APPENDIX D

RESPONSE TO COMMENTS ON PEIS

RESPONSE TO COMMENTS ON THE PRELIMINARY ENVIRONMENTAL IMPACT STATEMENT

NEW MEADOWLANDS STADIUM PROJECT FINAL ENVIRONMENTAL IMPACT STATEMENT

This Appendix includes the following items relating to the Public Hearing and Public Comment Period held for the NJSEA Consultation Process Preliminary Environmental Impact Statement (EIS) for the New Meadowlands Stadium Project:

- **Sources of Public Comments**

  This list identifies the sources that provided verbal comments at the December 13, 2006 and the December 14, 2006 Public Hearings and the written comments that were submitted subsequent to the hearing during the public comment period. Several members of the public provided verbal comments at the hearing. In addition, written comments were received from commenters during the public comment period, which ended on January 15, 2007.

- **Summary of Public Comments**

  This summarizes both the verbal and written comments received on the New Meadowlands Stadium Project Preliminary EIS by topic, identifies the source of the comment by initials that corresponds to the list of initials at the end of the summary, and provides a response to these comments.

- **Hearing Transcripts and Written Correspondence**

  The transcripts from the two public hearings held on December 13, 2006 and December 14, 2006 and letters submitted during the public comment review period are provided.

SOURCES OF PUBLIC COMMENTS

NEW MEADOWLANDS STADIUM PROJECT
PRELIMINARY ENVIRONMENTAL IMPACT STATEMENT

Written Correspondence

1. Patrick J. O'Keefe, Executive & Chief Executive Officer,
   New Jersey Builders Association (NJBA)
   Letter Dated: December 29, 2006 (5 pages, no attachments)

2. Kenneth C. Koschek, Supervising Environmental Specialist,
   Office of Permit Coordination and Environmental Review, New Jersey Department of Environmental Protection (NJDEP)
   Letter Dated: January 9, 2007 (7 pages, 3 attachments)

3. Damien Newton, NJ Coordinator,
   Tri-State Transportation Campaign
   Typed Testimony Dated: December 13, 2006 (2 pages)

4. Dennis McNerney, Bergen County Executive
   Typed Testimony Dated: December 13, 2006 (2 pages)

5. Eric Anderson, P.E., Chief Engineer
   Bergen County Utilities Authority
   Letter Dated: January 11, 2007 (3 pages)

6. Clifford G. Day, Supervisor
   US Department of the Interior Fish and Wildlife Service
   Letter Dated: January 19, 2007

7. Tom Schak
   General Public, Wood-Ridge, NJ
   Hand written letter (undated) (2 pages)

Verbal Comments: Public Hearings - December 13 and 14, 2006

1. Bill Sheehan, Hackensack Riverkeeper, Inc

2. Howard Ferguson, Local 825 Operating Engineers of NJ

3. Damien Newton, New Jersey Coordinator, Tri-State Transportation Campaign

4. Dennis Elwell, Mayor of Secaucus

SUMMARY OF RESPONSE TO COMMENTS ON THE NEW MEADOWLANDS STADIUM PROJECT PRELIMINARY ENVIRONMENTAL IMPACT STATEMENT

General Comment

Comment: I support the project. Large projects are good for union members. (HF-1, DM-1)

Response: Comment acknowledged. Support is welcome.

Comment: During the construction of structures on the project site care must be taken not to expose workers and the public to levels of radiofrequency radiation in excess of the limits specified in N.J.A.C. 7:28-42, Radio Frequency Radiation. Metallic objects within a 1,000 meter radius of AM broadcasting towers can become charged and result in contact current burns when touched. Metallic objects in such fields should be properly grounded. The potential for RF hazards to exist at this location has been proven. Guidance set forth in the Institute of Electrical and Electronic Engineers' IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3kHz to 300 GHz (IEEE Std C95.1 – 2005) should be followed. (KK-6)

Response: Two sets of radio towers are located near the Project Site. One set of radio towers is located to the southeast of the Project Site, east of Route 120, approximately 310 meters to the proposed Ancillary Development structure and approximately 640 meters to the proposed Stadium structure. Another set of towers is located to the north of Paterson Plank Road, approximately 730 meters from the proposed Stadium structure. The Giants Training Facility is further than 1,000 meters from both set of towers. The set of towers east of Route 120 is located just south of the Xanadu project. These towers may be moved in the near future as part of the Xanadu project. The Stadium Project structures are further from the radio towers compared to Xanadu. Given the proximity of the Stadium Project structures to the radio towers, NM Stadco will follow the recommended safety procedures for radio frequency electromagnetic fields during the construction phase of the Stadium Project including grounding of construction equipment.

Project Description

Comment: The lighting for the stadium should use best technology and conserve energy. (BS-3)

Response: NM Stadco is considering the best technology and energy conservation for lighting fixtures. As stated in Section 2.2 of the PEIS, energy efficient lighting and equipment rated as USEPA Energy-Star compliant are being assessed for the Stadium Project.

Additionally, a lighting control system will be installed to minimize energy consumption. The microprocessor-based system will encompass the entire stadium including all sports lighting, site lighting, interior space light and security lighting. The system will minimize energy consumption by allowing easy manipulation of lighting levels throughout the entire system from multiple locations. The system will allow lighting level control in all areas including parking lots, seating bowl, playing field concourses based on operating condition (i.e., Day Event, Evening Event, Maintenance Mode, After Hours Mode, etc.).

Occupancy sensors will also be utilized to turn off the lighting in spaces when they are unoccupied such as office spaces, toilet rooms, storage rooms and other minimally utilized spaces. An architectural dimming system will further reduce energy consumption by selectively reducing lighting levels in certain public areas such as the Club Lounge, Team Stores, and Player Locker Rooms.

Comment: A cover should be provided for the stadium to increase the opportunity for solar power and make the project more sustainable. Maybe the solar power could be used for tailgating. (BS-6)

Response: Due to the significant cost of a roof, the current design of the new Stadium does not include a roof and the opportunities for the use of solar power at the new Stadium would be significantly limited. NM Stadco is assessing the feasibility of solar power use for the Ancillary Development components of the Stadium Project.

Comment: LEEDs standards should be applied and certification obtained. The US Green Building Council's LEED Green Building Rating System as a whole should be assessed for all components of the Stadium Project. The developer should incorporate additional sustainable design features. A sustainable stadium should be built to show it can be done. (BS-8, KK-7)

Response: As stated in Section 2.2 of the EIS, NM Stadco is committed to sustainable growth practices, environmental performance and energy conservation as part of the ongoing design process. NM Stadco, however, will not be pursuing a LEED certification for the new stadium since the LEED process is primarily intended for enclosed buildings and structures. However, the following are a few of the energy saving concepts that will be employed to minimize energy consumption:

- Heat Recovery Systems: Thermal energy will be recovered from exhaust air and transferred to incoming outdoor air.

- Demand Controlled Ventilation: CO_2 sensors will be installed to measure occupancy in spaces with variable occupancy. In response to the CO_2 levels, the outdoor air will be varied, thereby saving energy by heating or cooling less outdoor air when space occupancy is low.

- Lighting Control System: A lighting control system will be installed to encompass the entire stadium including all sports lighting, site lighting, interior space light and

security lighting. A microprocessor-based system will minimize energy consumption by allowing easy manipulation of the entire system from multiple locations.

- Energy Efficient Glazing: The new Stadium and the Giants Practice Facility windows will be glazed with Low-E coatings. Low-E coatings boost the energy efficiency of windows. Low-E insulated windows in cold climates are more energy efficient than clear windows because Low-E coatings reduce heating costs associated with energy loss through windows by lowering the window's U-value.

NM Stadco will continue to analyze opportunities for sustainable design features as the plans for the Stadium Project evolve. NM Stadco will use the USGBC LEED Green Building Rating System to identify potential opportunities for consideration. Note that the Jets headquarters in Florham Park is not being designed to meet USGBC LEED standards, but similar to the Stadium Project, is incorporating energy conservation and other sustainable development measures into the design of the facility.

Comment: Emphasize positive impact potential of the new Stadium, not just avoidance of negative impact. Project should set an example for environmental performance. (BS-11)

Response: The Stadium Project will have many beneficial impacts to the local and regional area. The new stadium will replace an old stadium, providing improvements that will conserve water and energy. As described in Section 2.2 of the EIS, a number of design opportunities will be evaluated to potentially implement sustainable growth practices, improve environmental performance and reduce energy consumption. The Stadium Project will include use of low sulfur fuels and implementation of a construction debris recycling program during construction. The Stadium Project will also specify that all equipment to be non-ozone depleting, implement a "buy local" program for materials; use energy efficient and United States Environmental Protection Agency (USEPA) Energy-Star compliant equipment such as lighting; use Direct Digital Control (DDC) and Heating, Ventilating, and Air Conditioning (HVAC) controls; use waterless urinals throughout the Stadium; and use low Volatile Organic Compounds (VOC) adhesives, paints and coatings, carpets, composite wood and other interior finish materials where practicable.

The EIS was prepared to address the requirements of the consultation process (see Section 6.1 of the EIS). The consultation process focuses on making a finding that the location, type and character of the project is acceptable, as well as making a finding that the environmental balance of the Hackensack Meadowlands is maintained and preserved. Therefore, the EIS focuses on avoidance of potential negative impacts and what appropriate mitigation measures are necessary to maintain the environment. The EIS does sets forth, in certain places, several positive impacts from the Stadium Project including land use and socioeconomic. As presented in Section 4.15 of the EIS, the Stadium Project will expand the land uses at the Meadowlands Sports Complex to keep the sports complex at the forefront of the evolving trends in sports and entertainment development. As presented in Section 4.14 of the EIS, the Stadium Project will result in a number of substantial and beneficial economic impacts to the NJSEA, the Hackensack Meadowlands region, and the State of New Jersey. Substantial tax revenues and

jobs will contribute to a projected economic impact of $1.2 billion during the construction phase and $938 million annually during the operation of the new facilities.

Wildlife

Comment: The lighting for the stadium could disturb wildlife. It should be targeted and directed. (BS-9)

Response: The existing Stadium and Sports Complex currently provides lighting. The new Stadium lighting will be targeted and directed to provide efficient illumination of the football field and stadium interior. The luminaires will be designed to minimize spillover and to preserve the night sky in accordance with the Dark Sky Association's guidelines. These design practices will minimize potential light impacts to the surrounding wildlife habitat to the extent practicable.

