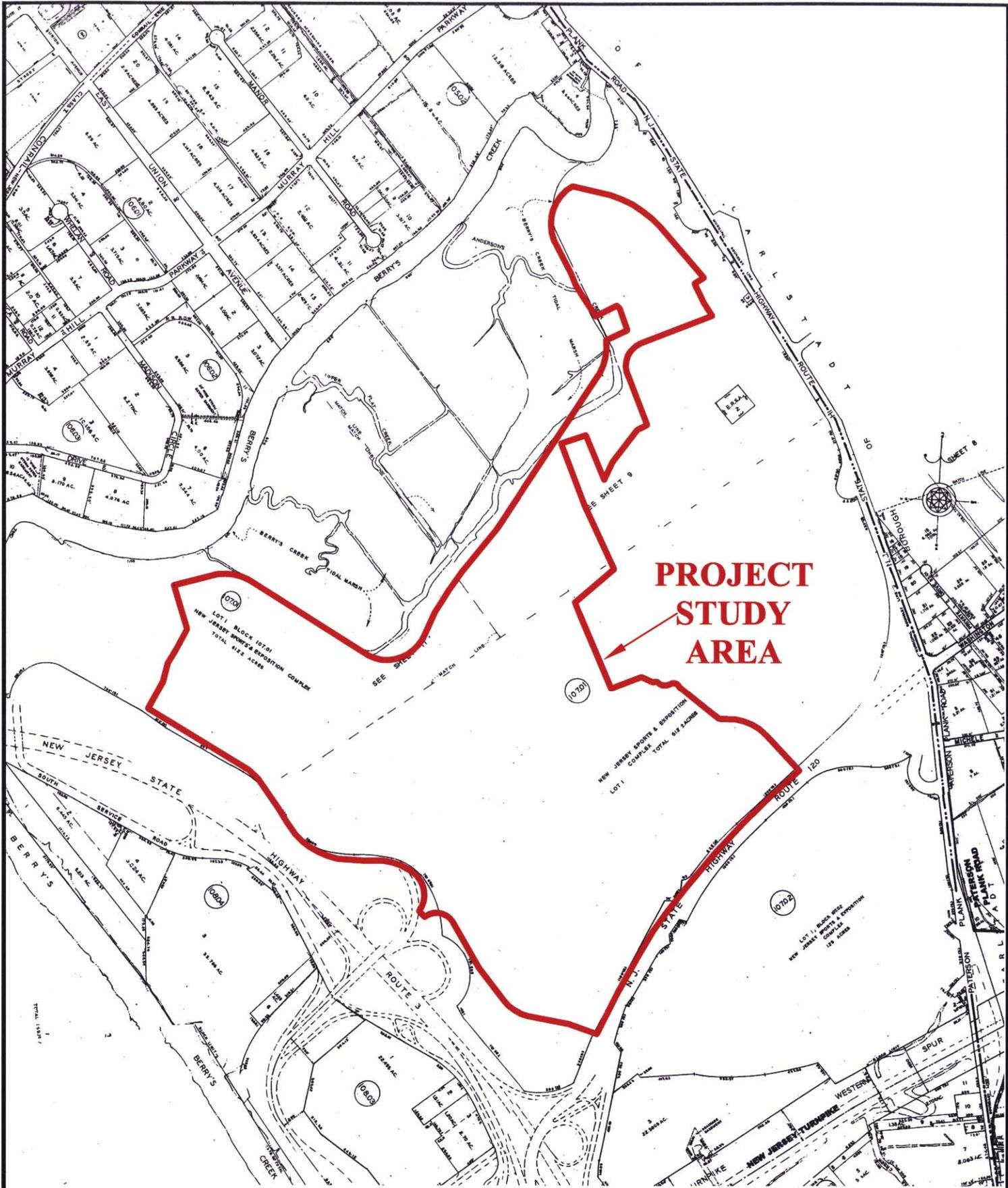
Project

**SITE LOCATION MAP
 NEW MEADOWLANDS STADIUM PROJECT**

EAST RUTHERFORD

NEW JERSEY

Job No. 4517103	Date 7/28/2006	Scale 1" = 2000'	Figure No. 1
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**PROJECT
STUDY
AREA**

REFERENCE: EAST RUTHERFORD TAX MAP SHEET 10, CARLSTAD TAX MAP SHEET 9



River Drive Center 1
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Project

**TAX MAP
NEW MEADOWLANDS STADIUM PROJECT**

EAST RUTHERFORD

NEW JERSEY

Job No.