Resource Contamination

Comment: Consideration should be given to capturing the methane gas for use or to flare so that its impact on global warming is minimized. (KK-8)

Response: As discussed in Section 4.8 of the EIS, methane has been found on the project site due to the underlying organic materials from old tidal marsh deposits. The anaerobic degradation of these organic materials produces methane gas that migrates upwards toward the surface and overlying structures. As part of the structure design, a methane collection system is placed beneath the building to vent and disperse the gas so high concentrations are not allowed to form under or in the building. Unlike landfills with high levels of methane, the methane gas that will be vented from under the proposed Stadium Project structures will be of such low levels that neither collection for use or flaring of the gas will be feasible.

Solid Waste and Recycling

Comment: Utilize serviceable recyclable components in new Stadium. You should recycle the old stadium into the new buildings. Do not contribute to landfill space. (BS-1)

Response: Recyclable materials from the demolition of the old stadium will not be sent off-site to landfills. However, due to the need to maintain operations of the current stadium and the current Giants Training Facility until the new Stadium and new Giants Training Facility are constructed and operational, it would not be practical to recycle materials from the old stadium into the new Stadium or new Giants Training Facility. As stated in PEIS Section 4.9.2, suitable materials from the old stadium will be crushed and recycled for use as compacted fill at the site and this practice will eliminate the need to use valuable landfill space. In addition, as owner of the existing stadium, the New Jersey Sports and Exposition Authority will make elements of

the existing stadium available for purchase or reuse by the Jets and Giants organizations as well as other organizations and individuals.

Comment: Food service should not use plastic or styrofoam, but recyclable paper products. (BS-10)

Response: NM Stadco will consider this comment in the development of operation plans for the new stadium.

Comment: Construction and demolition debris is a designated recyclable material pursuant to the Bergen County Recycling Plan, and thus must be recycled to the fullest possible extent. (KK-3)

Response: NM Stadco will design and implement a construction and demolition recycling program as part of the overall "smart growth" and "sustainable" construction practices of the Stadium Project.

Comment: The project's Recycling Plan should also include aluminum cans, mixed paper, corrugated cardboard, high-grade paper, glass containers, and ferrous scrap pursuant to the Bergen County Recycling Plan and must be recycled to the fullest possible extent. (KK-4)

Response: As discussed in Section 4.9.2 of the EIS, NM Stadco will prepare and implement a recycling plan for the operation of the Stadium Project consistent with the Bergen County Recycling Plan as part of the overall "smart growth" and "sustainable" practices of the Stadium Project. The recycling plan will also include the collection of aluminum cans, mixed paper, corrugated cardboard, high-grade paper, glass containers, and ferrous scrap pursuant to the Bergen County Recycling Plan.

Insert Ed's Comment/Response on Exempt Nature of NJSEA for Recycling

Utilities and Infrastructure

Comment: The NJSEA should work with the BCUA to upgrade their sewerage treatment plant. The project will bring more people and contribute to additional flows to plant, which might not be able to handle flows. (BS-2)

Response: As discussed in Section 4.10.2.2 of the EIS, NM Stadco will be required to obtain a Treatment Works Approval from the DEP to confirm that the BCUA has adequate capacity for the Stadium Project. Because of the proposed water and environmental conservation measures, primarily as a result of the use of waterless urinals, low irrigation plantings, and synthetic turf, peak flows during game events will decrease; the only increase in the Project flows is attributable to the proposed Ancillary Development.

Comment: The Stadium Project should consider the use of reclaimed water to off-set the usage of potable water for activities such as restroom facilities (toilets and urinals), process water for boilers and other mechanical processes, and irrigation of the proposed landscaping. A jointly funded reclaimed water pipeline servicing both the Meadowlands Sports Complex and EnCap golf course would benefit both parties and reduce the total costs associated with the project as well as the operation of the reclaimed water system. (EA-1, EA-2)

Response: As stated in Section 4.10.2.2, the new Stadium will use waterless urinals that will result in a 35 percent reduction in water use compared to normal water urinals. NM Stadco is also implementing other water conservation measures such as low irrigation plantings, censored controlled and metered faucets, and synthetic turf in the new Stadium to decreased demand of potable water. NM Stadco is expected to address potential beneficial reuse opportunities for the Stadium Project as part of the NJDEP Water Main Extension Certification application review process.

Traffic and Transportation

Comment: The traffic impact study fails to consider the perfect storm. What about an evening rush hour with a large concert and racetrack event? (DN-1)

Response: The event operations of all facilities located at the Sports Complex are managed so that the "perfect storm" does not occur and, in the future as the Meadowlands Xanadu and the new Stadium Project are placed into operation; additional attention will be given to these efforts. The traffic study scenarios include the management of event operations. Additionally, the traffic study scenarios were developed in accordance with New Jersey Highway Access Management Code (N.J.A.C. 16:47) and were approved by the NJDOT as part of the Scope of Study on December 20, 2006.

As stated in Section 4.11.2.1.3, the PM Continental Airlines Arena Event Peak Hour (weekday evening – 7:15 to 8:15 PM) considers the evening rush hour with a concert event at the Arena with the racetrack operational In addition, events are scheduled so as to occur after the normal weekday evening rush hour (i.e., 4:30 to 5:30 PM) so that an evening rush hour with a large concert and a racetrack event is not a possible traffic scenario.

Comment: The traffic study is built upon the Xanadu study, which is flawed (modeled rush hour is too early). The evening event and peak pm event are not the same period and should be. (DN-2, DN-3)

Response: The Traffic Impact Study for the Stadium Project is built upon several different existing regional studies including the 2004 Meadowlands Xanadu Project traffic study, the Meadowlands Regional Transportation Analyses prepared for the NJSEA and NJDOT in 2004, and the 2006 studies completed by DMJM Harris for the NJ Turnpike Interchange 16W Improvement Project and HNTB for NJ Route 120 (Paterson Plank road) for NJ Route 17 to Gotham Parkway. This approach addresses potential concerns with the Meadowlands Xanadu study and incorporates the cumulative impacts of other projects into the Stadium Project traffic study.

As stated in PEIS Section 4.11.2.1.3, the evening event (7:15-8:15 PM) and highway peak pm event (4:30-5:30 PM) occur at different periods. These periods represent the peak traffic flows within the study area during the weekday PM commuting period. Evening events at the Sports Complex start later than the normal highway peak pm period. These events are not the same time period and therefore, in accordance with NJDOT standards, have not been combined in the traffic study.

Comment: The project ignores the tremendous positive impact of the potential use of bus lanes and needs to expand the use of public transportation and bus service. There is only one sentence on bus service. The project should look to improve bus service. The project should work with the ongoing NJDOT bus service study. (DN-4)

Response: PEIS Section 4.11.1.4 describes the existing bus service to the Sports Complex which will continue into the future with the new Stadium. NM Stadco is currently working with NJ Transit on improvements to both rail and bus service for public transportation. In addition, NJ Transit is working with NJDOT to incorporate the Stadium Project into the NJDOT regional bus service study.

Comment: The project should develop a comprehensive, regional transportation plan for the Sports Complex. Several communities have passed resolutions for this. (DN-5)

Response: The NJSEA and NM Stadco are part of a regional task force that examines and discusses regional transportation projects. It should be noted that the NJSEA and NM Stadco are currently working with the NJ transit to coordinate the new rail station proposed on the West Site of the Sports Complex. The Stadium Project will provide plazas and pedestrian ways adjacent to the west side of the planned NJ Transit rail station platform so that patrons of the new Stadium and Ancillary Development can utilize the new train station. NJSEA and NM Stadco will continue to work with both NJDOT and NJ Transit who have the responsibility to develop appropriate regional transportation plans.

The new Stadium and Giants Training Facility are replacement projects and thus do not contribute any new regional traffic impacts to the area. As stated in Section 4.11 of the EIS and in the revised Traffic Study (Appendix C), the Stadium Project's traffic analysis builds on existing regional studies, and the NJDOT, in the context of NM Stadco's Major Access Permit application, has approved this methodology.

Furthermore, a comprehensive, long range Regional Plan, 'Access and Mobility 2030' has been developed by the North Jersey Transportation Planning Authority in concert with NJDOT, NJ Transit, Port Authority, and local governments. The Plan was reviewed by the public and the business community and adopted by the NJTA Board in September 2005. The transportation projects currently being implemented at the Meadowlands Sports Complex are consistent with the approved regional plan and will benefit regional travel as well as access to the Sports Complex.

Comment: The project should provide funding to regional roadway improvements. ENCAP has entered into an agreement with NJ Transit for a rail station. The project should fund the Lincoln Tunnel bus lane. (DN-6)

Response: Funding for the regional roadway improvements is being provided by others (see Section 4.11 in the EIS). The construction, operation and maintenance of any bus lanes to the Lincoln Tunnel are the responsibility of the Port Authority. The Traffic Impact Study that has been prepared by Vollmer Associates LLP (Appendix C) and to be reviewed by the NJDOT evaluates the traffic impacts and the 'fair-share' financial contribution required to fund additional transportation improvements to mitigate the traffic impacts from the Stadium Project in accordance with N.J.A.C. 16:47.

Comment: The parking plan in the PEIS is good. Reducing the number of spaces will send a message to the fans that they need to do other things. Plan encourages use of pedestrian and rail. You should consider selling parking spaces with tickets. (DN-7)

Response: Comment acknowledged.