Date

Scale

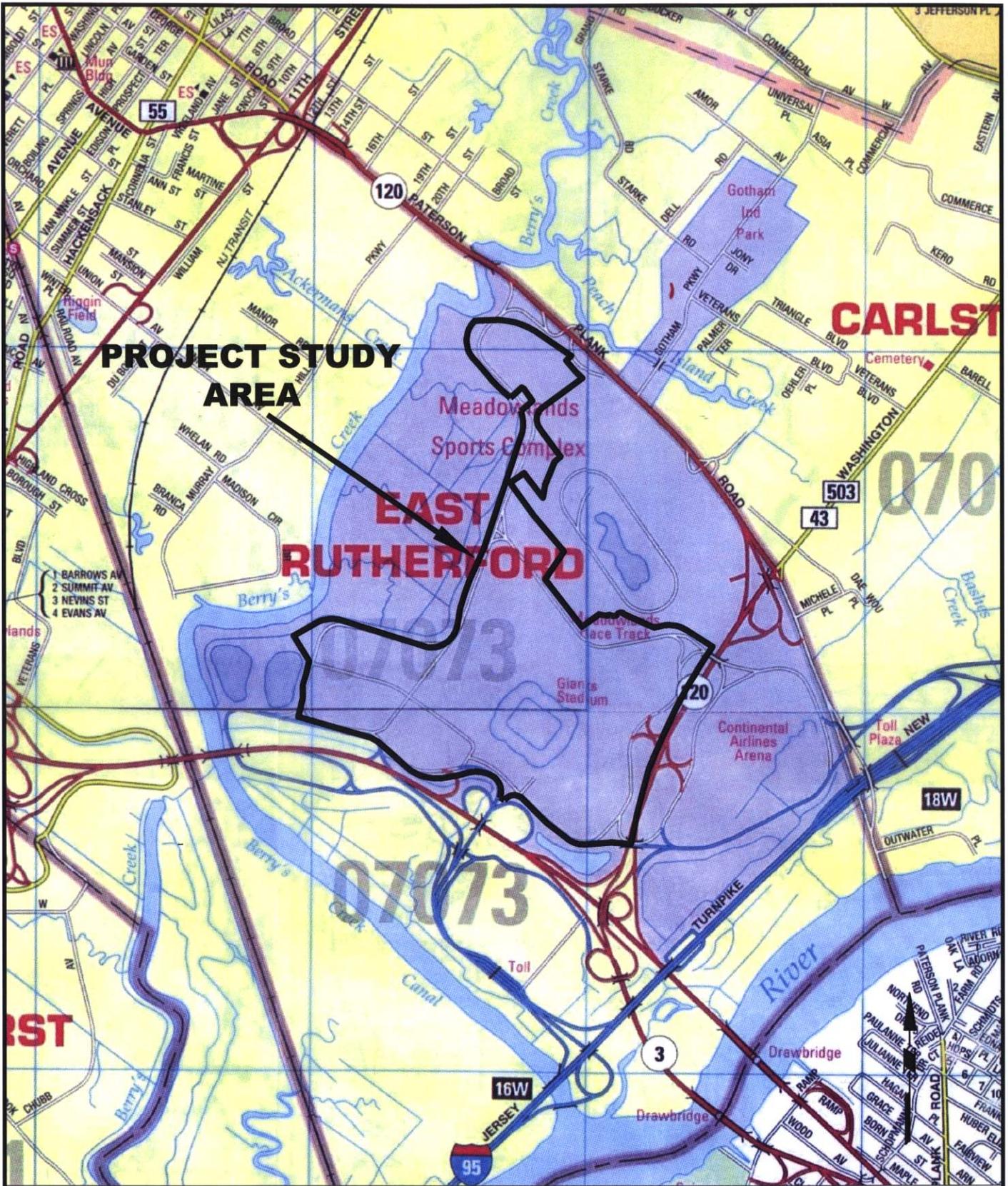
Figure No.

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7/28/2006

1" = 1000'

2



REFERENCE: HAGSTROM'S MAP OF BERGEN COUNTY.



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Project

**GENERAL VICINITY MAP
 NEW MEADOWLANDS STADIUM PROJECT**

EAST RUTHERFORD

NEW JERSEY

Job No.	Date	Scale	Figure No.
4517103	7/28/2006	1" = 2000'	3

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LEGEND:
PROJECT STUDY AREA



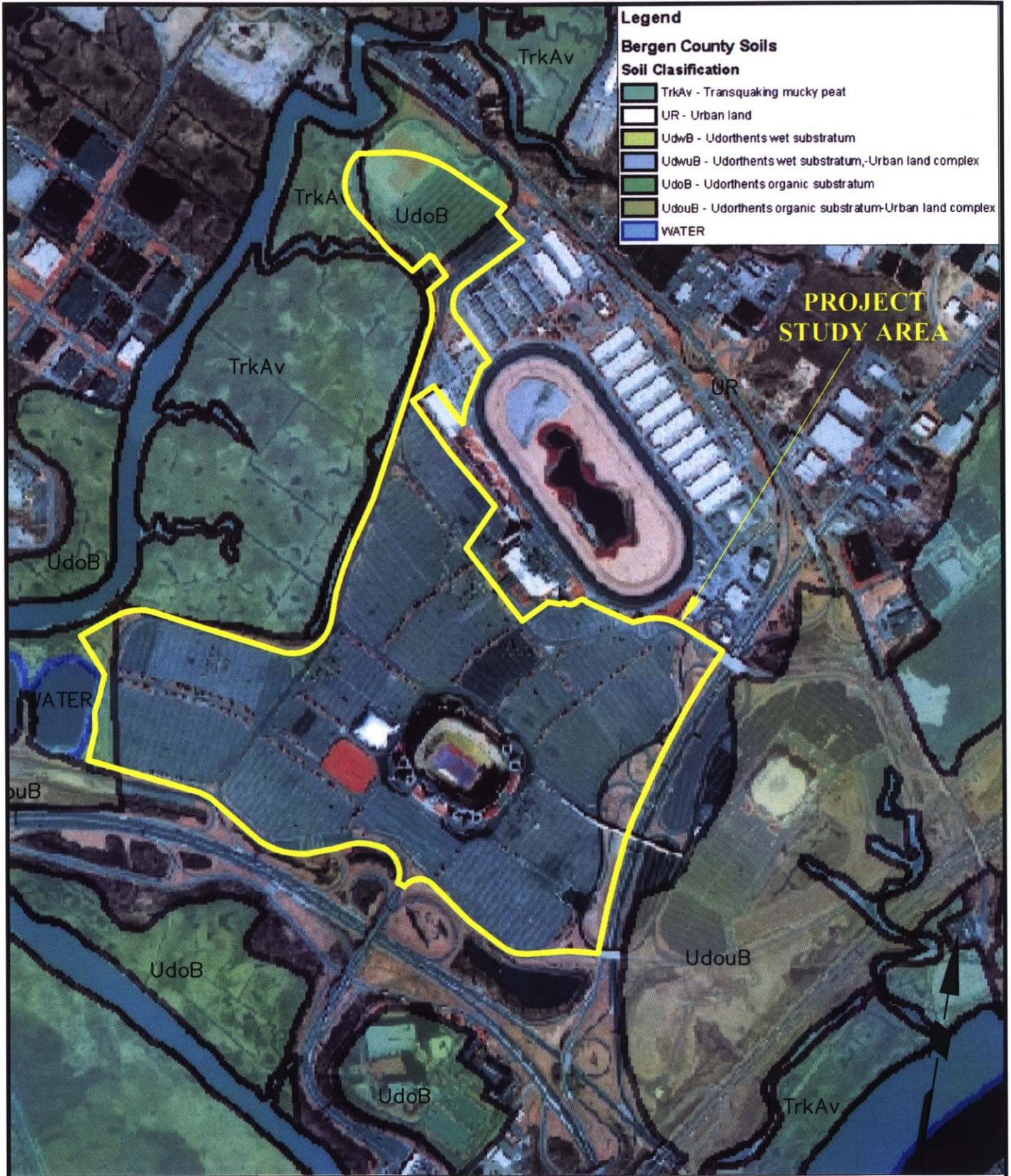
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Project
AERIAL PHOTOGRAPH
NEW MEADOWLANDS STADIUM PROJECT