Comment: The project is just not a stadium. Traffic is an issue. Stadium project is being enlarged with Xanadu ongoing. What is cumulative impact on traffic with both projects? Local mayors need answers. (DE-1, DE-2, TS-1)

Response: The EIS and Stadium Project Traffic Study analyze the traffic associated with the Stadium Project. The Stadium Project Traffic Study provided in Appendix C provides a detailed traffic study of the Stadium Project. A summary of the Traffic Study is presented in Section 4.11 of the EIS. The Traffic Study examined the potential traffic impacts from the Stadium Project and included projected traffic from Meadowlands Xanadu as well as projected traffic from an additional nine major developments in the region (see Section 4.11.2.1.1 of the EIS for a listing of these development projects). The Stadium Project Traffic Study provides a cumulative impact analysis of projects in the region by incorporating the traffic projections from the Meadowlands Xanadu Redevelopment Project traffic study and the Meadowlands Regional Transportation Analysis. The later study incorporated a number of significant regional projects into the traffic model so that potential cumulative impacts to traffic were considered (see Section 4.20). In addition, the Stadium Project Traffic Study incorporated various transportation improvements committed to by NJDOT and NJTA including Interchange 16W of the New Jersey Turnpike, Paterson Plank Road and Route 120/Route 3 interchange. The Stadium Project Traffic Study concluded that coupled with the traffic projections from ten major developments in the region and the regional roadway improvements being performed by others there would be no additional adverse impacts with the increase in traffic from the Stadium Project, including the Ancillary Development, on the studied roadways.

Comment: Who is going to pay for required roadway improvements? We do not want to see mitigation done over next 5 to 10 years. (DE-4, TS-2)

Response: As presented in Section 4.11 of the EIS, several regional roadway improvements beyond the Meadowlands Sports Complex are currently under design and are committed to being completed by 2010. These improvements include: NJTA Interchange 16W / Route 3 Improvements; additional Route 120 Southbound to Route 3 Eastbound Flyover (NJDOT); Meadowlands Xanadu Redevelopment Project Access / Circulation Improvements; Paterson Plank Road Widening (NJDOT); and, NJ Transit Rail Station and associated Railroad Project Roadway Improvements.

The new Stadium and Giants Training Facility will replace the existing Stadium and Giants training facilities. Therefore, traffic generated from these two project components is expected

to be similar to current traffic conditions. The Ancillary Development will generate additional traffic. However, the Stadium Project Traffic Study has concluded that the Stadium Project can be accommodated by the future highway system therefore no roadway improvements beyond those described above will be needed for this additional traffic generated by the Stadium Project.

A "fair share" funding analysis is being performed as part of the NJDOT Major Highway Access Permit review process for the Stadium Project. In accordance with N.J.A.C. 16:47-4.34, applicants are responsible for financial contributions towards the costs of capacity improvements to the State highway system at those NJDOT study locations that violate the Level of Service (LOS) standards set forth in N.J.A.C. 16:47 4.24-4.29. Only one external study location at the intersection of Training Way and the NJ Route 3 North Service Road has been identified as having an impact exceeding the LOS standards set forth in N.J.A.C. 16:47 4.24-4.29. The LOS impact only occurs during the Saturday Continental Airlines Arena Event PM Peak Period. The traffic impact will be mitigated by the use of traffic control agent(s) during this period. The applicant will bear the costs associated with the proposed traffic control mitigation.

Air Quality

Comment: Anti-idling laws should be enforced during tailgating for vans, trucks and recreational vehicles. Plug-in areas and kiosks should be provided for these types of vehicles. (BS-5)

Response: The enforcement of current vehicle idling laws is a duty of local and state police patrols at the Sports Complex. The future tailgating zones planned as part of the Stadium Project will provide plug-in electric locations which will furnish patrons an opportunity to save fuel costs while also benefiting the environment by eliminating the need for vehicle idling.

Comment: What will be the impacts of traffic on the environment? (DE-3)

Response: PEIS Section 4.12, Air Quality, examines the potential air quality impacts from additional traffic. A mobile source analysis (i.e., microscale CO Hot Spot analysis) was performed to assess potential air quality impacts. The results of the air quality microscale analysis presented in Section 4.12 conclude that the emissions from mobile sources will be in compliance with all New Jersey and National Ambient Air Quality Standards and Federal Conformity Rules.

Comment: If the ACOE determines that there are no wetlands or other waters of the United States on the Project site, then the General Conformity requirements in Section 176 (c) of the Clean Air Act would not apply to the Project. If the ACOE determines that there are wetlands or other waters of the United States on the Project site, then General Conformity requirements in Section 176(c) would apply to the portion of the Project that is covered by the ACOE permit. If General Conformity applies to a Project a General Conformity Determination would need to be completed by the ACOE. (KK-5)

Response: An ACOE permit will not be required for the Stadium Project since no wetlands or other waters of the United States are located within the Project Area (see Section 4.3.1.1 of the EIS). Section 4.12.2 in the EIS states that a Clean Air Act conformity determination is not required since the Stadium Project does not involve any federally sponsored or approved activities, nor are any roadway improvements proposed that might impact the regional transportation conformity evaluations.

Comment: The Diesel Risk Reduction Program recommend that the applicant's Diesel Emission Management Plan include mandatory use of ultra low sulfur diesel for both on-road and non-road equipment used at the site, incorporate additional steps to achieve the 35% reduction goal, and plan to reduce idling by both on-road and non-road construction equipment operating at the site. (KK-9)

Response: NM Stadco thanks the NJDEP for their recommendations in the development of the diesel emissions reduction program for the construction of the Stadium Project.

Socioeconomics

Comment: The PEIS does not address housing, and in particular affordable housing, as a socio-economic and land use issue. (PK-1)

Response: ***Insert Ed's Response on NJSEA and affordable housing***

Indirect and Cumulative Impacts

Comment: The project should be encouraged to have not only no significant adverse impacts, but also positive environmental impacts on the area to make it a better place locally and regionally. (BS-7)

Response: The Stadium Project will have many beneficial impacts to the local and regional area. The new stadium will replace an old stadium, providing improvements that will conserve water and energy. NM Stadco has continually stressed the importance of water and energy conservation during the design, construction and operation of the facility. NM Stadco's careful and thoughtful planning efforts will undoubtedly yield positive environmental impacts.

For example, the Stadium Project will incorporate waterless urinals in all public restrooms to conserve water. Waterless urinals are a significant water conservation measure for a large crowd gathering facility. The fixtures will reduce the sanitary load generated and the potable water use by 1 gallon per flush over conventional urinals. It is estimated that the urinals will conserve approximately 2,700,000 gallons of water per year.

The selection of a synthetic turf material is another confirmation of NM Stadco's commitment to water conversation. It is estimated that 1,200,000 gallons of water per year will be

conserved due to the use of synthetic turf playing field. Additional measures will also be employed to positively affect the environment and benefit the local and regional area.

The EIS was prepared to address the requirements of the consultation process (see Section 6.1 of the EIS). The consultation process focuses on making a finding that the location, type and character of the project is acceptable, as well as making a finding that the environmental balance of the Hackensack Meadowlands is maintained and preserved. Therefore, the EIS focuses on avoidance of potential negative impacts and what appropriate mitigation measures are necessary to maintain the environment. The EIS does sets forth, in certain places, several positive impacts from the Stadium Project including land use and socioeconomic. As presented in Section 4.15 of the EIS, the Stadium Project will expand the land uses at the Meadowlands Sports Complex to keep the sports complex at the forefront of the evolving trends in sports and entertainment development. As presented in Section 4.14 of the EIS, the Stadium Project will result in a number of substantial and beneficial economic impacts to the NJSEA, the Hackensack Meadowlands region, and the State of New Jersey. Substantial tax revenues and jobs will contribute to a projected economic impact of $1.2 billion during the construction phase and $938 million annually during the operation of the new facilities.

Permits and Approvals

Comment: The project should comply with Phase II stormwater rules and not receive any waiver. (BS-4)

Response: The Stadium Project will comply with all applicable State and Federal regulations pertaining to stormwater management and will not require a waiver.

Comment: The NJDEP's Bureau of Solid and Hazardous Waste Permitting concurs that the site should not be regulated as a solid waste facility and that a disruption permit is not needed for the project development. (KK-1)

Response: Comment acknowledged.

Comment: All environmental concerns with the on-site material should be addressed in accordance with N.J.A.C. 7:26E, the Technical Rules for Site Remediation. (KK-2)

Response: As stated in Sections 4.8 and 6.2.9 of the EIS, NM Stadco is remediating the site in accordance with the NJDEP Technical Rules and NJDEP Site Remediation Program oversight.

Verbal

BS - Bill Sheehan, Hackensack Riverkeeper, Inc.
HF - Howard Ferguson, Local 825 Operating Engineers of NJ
DN - Damien Newton, Tri-State Transportation Campaign
DE – Dennis Elwell, Mayor of Secaucus

Written

DM - Dennis McNerney, Bergen County Executive
DN – Damien Newton, Tri-State Transportation Campaign
PK - Patrick J. O'Keefe, New Jersey Builders Association
KK - Kenneth C. Koschek, New Jersey Department of Environmental Protection
EA - Eric Anderson, Bergen County Utilities Authority
TS - Tom Schak, Wood-Ridge, NJ

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MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 13, 2006
10:00a.m. – 12:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
David A. McPherson	WMM	300 Lighting Way Secaucus, NJ	201 863 4400
Andrea Connell	TRC	7 Skyline Dr. Hawthorne, NY	914 592-4040
Rick Bovito	RS Knapp/Napco	1000 Wall St West Lyndhurst, NJ. 07071	201-438 1500
Kelly McCormick	Langan Engineering & Environmental Services	River Drive Center 1 Elmwood Park, NJ 07407	201-794-6900
Sarah Joynes	Langan Engineering	"	"
Rob Edwards	NJ Transit	Meadowlands, NJ	973 491 7297
[illegible]	NMS	[illegible] Com	914 472 [illegible]
Nick Manente	NJSEA	300 Pulaski Plaza [illegible] Rutherford NJ	917-959-8893
Peter Botsolo	NJ Assembly	~~15 Skyline~~ 800 Bloomfield Av N-Hbc)	973-667-4431

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MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 13, 2006
10:00a.m. – 12:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
S GRAY	WATERS McPHERSON	300 LIGHTING WAY SECAUCUS	2013307459
HOWARD FERGUSON	IUOE LOCAL 825	Springfield N.J.	973 921 1900
Mark Lennon	PS+S	67 Mt. Blvd Ext. Warren, NJ	732 560-9700
John Bolan	PS+S	"	"
Elizabeth McLoughlin	PS+S	"	"
Mary Musca	New Meadowland	Gran S Stadium	201-372-7930
~~MARK LENNON~~	~~IUOE Local 825~~	~~Spring~~	
Bill Shee Haw	HACKENSACK RIVERKEEPER	231 MAIN ST HACKENSACK NJ.	201 968 0808
CESAR GAMIO	IUOE #825	Springfield Ave Springfield NJ	973 921 1900
John Duffy	NJSEA	45 Woodledge Ct RT NJ	201 842 5115