EAST RUTHERFORD		NEW JERSEY	
Project No. 4517103	Date 6-12-2006	Scale 1" = 1000'	Fig. No. 4



Reference: NRCS Soil Survey Geographic (SSURGO) Data, Bergen County



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Project

**BERGEN COUNTY SOIL SURVEY
 NEW MEADOWLANDS STADIUM PROJECT**

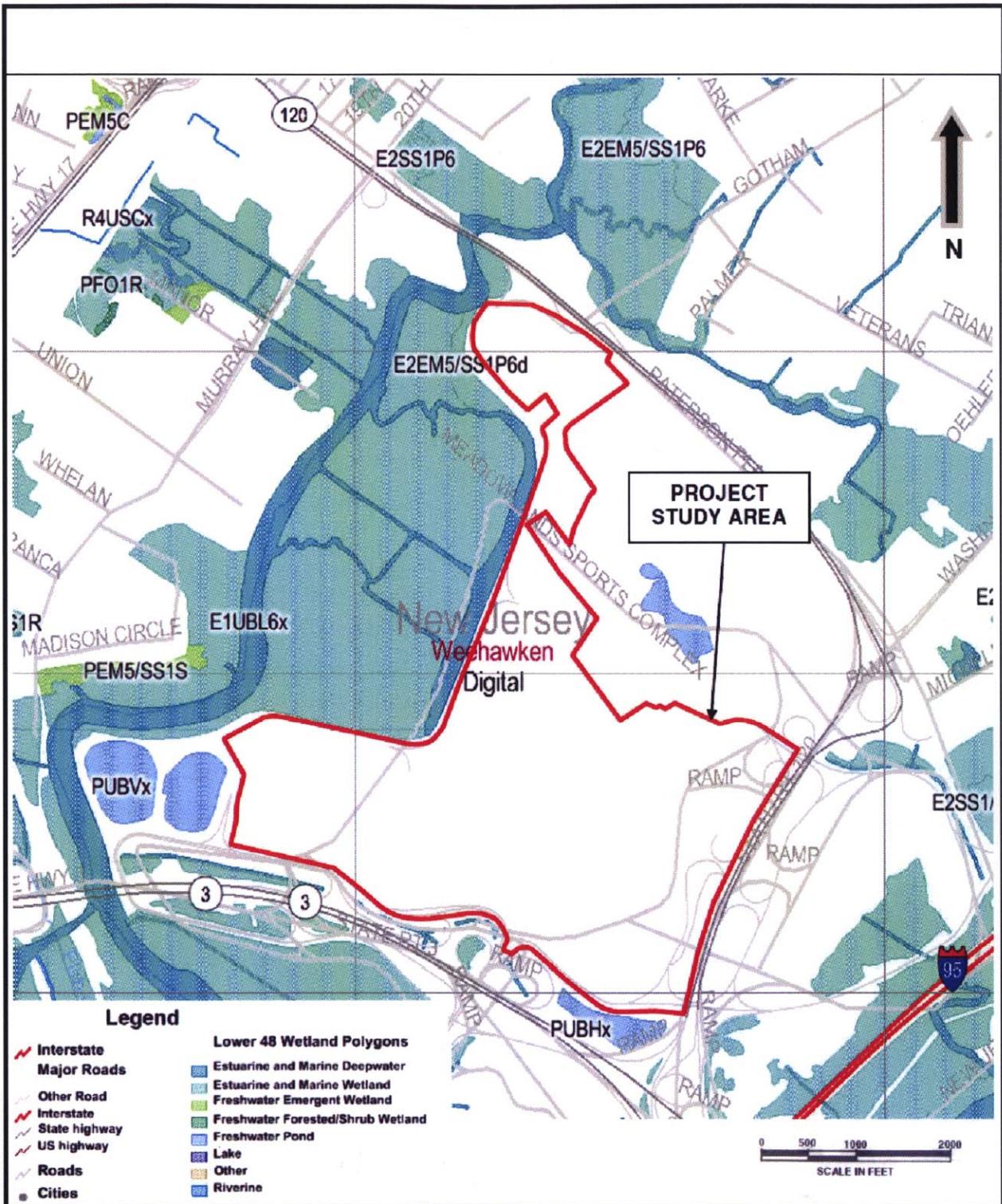
EAST RUTHERFORD

NEW JERSEY

NEW JERSEY PENNSYLVANIA NEW YORK CONNECTICUT FLORIDA NEVADA

NJ Certificate of Authorization No: 24GA27996400

Job No.	Date	Scale	Figure No.
4517103	7/28/2006	1" = 1000'	5



Map Reference: <http://wetlandsfws.er.usgs.gov> - Wetlands Mapper (East Rutherford, NJ)