(a)

MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 13, 2006
10:00a.m. - 12:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
BRIAN HAGUE	BERGEN COUNTY		
MABEL ARAGON	BERGEN COUNTY		
Damien Newton	Tri-State Transportation Campaign		212-268-7474

MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 13, 2006
2:00p.m. - 4:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
John Duff	NJSEA	45 Meadowlands Pkwy NJ	2018425545
STEVE TARABOKIJA	TRC	7 Skyline Dr., HAWTHORNE, NY	914-592-4040
DAVID AMCPHERSON *	WMM	300 Lighting Way Secaucus, NJ	201 863-4400
STEVE GRAY	"	"	"
Ted Schwartz	Mark Cali - Attorney	1140 Valley Rd Englewood	201 623 1217
TOM NAPOLITANO	GPI	202 LARCH AVE BOGOTA, NJ 07603	201 883 9874

MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 13, 2006
7:00p.m. – 8:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
Clay Sherman	NJDEP	401 East State St Trenton NJ	(609) 984-6888
Musca	NMS	Grant Stad NJ	201-372 7930
John D[illegible]	NJSEA	45 Woodledge RT, NJ	2018425115
David [illegible]	WMM	300 Lightning Way Secaucus, NJ	2018634400
S[illegible]	WMM	"	"
Steve TARABOKIJA	TRC	7 Skyline Drive HAWTHORNE, NY	914-592-4040

DATE: DEC 13 2006

New Jersey Meadowlands Commission Visitor Registration

OFFICER: D. Colón

PLEASE PRINT INFORMATION

Name	Company	Vehicle Description	Plate Number	Visiting	Dept.	Time In	Time Out
Christine Piatek	Dwaflaw	Toyota Blue Corolla		Public Hearing		8:30	
EDWARD SHEA +1	WINDELS	OLDSMOBILE		HEARING		8:52	
RICK CONKE	ASG	TRUCK		DRIGHT		8:54	
Mark Lennon	PS+S	Pick-Up		Hearing		8:40	
E. McLoughlin	"	—		Hearing		8:50	
J BOLAN	"	—		HEARING		8:18	
Rick Rovito	NAPCC	Montana		Hearing		9:20	
Howard Ferguson	IUOE LOA 825	Mercury Marquis		Hearing		9:25	
Mary Ann Adams	Venturi	Ford		Hearing		9:40	
[illegible]							
MARK LONGO	IUOE 825	MERCURY MARQUIS		HEARING		9:40	
Greg Del Rio		Tahoe		"		"	
Timothy McDonough	JETS	Lincoln		"		9:40	
J O'Keefe	NAPCO	Ford		"		9:40	
[illegible]	"	"		"		9:40	
Gary Henderson	DEP	Grand Marquis		Hearing		9:50	
Gary Wilbor	JRS Knapp Co. Napco	Acura		"		9:40	
David Charette	Langan	Honda		—		—	
Janet Franz	AP	Jeep		"		9:50	
CESAR GAMIO	IUOE 825	Ford		"		9:50	

20

CW

MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 14, 2006
10:00a.m. - 12:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
Mary Ann Adams	Vecitext	Ruth.	201-438-7083
Mark Lemon	PS+S	67 Mt. Blvd. Ext Warren, NJ	732-560-9700
JOHN BOLAN	" "	" "	732-560-9700
Steve Gray	WMM	300 Lightning Way Secaucus	2013307[illegible]
ROB EDWARDS	NJ TRANSIT	NEWARK, NJ	973 491-7297
Gary Sondergaard	DEP	401 E. State St. Trenton	609-633-1123
E. McLoughlin	PS+S	67a Mt. Blvd East Warren NJ 07059	732-560 9700
M Musca	New Meadowlands	Giants Stadium East R. NJ	201-372 7930
D McPherson	WMM	300 Lightning Way Secaucus, NJ	201 8634400

MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 14, 2006
10:00a.m. - 12:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
David Chandler	Langan	—	201-655-6927
John Duff	NJSEA	45 Woodledge CT RT, NJ	2018425115
DANIEL McKILLOP	Wolff + Samson PC	One Boland Drive West Orange NJ 07052	973-530-1500
STEVE TARABOKIJA	TRC	7 Skyline Dr. HAWTHORNE, NY	914-592-4040

MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 14, 2006
2:00p.m. - 4:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
Mark Lennon	PS+S	Warren	732 560-9700
Musca	Grants	Grants Shore	201-372 7930
S Gray	WMM	300 Lighting Way Secaucus	201330 7455

MEADOWLANDS STADIUM PEIS HEARING
DECEMBER 14, 2006
7:00p.m. - 8:00p.m.

PLEASE PUT A CHECK MARK NEXT TO YOUR NAME IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT

NAME	AFFILIATION	ADDRESS	PHONE NUMBER
STEVE TARABOKIJA	TRC	7 Skyline Drive Hawthorne, NY	914-592-4040

DATE: 12-14-06

New Jersey Meadowlands Commission Visitor Registration

OFFICER: D. Colon / M. Saenz

PLEASE PRINT INFORMATION

Name	Company	Vehicle Description	Plate Number	Visiting	Dept.	Time In	Time Out
Kyung Hwa Jung	Rutgers	Honda Civic		MGRZ	MGRZ	1:35	1:50
Amy Fernandes	CFS Hackensack					2:10	2:30
Ray Cocozza	CTI	Caddy Water		PASQUAL		2:40	2:51

NEW JERSEY MEADOWLANDS
COMMISSION
PUBLIC HEARING

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IN RE:

NEW MEADOWLANDS STADIUM PROJECT - NJDEP/NJMC PEIS HEARING

TRANSCRIPT OF PROCEEDINGS

New Jersey Meadowlands Commission
1 DeKorte Park Plaza
Lyndhurst, New Jersey 07071
Wednesday, December 13, 2006
10:00 a.m.

B E F O R E:

GARY SONDERMEYER
Director of Operations of the New Jersey Department of Environmental Protection

ROBERT CEBERIO
Executive Director of the New Jersey Meadowlands Commission

ALSO PRESENT:

CHRISTINE PIATEK, ESQ.
Deputy Attorney General
New Jersey Department of Law and Public Safety

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Reported by:

MARY ANN ADAMS
Certified Shorthand Reporter

REPORTING SERVICES ARRANGED THROUGH:
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25B Vreeland Road, Suite 301
Florham Park, New Jersey 07932

MR. SONDERMEYER: Okay. I'd like to get started, call the hearing to order, please. I have a brief opening statement that I'd like to read into the record. Then there'll be a brief overview of the project before we actually begin to take public testimony for the record.

Good morning. I'm Gary Sondermeyer, Director of Operations of the New Jersey Department of Environmental Protection. With me is Robert Ceberio, Executive Director of the New Jersey Meadowlands Commission. We are the Hearing Officers for the public hearing to be held today. Seated with us is Christine Piatek, Deputy Attorney General from the New Jersey Department of Law and Public Safety. We welcome all of you who have come to attend this hearing.

We're here this morning to receive public comments on the Preliminary Environmental Impact Statement document dated October 2006 prepared by the New Jersey Sports and Exposition Authority for the New Meadowlands Stadium Project to construct a new stadium within the Meadowlands Sports Complex in East Rutherford, New Jersey. This hearing provides you with an opportunity to comment on the PEIS document. Your comments will be

considered during the preparation of the Final EIS. The PEIS document has been available since November 3rd, 2006, on the websites and at the offices of the Meadowlands Commission, the NJDEP, and the Sports Authority. It has also been available at all the public libraries in each of the Meadowlands District municipalities.

We will receive comments at three sessions today. The first session is now at 10 a.m., the second is at 2 p.m., and the third is at 7 p.m. this evening. If anyone has not already done so, please sign in at the registration desk. If you wish to submit written or verbal comments, please indicate that on the registration sheet. At this time, if you would please turn off all cell phones and pagers during the hearing.

Today's hearing is part of a consultation process set forth in the Sports Authority's authorizing legislation. When the Sports Authority proposes development projects at the Meadowlands Sports Complex, the Authority consults with the Meadowlands Commission on the location, type and character of the project and with the Meadowlands Commission and the DEP on ecological factors constituting the environment of the

Hackensack Meadowlands so the delicate environmental balance of the Hackensack Meadowlands may be maintained and preserved.

During today's proceedings, the Hearing Officers will not respond to comments, but will receive them for review and consideration. A summary of the hearing, copies of the handouts, and copies of the materials submitted by the public will be included in the Final EIS, which is expected to be available for public review on or about February 12th, 2007.

After the close of the comment period on January 15th, 2007, the Sports Authority will complete and publish the Final EIS, which will include written responses to the public comments on the PEIS, and will submit it to the Hearing Officers and to the Department and to the Commission. The Final EIS is expected to be available to the public on or about February 12th, 2007. The Hearing Officers will then review the Final EIS and submit their report and recommendations to the DEP and to the Meadowlands Commission for approval on or about March 26th, 2007. The Hearing Officers' Report and recommendations will thereafter be available for public review at the offices and on the websites of

1 the Meadowlands Commission, the DEP, and the Sports
2 Authority, and at local public libraries within the
3 Meadowlands District.
4 At this time I'd like to invite John
5 Duffy of the Sports and Exposition Authority to
6 present a brief overview of the proposed project.
7 John?
8 MR. DUFFY: Good morning. I'm John
9 Duffy, Vice President of Engineering and
10 Construction for the NJSEA, or the New Jersey Sports
11 and Exposition Authority.
12 The NJSEA is the sponsor of the
13 project proposed for construction at the Meadowlands
14 Sports Complex in East Rutherford. This project
15 will provide a modern replacement for the existing
16 thirty-year-old Giants Stadium and will also include
17 additional amenities and facilities consistent with
18 modern stadiums.
19 The New Meadowlands Stadium Company,
20 a joint venture of Giants Stadium LLC and Jets
21 Development LLC, will implement the proposed project
22 under the authority of the NJSEA.
23 A Preliminary Environmental Impact
24 Statement, or PEIS, has been prepared and is
25 available on-line in area libraries and document

1 repositories.
2 Today, the NJSEA will receive public
3 comments on the PEIS.
4 Representative of the New Meadowlands
5 Stadium Company and the NJSEA's consultants will now
6 present a description of the proposed project and a
7 summary of the PEIS.
8 At this time, I would like to call
9 upon Mary Musca, Co-Project Executive of the New
10 Meadowlands Stadium Company, to present an overview
11 of the replacement stadium and its associated
12 facilities.
13 Following Ms. Musca, Elizabeth
14 McLoughlin of Paulus, Sokolowski and Sartor, the
15 NJSEA's consultants, will present a summary of the
16 PEIS. Thank you.
17 Mary?
18 MS. MUSCA: Thanks, John. Good
19 morning, everyone. How are you? I'm Mary Musca.
20 I'm one of the two Project Executives. My
21 colleague, Bill Senn, makes up the second half of
22 this dynamic duo. I come from the Giants side, Bill
23 Senn has worked with the Jets, and we together
24 represent both teams as we move forward together on
25 this project.