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Project

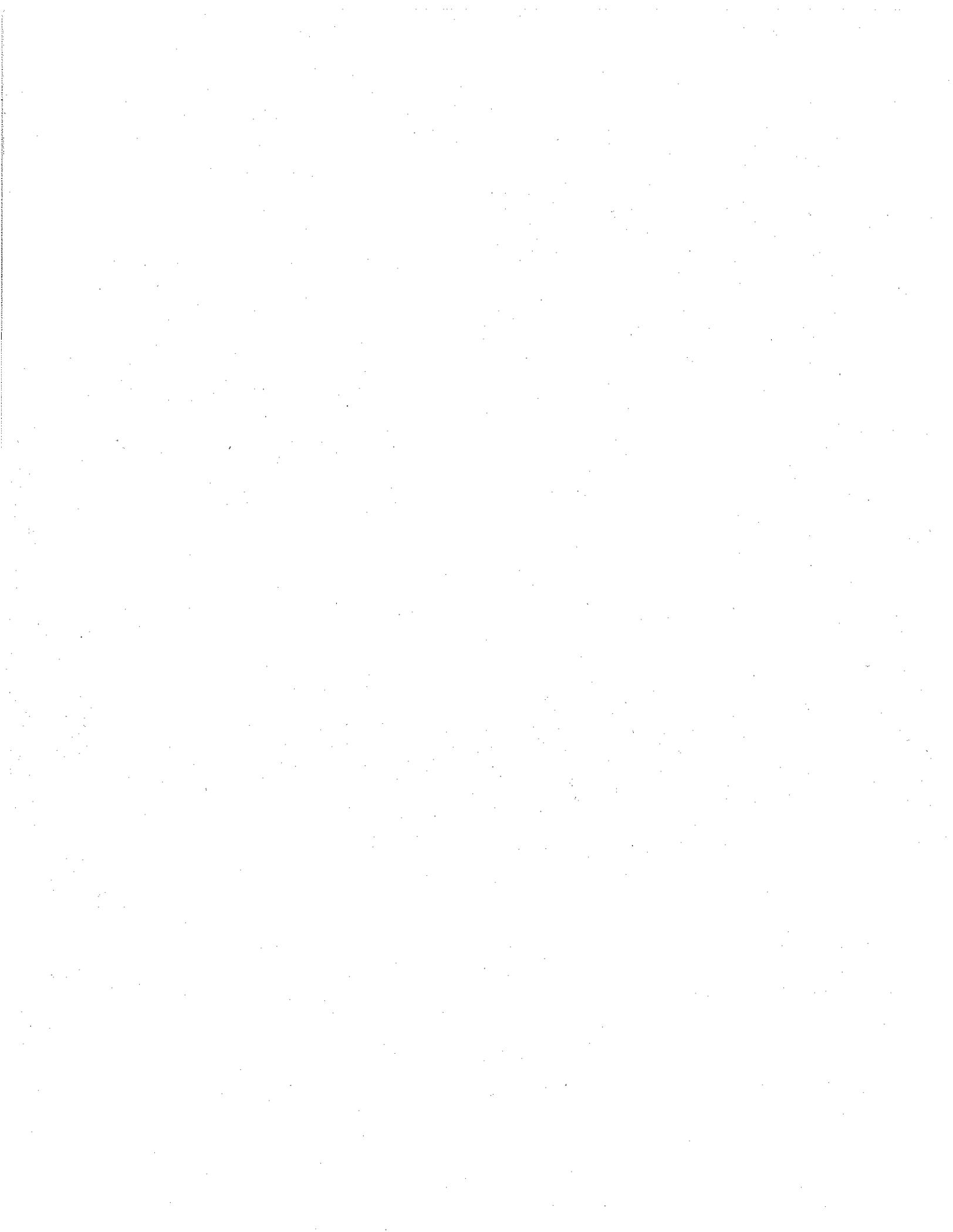
NATIONAL WETLANDS INVENTORY MAP
NEW MEADOWLANDS STADIUM PROJECT

EAST RUTHERFORD

NEW JERSEY

Project No. 4517103	Date 7/28/2006	Scale As Shown	Fig. No. 6
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DRAWINGS

LEGEND:

- PROJECT STUDY AREA BOUNDARY
- ⑥ → PHOTO LOCATION AND DIRECTION
- x 22.56 SPOT ELEVATION
- EXISTING CONTOUR

NOTES:

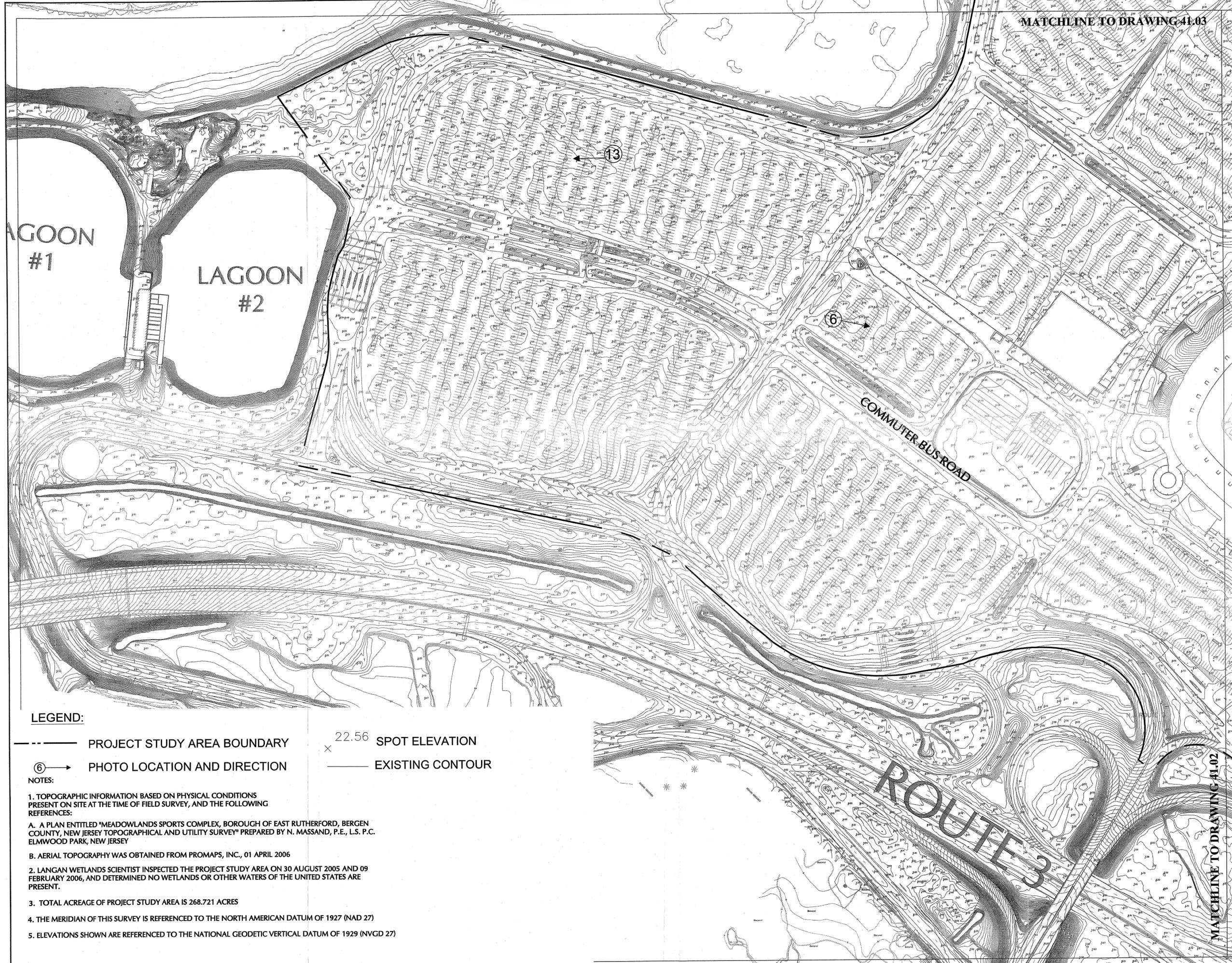
1. TOPOGRAPHIC INFORMATION BASED ON PHYSICAL CONDITIONS PRESENT ON SITE AT THE TIME OF FIELD SURVEY, AND THE FOLLOWING REFERENCES:
 - A. A PLAN ENTITLED "MEADOWLANDS SPORTS COMPLEX, BOROUGH OF EAST RUTHERFORD, BERGEN COUNTY, NEW JERSEY TOPOGRAPHICAL AND UTILITY SURVEY" PREPARED BY N. MASSAND, P.E., L.S. P.C. ELMWOOD PARK, NEW JERSEY
 - B. AERIAL TOPOGRAPHY WAS OBTAINED FROM PROMAPS, INC., 01 APRIL 2006
2. LANGAN WETLANDS SCIENTIST INSPECTED THE PROJECT STUDY AREA ON 30 AUGUST 2005 AND 09 FEBRUARY 2006, AND DETERMINED NO WETLANDS OR OTHER WATERS OF THE UNITED STATES ARE PRESENT.
3. TOTAL ACREAGE OF PROJECT STUDY AREA IS 268.721 ACRES
4. THE MERIDIAN OF THIS SURVEY IS REFERENCED TO THE NORTH AMERICAN DATUM OF 1927 (NAD 27)
5. ELEVATIONS SHOWN ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NVDG 27)



Date	Description	No.
Revisions		
Joseph E. Romano DATE 7-28-06 PROFESSIONAL LAND SURVEYOR N.J. LIC. No.36273		
Langan ENGINEERING & ENVIRONMENTAL SERVICES River Drive Center 1 619 River Drive Elmwood Park, NJ 07407 P: 201.794.6900 F: 201.794.0366 www.langan.com		
Project NEW MEADOWLANDS STADIUM PROJECT EAST RUTHERFORD NEW JERSEY		
Drawing Title USACE JURISDICTIONAL DETERMINATION PLAN		
Project No. 4517103	Drawing No.	
Date 7/28/2006	41.00	
Scale 1"=300'	Drawn By A.C.	
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MATCHLINE TO DRAWING 41.03



LAGOON #1

LAGOON #2

COMMUTER BUS ROAD

ROUTE 3



LEGEND:

- PROJECT STUDY AREA BOUNDARY
- ⊗ 22.56 SPOT ELEVATION
- ⑥ → PHOTO LOCATION AND DIRECTION
- EXISTING CONTOUR

- NOTES:
1. TOPOGRAPHIC INFORMATION BASED ON PHYSICAL CONDITIONS PRESENT ON SITE AT THE TIME OF FIELD SURVEY, AND THE FOLLOWING REFERENCES:
 - A. A PLAN ENTITLED "MEADOWLANDS SPORTS COMPLEX, BOROUGH OF EAST RUTHERFORD, BERGEN COUNTY, NEW JERSEY TOPOGRAPHICAL AND UTILITY SURVEY" PREPARED BY N. MASSAND, P.E., L.S. P.C. ELMWOOD PARK, NEW JERSEY
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 Joseph E. Romano PROFESSIONAL LAND SURVEYOR N.J. LIC. No.36273