1 I'm going to walk you through a
2 little bit about this project and describe some of
3 the elements that are in the PEIS. Mr. Sondermeyer
4 has explained where that PEIS is located, and you
5 can read more about it. What I'm about to tell you
6 is consistent with the Master Plan document that we
7 submitted to the NJSEA in June and which was given
8 preliminary approval by the NJSEA Board in October.
9 So let's first talk about the project
10 location. As you can see here on this map, the New
11 Meadowlands Stadium Project is on the west site of
12 the Meadowlands Sports Complex. The Meadowlands
13 Sports Complex is one of the largest sports and
14 entertainment venues in the entire country. It
15 consists of Giants Stadium, the Meadowlands
16 Racetrack, the Continental Airlines Arena, and
17 ancillary buildings, parking areas, pedestrian
18 roadways -- pedestrian walkways and roadways.
19 Next slide, please.
20 I'd like to describe to you the
21 elements of the New Meadowlands Stadium Project.
22 You'll see them summarized here on this table. Let
23 me just talk you through them, and then I'll
24 describe each one for you.
25 In terms of the project components,

1 there's the New Meadowlands Stadium. It's a
2 replacement of the existing stadium. There's
3 ancillary development, which you'll see to the south
4 and east of the new stadium. There's a Giants
5 training facility, also a replacement project. The
6 Giants currently train and practice at the
7 Meadowlands. They will do so, but they will
8 relocate their training facility to the west site in
9 lots currently known as 13 and 17. I'm also going
10 to describe to you some parking and future tailgate
11 zones and talk to you a little bit today about site
12 circulation.
13 The Stadium Project seeks to create
14 the premier football fan experience on game day. We
15 hope to enhance the Sports Complex as a year-round
16 destination and provide ancillary uses that are
17 compatible with the development and operation of a
18 new 21st Century stadium.
19 The families that own the Jets and
20 the Giants have formed an historically unprecedented
21 partnership. Two teams in the same league are
22 coming together to build one home. And what we seek
23 to create here is a real home-field advantage,
24 whether you're a Giants or a Jets fan.
25 The Stadium Project will replace the

1 thirty-year-old Giants Stadium and the existing
2 training facility and team offices with a modern
3 stadium and a new Giants training facility. The
4 Stadium Project also includes the construction of
5 new related ancillary development adjacent to the
6 new stadium. The existing stadium will be
7 demolished once the new stadium is constructed and
8 operational. Let me show you why that is.
9 The ancillary development, as you see
10 on this map, is located in the footprint of the
11 existing Giants Stadium. So the existing Giants
12 Stadium will stay in place while the new stadium is
13 constructed, the new stadium will open, the existing
14 stadium will be demolished, and then we can move
15 forward based on market demand with the development
16 of the ancillary component.
17 In addition to these elements,
18 there'll be new parking areas, internal roadway
19 systems, future tailgate zones, and pedestrian
20 walkways. This will all be built in the future.
21 And also we've built both in the existing parking
22 lots, but in the location of the current stadium.
23 Now, the New Meadowlands Stadium
24 Corporation, as we're known, or NMS, is taking
25 positive steps to incorporate smart growth and

1 sustainable growth development practices into the
2 Stadium Project, and we're committed to energy and
3 water conservation. Right now we're in the design
4 phase and we're looking to take a few steps,
5 including the use of waterless urinals, which save
6 tremendous amount of water on the site, the use of
7 low water usage plants at the site and landscaping,
8 and I'm sure many of you want to know what kind of
9 plants are these that use low water, come see me
10 afterwards, I'll tell you, but it reduces the need
11 for irrigation, and we also are planning on using on
12 the new stadium synthetic turf. Now, in most NFL
13 venues, players love the stadium to be natural
14 grass. But in our case, to save water, we're going
15 to use this new synthetic turf product that you see
16 in many communities now around New Jersey and some
17 of the communities right around here, and we're
18 committed to using it in the New Stadium Project.
19 Now, the New Stadium Project is a
20 hundred percent privately financed, and, as such,
21 the project is a vital component of the NJSEA's
22 redevelopment initiative, and it's going to generate
23 tax revenues, create a tremendous number of
24 construction jobs and permanent jobs, and my
25 colleague and friend, Elizabeth McLoughlin, from

1 PS&S, will describe that in much more detail for you
2 shortly.
3 Let's turn to the next table and let
4 me walk you through this. This table you've seen
5 before. It appears in our Master Plan. Let me walk
6 you through it as it's been submitted for our EIS
7 process. So let's walk through the project
8 components of the New Meadowlands Stadium.
9 On the left-hand side you see what
10 those components are, and across the top you see
11 gross leasable area, as well as gross buildable
12 area. Now, what's the difference? Gross buildable
13 area, as you see in footnote two, includes all the
14 leasable area and non-leasable area. It's
15 non-leasable public spaces, non-leasable service
16 spaces.
17 So what are the components of the
18 project? In terms of the new stadium, we have gross
19 leasable area of 285,000 square feet. What's that
20 include? Footnote three tells you it's the Hall of
21 Fame, it's sponsor zones, it's team stores, and it's
22 related support facilities.
23 What about ancillary development?
24 520,000 square feet of ancillary development is
25 anticipated for this project. That's gross leasable

1 area. There are two pods. You've seen on the table
2 what they look like. They're to the south of the
3 New Stadium Project.
4 And then we anticipate two future
5 tailgate zones, and those are approximately 5,000
6 square feet each, they're located in the parking
7 areas when they're built based on market demand.
8 And those four components then make up the site.
9 Can we move to the next table. This
10 table just kind of shows you where everything is
11 again. It's a little bit hard to see. So let me
12 read a little bit about it for you.
13 As shown in this figure, the new
14 stadium and ancillary development will occupy a
15 leased area of approximately 55 acres on the west
16 site between existing Giants Stadium and Route 120.
17 The new Giants training facility will be constructed
18 on a second leased area of approximately 20 acres in
19 the southwest corner. I've described that to you
20 already as Lots 13 and 17.
21 Let's pause for a second. The New
22 Stadium Project, as you can see in the outline
23 there, moves north and east of the existing
24 building. Giants training, southwest corner.
25 Other stadium project-related

1 improvements include revised parking areas and
2 modified internal roadway networks. The Stadium
3 Project also proposed infrastructure improvements on
4 approximately 195 acres on the west site outside the
5 leased areas. All Stadium Project activities are
6 proposed within surface parking lots that already
7 exist, already existing roadways and already
8 existing landscape areas.
9 Next slide, please.
10 Okay. So let's look -- let's drill
11 down and look at each of those components a little
12 bit more, please.
13 How about the new stadium? As we
14 indicated in our June 30th Master Plan submission
15 and now in our Preliminary EIS, the new stadium has
16 approximately 82,500 seats, the building footprint
17 about 700,000 square feet, the gross buildable area,
18 the entire stadium, 2,125,000 square feet of gross
19 buildable area. You've seen on the other table it
20 includes 285,000 square feet of gross leasable area
21 of things like Hall of Fames and team stores and
22 sponsored area. That's the Hall of Fame, themed
23 dining, team offices. Then surrounding the new
24 stadium are going to be at-grade outdoor plazas.
25 And we hope on game day that's going to be a really

1 fun place for fans to come.
2 How about the timing of this? We
3 hope to break ground on this new stadium in 2007,
4 and we hope to open this new building in 2010.
5 Next slide, please.
6 Ancillary development. You've heard
7 me tell you it's about 520,000 gross leasable area
8 to the south of the New Stadium Project. It sits in
9 the existing building footprint, so the new
10 building -- the existing stadium has to be
11 demolished.
12 Ancillary development. Its uses will
13 be compatible with the development and operation of
14 stadiums. What does that mean? Ancillary
15 development may include, among other things,
16 broadcast facilities, sponsorship areas, sports
17 medicine, health and fitness facilities, retail
18 stores, and restaurants. Again, this area, because
19 it sits in the existing stadium footprint, the
20 existing stadium gets demolished, and then it's the
21 last stage of our development, and it's totally
22 dependent on market demand and market conditions.
23 Next, please.
24 What about the Giants training
25 facility? The new Giants training facility is a

1 replacement of the existing facilities. So as the
2 stadium is a replacement, the Giants training
3 facility is a replacement. It consists of about
4 400,000 square feet of gross building area. There's
5 one full-size indoor football field. There are
6 outdoor full-sized practice fields. There'll be a
7 training center where players will have an
8 opportunity to practice and train. The Giants
9 business offices are going to be located at the
10 training facility. There's going to be parking
11 around it. And then 210,000 square feet of gross
12 leasable area of additional office and training
13 program space. That's where the Giants team office
14 will be. That's where the Jets will be. That's
15 where all the athletic training rooms will be in
16 that building. Approximately 50,000 square feet of
17 the gross leasable area will be reserved for future
18 expansion of the facility for related sponsorship
19 uses.
20 Next slide, please.
21 Parking and traffic -- parking and
22 future tailgate zones. Traffic comes next. So
23 let's first talk about parking and future tailgating
24 zones. What are we doing in terms of parking?
25 We're going to reconfigure existing parking and