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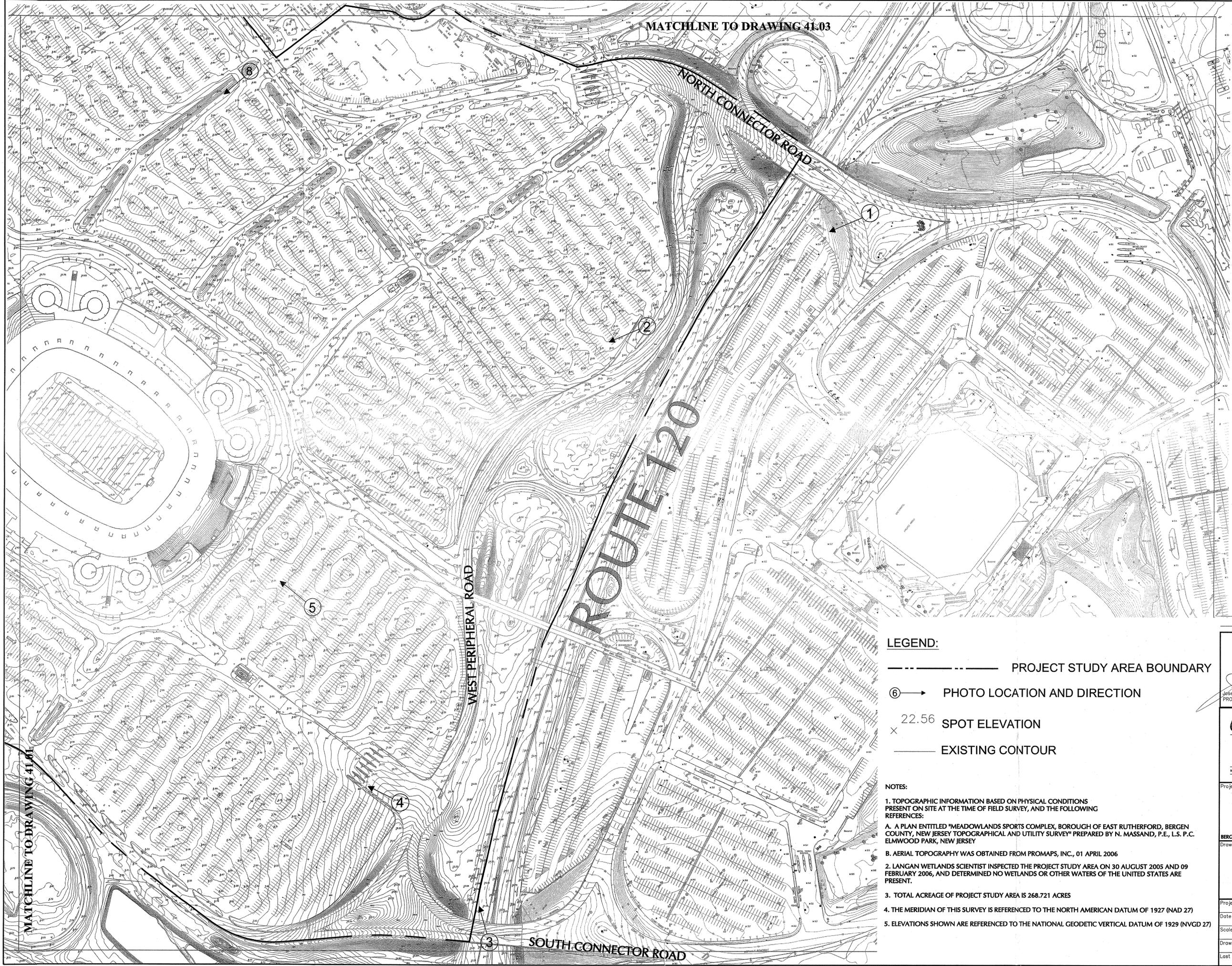
Project
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 BERGEN NEW JERSEY

Drawing Title
USACE JURISDICTIONAL DETERMINATION PLAN

Project No. 4517103	Drawing No.
Date 07/28/2006	41.01
Scale 1"=100'	
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Last Revised S.H.	2 of 5

MATCHLINE TO DRAWING 41.02

MATCHLINE TO DRAWING 41-03



MATCHLINE TO DRAWING 41-01

LEGEND:

- PROJECT STUDY AREA BOUNDARY
- ⑥ → PHOTO LOCATION AND DIRECTION
- 22.56 SPOT ELEVATION
- EXISTING CONTOUR

NOTES:

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5. ELEVATIONS SHOWN ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 29)

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EAST RUTHERFORD		
BERGEN NEW JERSEY		
Drawing Title		
USACE JURISDICTIONAL DETERMINATION PLAN		
Project No.	4517103	Drawing No.
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		3 of 5

MATCHLINE TO DRAWING 41.04

LEGEND:

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- ⑥ → PHOTO LOCATION AND DIRECTION
- 22.56 × SPOT ELEVATION
- EXISTING CONTOUR

NOTES:

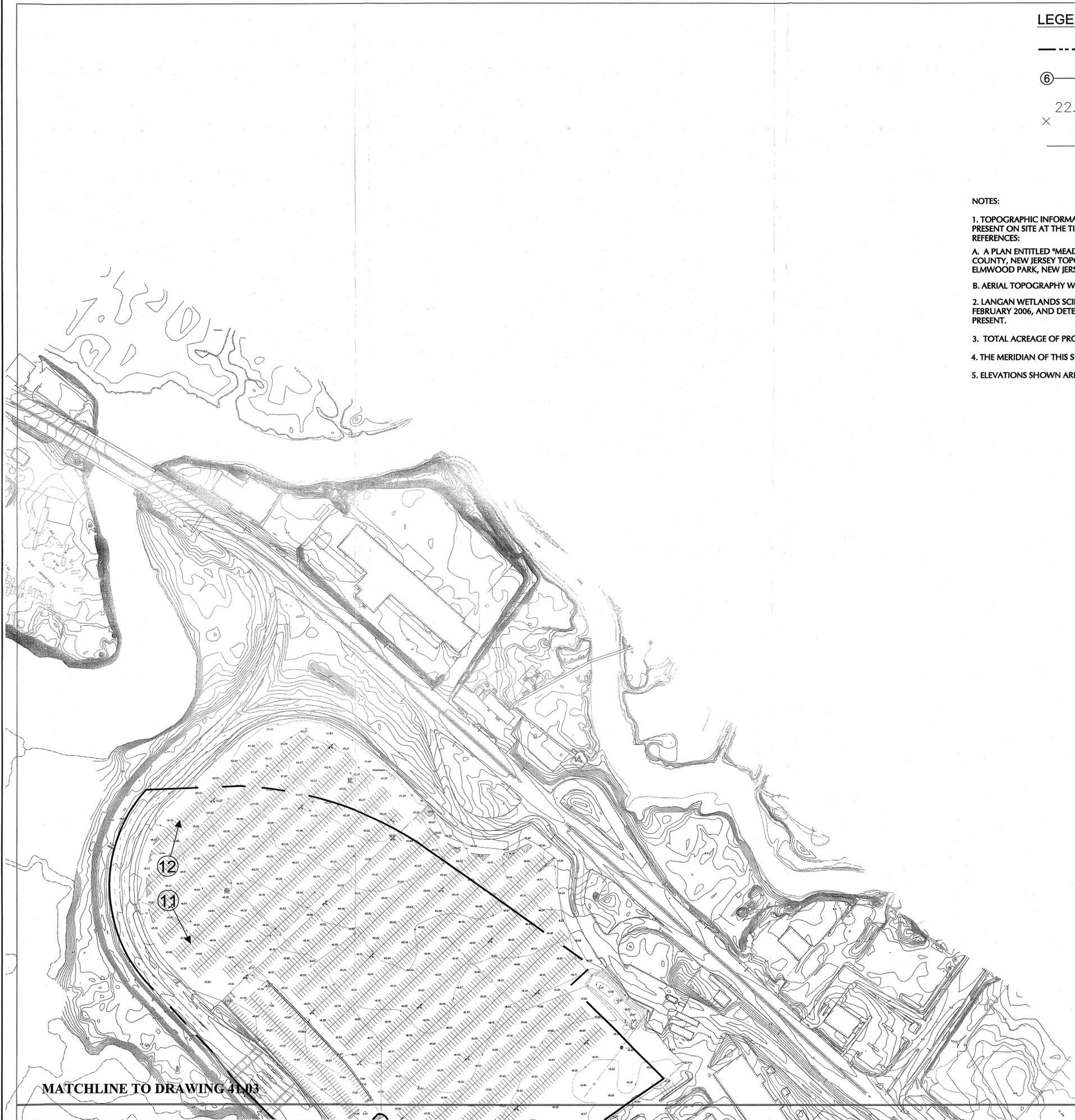
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MATCHLINE TO DRAWING 41.01

MATCHLINE TO DRAWING 41.02

Date	Description	No.
Revisions		
<i>Joseph E. Romano</i> 7-28-06 DATE PROFESSIONAL LAND SURVEYOR N.J. LIC. No. 36273		
 ENGINEERING & ENVIRONMENTAL SERVICES River Drive Center 1 619 River Drive Elmwood Park, NJ 07407 P: 201.784.6900 F: 201.784.0366 www.langan.com <small>NEW JERSEY PENNSYLVANIA NEW YORK CONNECTICUT FLORIDA</small> <small>NJ Certificate of Authorization No. 249A27896400</small>		
Project NEW MEADOWLANDS STADIUM PROJECT EAST RUTHERFORD		
Bergen NEW JERSEY Drawing Title USACE JURISDICTIONAL DETERMINATION PLAN		
Project No.	4517103	Drawing No.
Date	07/28/2006	41.03
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Last Revised	S.H.	4 of 5



LEGEND:

- PROJECT STUDY AREA BOUNDARY
- ⑥ → PHOTO LOCATION AND DIRECTION
- 22.56
x SPOT ELEVATION
- EXISTING CONTOUR

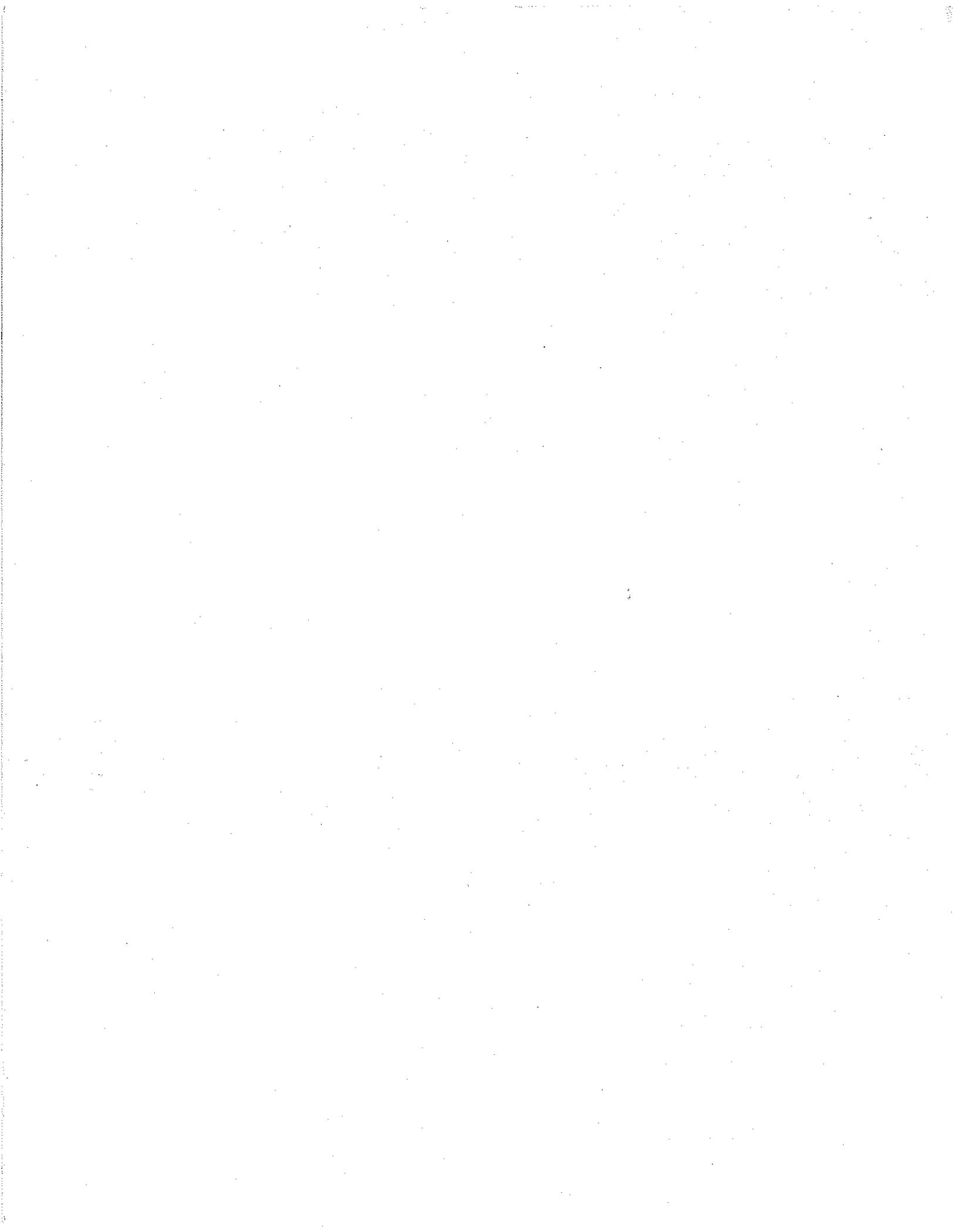
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MATCHLINE TO DRAWING 41.03