1 internal roadway areas so that we maximize parking
2 efficiencies and reduce congestion in both ingress
3 and egress situations. We're going to create new
4 curbing, sidewalks, lighting and landscaping in
5 existing parking lots. And then based on market
6 demand, we're going to have an opportunity to
7 develop two tailgating areas. They're going to be
8 5,000 square feet each, 10,000 total. And what are
9 they? You're going to be able to buy game-related
10 merchandise. You're going to be able to buy food
11 and beverage. You're going to be able to use
12 restrooms.
13 Next. I'm going to read a little
14 bit -- actually, before you turn, I'm sorry, I want
15 to give you a little bit more flavor. Sorry about
16 that. Traffic and parking are concerns for the
17 surrounding communities, they're concerns for the
18 NJSEA, they're concerns for our fans, and
19 consequently they're concerns for our owners. And
20 even though the Giants Stadium Project -- strike
21 that. Even though the New Stadium Project is really
22 replacing the existing Giants Stadium, we've learned
23 a lot. And so we are looking to make parking and
24 traffic better. And we have a plan to do it.
25 So one objective of the new project

is to improve on-site traffic flow. And how are we going to do that? We're going to reconfigure parking areas. We're going to create new on-site roadway networks. And we're going to employ directed or managed parking. Perhaps most importantly, we've learned based on all of the work and analysis that we've done is that there are choke points in the existing site. If you've ever gone to a game, you know what I'm talking about. People crisscross the site. They enter and then they drive anywhere they want. We're hoping to eliminate that. We're going to eliminate that and end crisscrossing by creating separate parking areas for each access route. You come in in the south, you park in the south. Come in in the west, you park in the west. More airport-like signage on the roadways to tell you best way in, where you're going to park. As you come in, you go out. We'll employ speed-like passes, more permits, so that once people get into the site, they're going to move through the plazas, get into the reconfigured parking areas which are going to be managed, they're going to be directed to a spot, and they're going to park.

The reconfiguration of the parking areas has been planned and coordinated to maximize

parking efficiencies and reduce traffic congestion.

At the completion of the Stadium Project, a total of approximately 27,500 striped parking spaces will be available at the Meadowlands Sports Complex for game day events. That is roughly equal to the current number of parking spots that are striped. As I said, event parking will be managed in the future so that lot full patterns and space utilization is maximized. A Parking and Transportation Plan has been prepared to address event parking, shared parking, and pedestrian circulation. So again, airport-like signage, speed passing and permits, prepaid parking passes and permits, directed parking.

And then we're lucky, both the Giants and Jets have a very stable patron base. Our fans are our season ticket holders for an awful long time. We need to communicate better with them. And because we know who they are, we can increase their awareness, communicate clearly through E-mail communications website and get them accustomed to this new parking and traffic plan.

May I ask you to turn. You've heard me talk about site circulation a little, so I'll be quick. There'll be new inner and middle loop

roadway systems inside the Meadowlands Sports Complex. They're going to link more directly to the regional network, and so people can get off the regional roads, hit the loop roads, and move quickly into the site. There's going to be a new west peripheral road. We will liking replace and upgrade existing pedestrian and vehicular connections so it's easier to get east/west. We're going to realign the North Access Road. And you've heard me talk about it, we're going to replace and add plazas so people can get through the plazas quickly. And in this case we're going to replace Plaza B tollbooths with a smaller plaza.

And with that, I think I get to turn to my friend and colleague, Elizabeth McLoughlin, who will walk you in a little bit more detail on other aspects of the Preliminary Environmental Impact Statement. Thank you so much for coming. We welcome and look forward to the next two days and your participation.

(Applause.)

MS. MC LOUGHLIN: Thank you, Mary. And good morning. My name is Elizabeth McLoughlin. I'm with Paulus, Sokolowski and Sartor. We are the consultants to the New Jersey Sports and Exposition

Authority. We're working closely with Langan Engineering, NMS's environmental consultant, in the preparation of the Environmental Impact Study.

The NJSEA's enabling legislation requires that the authority consult with the Meadowlands Commission and the Department of Environmental Protection with respect to ecological factors constituting the environment of the Hackensack Meadowlands.

Also, the enabling legislation requires that the Meadowlands Commission be consulted before making any determination as to what is called the location, type and character of any project. And therefore, the Preliminary Environmental Impact Statement was prepared.

Central to the Environmental Impact Statement are the purpose and need for the project. The purposes are threefold; to provide a modern replacement to the existing professional football stadium, to create a premier football fan experience, and to further the goals of the New Jersey Sports and Exposition Authority and the Meadowlands Sports Complex in their multiple facilities and as a year-round destination.

Now, the traffic and parking are a

1 particular focus of the study, and I know Mary
2 discussed that in detail, but the study was
3 conducted by Volmer Associates working with Edwards
4 and Kelcey. And the project will improve the
5 on-site roadway network, improve parking facilities
6 on the west site, and facilitate traffic management
7 on game day.
8 The Stadium Project also has included
9 in their study off-site roadway improvements
10 identified/to be constructed by others, including
11 the Meadowlands Xanadu project, the New Jersey
12 Turnpike Authority and DOT regional roadway
13 improvements, and New Jersey Transit Railroad
14 project. Regional studies were considered in the
15 scope of our study.
16 So the traffic impacts that are
17 presented in the Preliminary Environmental Impact
18 Statement consider vehicle trips generated by the
19 Stadium Project to have an overall minimal impact on
20 the level of service at roadway intersections. And
21 with off-site roadway and rail improvements, the
22 traffic associated with game day events are
23 anticipated to remain as current conditions. Game
24 day traffic may also be reduced due to the operation
25 of the rail station. And the analyses indicate that

1 the Stadium Project does not require off-site
2 roadway improvements. The formal review of the
3 Traffic Impact Study will be conducted by the
4 Department of Transportation in the form of a Major
5 Highway Access Permit.
6 Now, parking and transportation
7 management has been discussed at length in Mary's
8 earlier remarks. I will just add that the Stadium
9 Project will be coordinated with all the ongoing
10 activities underway at the Sports Complex.
11 The Stadium Project will result in a
12 number of substantial and beneficial socioeconomic
13 impacts to the Sports Authority, the Hackensack
14 Meadowlands region, and to the State of New Jersey.
15 The ownership families of the New York Giants and
16 the New York Jets are committed to investing over
17 $1.2 billion in the construction of the stadium and
18 training facilities. Lease payments to the
19 New Jersey Sports and Exposition Authority will
20 provide revenue, while tax revenues and Payment in
21 Lieu of Taxes will provide beneficial impacts to
22 both the region and the State. The project and
23 associated spending will create a range of jobs
24 beneficial to the State and the region.
25 Construction of the new stadium, the

1 Jets and Giants training facilities, and associated
2 direct, indirect and induced economic impacts will
3 support approximately 12,200 jobs, while project
4 operations and associated economic impacts will
5 support approximately 12,450 jobs. The total
6 direct, indirect and induced economic activity
7 during construction is projected at $1.2 billion,
8 while the total economic activity generated by the
9 operation of the new stadium, training facilities
10 and associated spending will be approximately $938
11 million annually. It is estimated that tax revenues
12 from the construction of the new stadium and
13 training facilities, and also associated direct,
14 indirect and induced economic spending will be $64.7
15 million, while annual tax revenues from the
16 operation of the new stadium, training facilities,
17 and associated economic impacts will be six
18 hundred -- $66 million annually.
19 The Preliminary Environmental Impact
20 Statement has evaluated a variety of components from
21 geology and land use all the way through to visual
22 and landscape aesthetics.
23 The location of the Stadium Project
24 within an existing paved, developed site eliminates
25 direct impacts on a variety of environmentally

1 sensitive features, such as wetlands or wildlife
2 habitat. With the implementation of mitigation
3 measures for the construction and operation of the
4 project, the potential adverse impacts will be
5 minimized. In addition, the construction and
6 operation of sports and entertainment facilities on
7 the Meadowlands Sports Complex is considered an
8 appropriate land use. Therefore, the Stadium
9 Project is not expected to present significant
10 adverse impacts to the environment and that the
11 location, type and character of the project is
12 appropriate.
13 In addition to the consultation
14 project within New Jersey DEP and the New Jersey MC,
15 the Stadium Project is also required to comply with
16 a variety of federal and state approval processes.
17 The Hearing Officers will now take
18 your comments. Thank you.
19 MR. SONDERMEYER: Thank you,
20 Elizabeth.
21 The hearing is now open for public
22 comment. I will call the persons who have indicated
23 on the registration sheets that they wish to
24 comment. I have two individuals who have signed up
25 to speak. When you are called to present your

1 comments, please stand and give your name and the
2 spelling to the stenographer who is recording the
3 hearing. Please also give the name of your
4 organization or any interest that you will be
5 representing. If you have written materials, please
6 give copies to the stenographer. If you're
7 submitting written comments, please just summarize
8 them and do not read them at length. We'll accept
9 additional written comment on the PEIS document
10 until the close of business on Monday, January 15th,
11 2007. They may be submitted in writing to myself,
12 Gary Sondermeyer, Director of Operations, New Jersey
13 DEP, 401 East State Street, P.O. Box 402, Trenton,
14 New Jersey, 08625, or Robert Ceberio, Executive
15 Director of New Jersey Meadowlands Commission, One
16 DeKorte Park Plaza, Lyndhurst, New Jersey, 07071.
17 Copies of the public notice with instructions for
18 making written comments are available at the
19 registration desk.
20 I'd like to call our first speaker,
21 who's Captain Bill Sheehan, the Hackensack
22 Riverkeeper. Bill, please.
23 MR. SHEEHAN: Sure. Good morning.
24 My name is Captain Bill Sheehan. I'm your
25 Hackensack Riverkeeper. And I hope to be brief.

1 The idea of a new Giants Stadium in
2 the Sports Complex on its face is a very good idea.
3 I understand the economic engine doesn't run every
4 day over there at the Sports Complex and how
5 important it is to the northeast New Jersey region.
6 The one issue -- the issues that I
7 see relative to the mission of Riverkeeper and
8 relative to the assessment of a real environmental
9 assessment of what this is going to do to the region
10 are more along the lines of how it's done, not
11 whether it should be done or whether it shouldn't be
12 done. I think we're beyond that debate.
13 You know, I propose that the
14 serviceable and recyclable components of the
15 existing stadium be incorporated into the fabric of
16 the new project. This is a building standard which
17 is part of the lead standards of recycling building
18 material, and the way you pronounced the staging of
19 this during the introduction this morning was that
20 the new stadium is going to be going up completely
21 before you take down the old stadium. I hold out
22 the idea that take -- doing it -- taking one down
23 while the other one rises gives you the opportunity
24 to move whatever serviceable and recyclable material
25 is in the old structure into the new structure, not

1 that you wind up, you know, filling up additional
2 landfill space, you know, all over the United States
3 potentially.
4 Another thing that I heard this
5 morning during the presentation has to do with --
6 or I didn't hear this morning during the
7 presentation which I think is very, very important
8 is the fact that the Sports and Exposition Authority
9 and their partners on this development, I believe
10 they have an obligation to work with and support the
11 Bergen County Utilities Authority. This development
12 in and of itself is going to bring more people into
13 the Meadowlands, going to bring more people into the
14 Sports and Exposition Authority, and our Utilities
15 Authority, which cleans the wastewater for the
16 entire -- for forty-five towns in Bergen County,
17 and the health of the Hackensack River is totally
18 dependent upon that plant running properly, they
19 could be compromised by this project. They need to
20 be helped, you know. They'll deal with the
21 regulatory issues, they'll deal with their permit
22 with the DEP, but once this project is done, I don't
23 want this project to put the Bergen County Utilities
24 Authority in a position where they might have to
25 violate their permit or risk a blowout of the

1 plant. You know, this is very serious. The Bergen
2 County Utilities Authority plant needs to be
3 upgraded, it needs to be retrofitted, and it needs
4 to be brought, you know, firmly into the 21st
5 Century.
6 The lighting in the stadium area, I
7 know it makes a really nice picture at night on
8 television when the blimps or the dirigibles go over
9 and they take pictures of all the bright lights
10 shining into the sky, except that's very disturbing
11 to wildlife, it's very disturbing to the habitat
12 value of the Meadowlands. You have to remember,
13 you're in the heart of the Meadowlands, and the
14 lighting for the stadium and lighting for all the
15 parking areas should be targeted, it should be
16 directed, and it should be sustainably lit. In
17 other words, the -- you know, the best technology
18 available for lighting should be deployed here.
19 In the food service area, this is
20 getting down the road a little bit after this
21 project is up and running, of course there's going
22 to be food service at the area, I think it should be
23 clearly stated in the plan that the food service
24 areas will not rely on Styrofoam and plastics but
25 use paper, because paper is much more sustainable.

1 Styrofoam and plastics is not sustainable. And if
2 you got 85,000 people going to get drinks and food,
3 you're creating a huge amount of solid waste that's
4 just going to choke our landfills and give us more
5 solid waste problems down the road. By switching
6 over to paper products, some of that can actually be
7 recycled. It makes much more sense.
8 Stormwater, off of the parking areas,
9 off of the stadium itself, off of the entire
10 development, has to comply with the Phase Two
11 municipal stormwater rules. No waivers should be
12 sought, no waivers should be granted. The
13 municipal -- the State of New Jersey is the
14 developer here. The State of New Jersey promulgated
15 the municipal stormwater rulings, and it would be
16 wrong, it would just be plain wrong for the State of
17 New Jersey to try and get a waiver from its own
18 rules.
19 In the tailgating areas and the other
20 parking facilities that are going to be on the site,
21 the New Jersey Sports and Exposition Authority
22 should be required or, you know, they have a moral
23 obligation and should have a legal obligation to
24 enforce anti-idling laws, idling automobiles, idling
25 trucks. And I see when people come to tailgate at

1 the games that they don't come in the family car
2 anymore. We've got people bringing Winnebagos out
3 there, you know, huge recreational vehicles out
4 there. And sometimes they show up at 8 o'clock in
5 the morning for a 4 o'clock game and they're idling
6 all day long. That just adds to the air pollution
7 in the area. You know, that's a separate -- aside
8 from whatever air pollution might occur from traffic
9 itself. Once they get there, there should be
10 facilities in the tailgating areas so that they
11 could plug in and use -- they could use electric at
12 kiosks where they could actually plug those
13 tailgating vehicles in instead of having to run
14 their trucks to run a generator. You know, I know
15 what the culture is here. I know what we're dealing
16 with. Every opportunity to make this sustainable
17 should be incorporated into it.
18 As far as energy itself goes, I see a
19 big problem, and I know this is a debate that's been
20 going on for years over this new stadium. And the
21 current plan calls for an open air stadium once
22 again. I think by putting a cover of some sort on
23 that stadium, we increase the opportunity for solar
24 power. We increase the opportunity for sustainable
25 energy being produced on the site. Perhaps the

1 sustainable energy would be enough to run the
2 tailgating areas.
3 You know, these are ideas I'm
4 throwing out there. I'm hoping to get them onto the
5 record and hoping that somebody will pay attention
6 to them when they come up with a final plan.
7 And then the final thing I have to
8 say is more a philosophical point of view. The last
9 presenter when she was -- one of the last slides
10 that you put up, you said that no one foresees any
11 significant negative environmental impacts from this
12 project. Well, I don't think that's good enough.
13 What I think is we are smart enough in New Jersey,
14 this project is important enough to New Jersey that
15 we should be actually encouraging the Sports and
16 Exposition Authority, the team owners and the other
17 partners on the project to have positive
18 environmental impacts on the area. To say, well,
19 we're not going to do no harm is not enough here.
20 This is a once every thirty or forty or fifty years
21 opportunity to make the Sports and Exposition
22 Authority a better place, to make the Meadowlands a
23 better place, to make the entire northeast
24 New Jersey area a better place. And if we want to
25 survive through the 21st Century, with all of the

1 energy problems that we have as a nation, with all
2 of the economic problems that have been bestowed
3 upon this country, we need to be smarter about how
4 we develop these projects.
5 There are projects all over the world
6 that have been developed according to the LEED
7 standards. I believe that going for LEED
8 certification in the Meadowlands is extraordinarily
9 important, but it sets an example to the rest of the
10 country. It's very hard, I believe, for the
11 environmental community, anybody who holds
12 themselves out to be a leader in that community to
13 say to economically-depressed areas around the
14 country that when they redevelop something or when
15 they put in a new development, that they should be
16 using the highest development standards when this
17 state, the State of New Jersey, the richest state in
18 the country some say and the smartest state in the
19 country, I believe, having lived here all my life,
20 we could be the leaders here and we could show the
21 rest of the country by shining example every Sunday
22 afternoon or Monday night or Sunday night on
23 television how to build a sustainable stadium and
24 make it part of the community.
25 Thank you very much.

1 MR. SONDERMEYER: Thank you,
2 Captain. We appreciate your comments.
3 I'd next like to call, excuse me,
4 Howard Ferguson from Local 825. Howard.
5 MR. FERGUSON: Good morning. I would
6 like to thank you for the privilege of speaking here
7 this morning. My name is Howard Ferguson. I'm the
8 Vice President of Local 825, the Operating Engineers
9 of New Jersey. Our office is in Springfield, and we
10 represent the heavy equipment operators in the State
11 of New Jersey. Our members run the cranes,
12 bulldozers, backhoes and demolition equipment. If
13 you're on the highways at night and you see the
14 paving and milling going on, those are our members.
15 I'd like to make sure that, it is
16 rather obvious, that our Local's in full support of
17 this project. Large construction projects and the
18 spin-off infrastructure as you spoke with the water
19 treatment, the roadways, that's the lifeblood of our
20 membership. Again, as Mr. Sheehan said, a lifelong
21 resident of this state, myself, my parents, my
22 grandparents, most of our members live in this
23 state. Their paycheck pays their local taxes, their
24 state taxes, the federal taxes, that comes out
25 first. But the money they have left over, they buy

1 a home, they buy a car, they buy appliances locally
2 with the money. And with any money left, they
3 attend recreational facilities like this great
4 stadium with the Giants and Jets. A couple weeks
5 ago, one of our members had an in-law play against
6 the Giants and the Jets on back-to-back weekends.
7 I just want to make sure, again, it's
8 rather obvious representing a large construction
9 union based in New Jersey, that our full support is
10 with this project if there's anything we can do to
11 help it. And again, it's been my privilege to
12 represent our Local today to speak before you.
13 Thank you.
14 MR. SONDERMEYER: Thank you,
15 Mr. Ferguson.
16 Is there anyone else at this point
17 who would like to speak? Going once. Seeing no one
18 else at this time, what we'll just do is temporarily
19 close the record. We will go back on the record if
20 anyone shows up between now and 12 o'clock to
21 receive additional testimony. Thank you.
22 (A brief recess is taken.)
23 MR. SONDERMEYER: Okay. At this
24 point I would like to go back on the record. It's
25 approximately 11:45. And we do have an additional

1 individual who would like to give testimony. I
2 would like to recognize Damien Newton from the
3 Tri-State Transportation Campaign. Damien?
4 MR. NEWTON: Good morning. And I do
5 apologize for being late. As I said, it was a
6 scheduling conflict, and I knew I could get in this
7 afternoon if I couldn't make the morning. So you
8 guys got second billing today. I'm sorry. Not in
9 my heart though.
10 So good morning. My name is Damien
11 Newton. I'm the New Jersey coordinator for the
12 Tri-State Transportation Campaign. I'm also a
13 resident of East Rutherford, so this project is near
14 and dear to my heart.
15 Our testimony on the scope of the EIS
16 included several suggestions on how to improve the
17 transportation plan for the Sports Complex and how
18 to fix the poor transportation plan submitted by the
19 Xanadu developers. In some areas, the DEIS has
20 succeeded. In other areas, there are still room for
21 improvement.
22 The most glaring problem -- I'm
23 going to start with the bad, if that's okay. The
24 most glaring problem is with the traffic study. It
25 fails to consider traffic impacts of what we call