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Project		
NEW MEADOWLANDS STADIUM PROJECT		
EAST RUTHERFORD		
BERGEN NEW JERSEY		
Drawing Title		
USACE JURISDICTIONAL DETERMINATION PLAN		
Project No.	4517103	Drawing No.
Date	07/28/2006	41.04
Scale	1"=100'	
Drawn By	A.C.	
Last Revised	S.H.	
		5 Of 5



ATTACHMENT A

**JURISDICTIONAL DETERMINATION INFORMATION
CHECKLIST**

**INFORMATION TO INCLUDE WITH REQUESTS FOR
JURISDICTIONAL DETERMINATIONS (JD)***

1. Names (including Point of Contact if a corporation or other entity), complete mailing addresses and phone numbers of the following:
 - CURRENT PROPERTY OWNER
 - APPLICANT (Project Sponsor)
 - WETLAND DELINEATOR (Consultant)

2. Location Map (preferably a copy of the USGS Quad or State Wetlands Map with site identified on it), AND approximate center point of site (either Latitude/Longitude or UTM Grid Coordinate)

3. Cover letter describing the purpose of the request, a general description of the proposed project, the size (acres) of the parcel, and the size of the limits of the project site (if smaller than the parcel)**

4. Delineation report, including supporting information such as:
 - Description of any current and/or historic land uses on the site
 - State Wetlands Maps, NWI Maps, Soil Survey Maps, FEMA Flood Plain Maps
 - N/A • Description of tributary connections (eg. an unnamed tributary to Elk Creek) and watershed (eg. Hudson River basin) for each wetland on the site
 - N/A • Justification for proposed "isolated" (SWANCC) determinations on any wetlands
 - Description of vegetative cover types on the site
 - N/A • Wetland Delineation Forms for each cover type
 - Photographs of all representative areas of the site (taken during the growing season)
 - Aerial photographs, if available

5. Surveyed delineation drawing, including the following:
 - Title block, including drawing date, scale, revision dates, north arrow, existing topographic contours (if available), benchmarks, and the stamp of a licensed surveyor or a narrative describing how the GPS data were obtained
 - Boundary lines of the parcel, AND of the project site, clearly marked with the acres shown on the drawing
 - N/A • Delineation flags shown as points that are connected by straight lines (or extend off-site at parcel boundaries), and are identified on the drawing with the corresponding number and/or letter that is written on the flag in the field ***
 - N/A • Appropriate hatching and/or shading to identify the extent of waters of the US, including jurisdictional wetlands, and any "isolated" waterbodies or wetlands
 - N/A • All defined tributaries on the site, identified either via flagging or a standard tributary symbol that is in the legend, and existing culvert connections
 - N/A • Table outlining the acres of the waters of the US and "isolated" wetlands, in addition to the linear feet of all tributaries within the boundaries of the project site or parcel

* A JD is a determination of the extent of jurisdictional waterbodies and/or wetlands within the boundaries of a parcel of land

** A project site is the limits of all lands expected to be disturbed for a single and complete project, or the initial phases of a phased project such as a subdivision

*** Delineation flags may need to be replaced on a site prior to scheduling a site inspection with the USACE

ATTACHMENT B
SITE PHOTOGRAPHS



Photograph 1 – Southwestern view from the North Connector Road bridge over Route 120 looking at the project study area.



Photograph 2 – View from West Peripheral Road looking west.



Photograph 3 – View from the South Connector Road bridge over Route 120 looking north at the project study area.



Photograph 4 –View looking west from the main parking entrance off of West Peripheral Road.



Photograph 5 – View from the parking lot on the eastern side of the existing stadium.



Photograph 6 – Looking east at the existing stadium from the intersection of Commuter Bus Road and Berry's Creek Road.



Photograph 7 – View looking south near the intersection of Valet Road and Berry’s Creek Road.



Photograph 8 –View from Valet Road looking southwest toward the existing stadium.



Photograph 9 – View looking northeast from parking area located north of the existing stadium.



Photograph 10 – View along Berry’s Creek Road looking south at the project study area. The Meadowlands Racetrack is seen in the distance.



Photograph 11 – A view from along Berry’s Creek Road looking southeast at the parking areas in the northernmost section of the project study area.



Photograph 12 –Looking north at the northernmost section of the Project Study Area. Vegetation lies on the boundary between the parking area and Berry’s Creek Road.



Photograph 13 – Western view from the western most parking area within the project study area.