1 the Perfect Storm of rush hour commuters, mall
2 shoppers generated by Xanadu, and events at the
3 stadium and an event at the racetrack. The traffic
4 study doesn't address evening weeknight events in
5 the stadium at all, instead studying what impact the
6 ancillary development will have on rush hour. It's
7 a far greater concern to those that live here on
8 what impact a Bruce Springsteen concert will have at
9 rush hour than the New Jersey Hall of Fame.
10 Even if such an analysis were done in
11 the DEIS, the results would be somewhat suspect
12 because the DEIS traffic study is built on the
13 Xanadu traffic study, with an assertion of a rush
14 hour between 4:30 and 5:30, which we have some
15 issues with. By carefully placing the evening rush
16 hour in the study at a time too early to coincide
17 with evening event traffic at the stadium, it avoids
18 having to consider the cumulative impact of the
19 three trip generators. Refusing to study what
20 impact all of the development in the complex will
21 have in a worst case scenario only fuels local
22 concerns that -- or concerns of the residents of
23 the Meadowlands that they're in store for a
24 congestion nightmare.
25 Another area where the DEIS falls

1 short is in the area of public transportation.
2 Section 4.11.2.4 on public transportation
3 improvements has one sentence on bus service,
4 stating that it anticipate that bus service from
5 NJ Transit will continue and may increase. Despite
6 the presence of the most used bus-only lanes in the
7 world only ten miles away in the Lincoln Tunnel, the
8 DEIS ignores the tremendous positive impact
9 increased bus service could have on stadium
10 traffic.
11 A comprehensive transit plan is
12 needed to minimize auto trips. Unhappy with the
13 transportation plan proposed for Xanadu, the Borough
14 of Wallington, the Township of Lyndhurst, the
15 Borough of Carlstadt, the Town of Secaucus, the
16 Hudson County Board of Freeholders and the Borough
17 of East Rutherford, in order in which they passed
18 them, all passed resolutions calling for a full and
19 complete transportation plan that examines the
20 regional impacts and opportunities afforded by the
21 new development in the Sports Complex. This
22 includes bus and bus rapid transit, as well as the
23 Pascack Valley Line extension, light rail and road
24 improvements.
25 I heard today at the New Jersey

1 Transit Board meeting that there is actually a study
2 going on that's looking at bus lanes in Bergen
3 County. I couldn't get the specifics of the study,
4 and I'm going to follow up with them, but that could
5 be one area where, if it's happening, the developers
6 and the Sports Complex could look to get some
7 synergy going with things that are already going on
8 to look at improving bus access to the terminal.
9 The Giants and Jets, I have, as well
10 as Xanadu's developer Mills/Mack Cali, I can
11 probably cross that out, should allocate a
12 percentage of their profits for mass transit
13 operating costs to the sites, and help the Port
14 Authority pay for the Lincoln Tunnel express bus
15 lane expansion. Funding for these projects should
16 not come from the New Jersey taxpayer. If casinos
17 can foot the bill for transit improvements that will
18 ultimately make them money, so can New Jersey's
19 premier sports franchises and the largest retail
20 centers.
21 Also from this morning's New Jersey
22 Transit Board meeting, it's a good thing I went
23 there, first I discovered that EnCap, the developers
24 of the golf course, and two thousand residences is
25 actually entering an agreement with New Jersey

1 Transit where they're going to be paying for both
2 the construction and twenty years of operation of a
3 train station, New Jersey Transit train station on
4 the Bergen Line. I thought it was great that a
5 developer in this region was -- while we don't have
6 a position on the development itself, we thought it
7 was great that the developer in the region was
8 entering a private -- public/private partnership to
9 really look into getting cars off the road. And so
10 that's something that we think could be emulated
11 here. While there is already a train station going
12 in, it could be done for bus impacts.
13 Despite these flaws, there are some
14 areas where the DEIS absolutely excels. The first
15 is the parking plan.
16 Unlike other stadium projects in the
17 region, the DEIS recognizes that the amount of
18 traffic generated depends on the amount of parking
19 spaces available. By decreasing the number of
20 spaces, even including the overflow parking for the
21 Arena and Xanadu, the Giants and Jets are sending a
22 clear signal to fans to utilize car-pool and transit
23 options. Some sports franchises are now selling
24 parking spaces with tickets, as in when you buy a
25 ticket, you also buy a parking space, and if you

1 don't prepay for parking, you can't get into the
2 stadium lot. The campaign encourages the football
3 teams to look into this to further encourage transit
4 usage.
5 Also important in encouraging use of
6 the new train station is having a pedestrian safe
7 and friendly environment from the transit station to
8 the stadium. The DEIS outlines a plan to not only
9 make the internal circulation more attractive, but
10 also to separate pedestrians from vehicle traffic.
11 Right now I go to a couple Giants
12 games a year and one Jets game this year, too, and
13 when we park in the parking lots, it's just a sea of
14 asphalt at the Giants and Jets. And this is really
15 something we haven't seen in this particular region
16 as much as we would like, to really outline a plan
17 to make that something else, something where people
18 are going to want to walk both safely and in
19 somewhat attractively -- they talk about some
20 attractions on the train, and that's great for
21 people who ride the train once, but if they're going
22 from the train station to the stadium, it's a
23 nightmare. You're cutting through parking lots and
24 there's cars coming. They're not going to do it
25 twice, especially 'cause train traffic might be one

1 way to get more kids going to and from the station
2 when they don't have to sit in traffic on each
3 side. So we can't emphasize enough how great that
4 is, and it's something that we had asked in previous
5 EISs with other developers in the complex and hadn't
6 seen, so we're very happy about that.
7 So in conclusion, there are some
8 parts of the DEIS that outline what should be a
9 bright future for the Complex, but other areas which
10 we still think could use some work.
11 Thank you for the opportunity to
12 testify today. And I'm always available for
13 questions.
14 MR. SONDERMEYER: Thank you, Damien.
15 I also would like to enter into the
16 record the receipt of two pages of written comment
17 that came from Bergen County Executive Dennis
18 McNerney. These comments will be submitted to the
19 stenographer for addition to the record from today's
20 proceedings.
21 At this time, it's approximately
22 11:50, and I'll close the record for about ten
23 minutes to see if anyone else appears who would like
24 to give public comment. Thank you.
25 (A brief recess is taken.)

1 MR. SONDERMEYER: Okay. It's now
2 12:00, and no one additionally has come to offer
3 public testimony for the morning session. We will
4 at this time close the record until we reopen for
5 the afternoon session, which will run from 2 p.m. to
6 4 p.m. Thank you.
7 (Hearing adjourned at 12:00 p.m., to
8 reconvene at 2:00 p.m.)
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1 C E R T I F I C A T E
2
3 I, MARY ANN ADAMS, a Certified Shorthand
4 Reporter and Notary Public of the State of New
5 Jersey, do hereby certify that the foregoing is
6 a true and accurate transcript of the proceedings
7 as taken stenographically by and before me at the
8 time, place, and on the date hereinbefore set
9 forth.
10 I do further certify that I am neither of
11 counsel nor attorney for any party in this action, I
12 am unrelated to the parties involved in this action,
13 I have no financial interest and am not related to
14 an agent of or employed by anyone with a financial
15 interest, and that I am not interested in the event
16 nor outcome of this litigation.
17
18 Mary Ann Adams, C.S.R.
Notary Public of the State of New Jersey
19 I.D. NO/ 372 - Expires August 2009
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21 Dated: 12-22-06
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NEW JERSEY MEADOWLANDS
COMMISSION
PUBLIC HEARING

COPY

IN RE: :
NEW MEADOWLANDS STADIUM : TRANSCRIPT OF
PROJECT - NJDEP/NJMC : PROCEEDINGS
PEIS HEARING :

New Jersey Meadowlands Commission
1 DeKorte Park Plaza
Lyndhurst, New Jersey 07071
Wednesday, December 13, 2006
2:00 p.m.

B E F O R E:

GARY SONDERMEYER
Director of Operations of the New Jersey
Department of Environmental Protection

ROBERT CEBERIO
Executive Director of the New Jersey
Meadowlands Commission

ALSO PRESENT:

CHRISTINE PIATEK, ESQ.
Deputy Attorney General
New Jersey Department of Law and Public Safety

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MR. SONDERMEYER: Okay. We're back on the record. Good afternoon. I'm Gary Sondermeyer, Director of Operations of the New Jersey Department of Environmental Protection. With me is Robert Ceberio, Executive Director of the New Jersey Meadowlands Commission. We're the Hearing Officers for the public hearing to be held today. Seated with us is also Christine Piatek, Deputy Attorney General from the New Jersey Department of Law and Public Safety. We welcome all of you to today's hearing proceedings.

We're here this afternoon to receive public comments on the Preliminary Environmental Impact Statement document dated October 2006, prepared by the New Jersey Sports and Exposition Authority, for the New Meadowlands Stadium Project to construct a new stadium within the Meadowlands Sports Complex in East Rutherford, New Jersey. This hearing provides you with an opportunity to comment on the PEIS. Your comments will be considered during the preparation of a Final EIS. The PEIS document has been available since November 3rd, 2006, on the websites and at the offices of the Meadowlands Commission, the DEP, and the Sports Authority. It has also been available at all the

public libraries in each of the Meadowlands District municipalities.

We will receive comments at three sessions today. We did have an earlier session that ran from 10 a.m. to 12 o'clock, this second session, which will go from 2 o'clock to 4 o'clock, and a third session this evening at 7 p.m. If anyone has not already done so, please sign in at the registration desk. If you wish to submit written or verbal comments, please indicate that on the registration sheet. Please turn off any cell phones or pagers during the hearing proceedings.

Today's hearing is part of a consultation process set forth in the Sports Authority's authorizing legislation. When the Sports Authority proposes development projects at the Meadowlands Sports Complex, the Authority consults with the Meadowlands Commission on the location, type and character of the project and with the Meadowlands Commission and the DEP on ecological factors constituting the environment of the Hackensack Meadowlands so the delicate environmental balance of the Hackensack Meadowlands may be maintained and preserved.

During today's proceedings, the

Hearing Officers will not respond to comments, but will receive them for review and consideration. A summary of the hearing, copies of the handouts, and copies of the materials submitted by the public will be included in the Final EIS, which is expected to be available for public review on or about February 12th, 2007.

After the close of the comment period on January 15th, 2007, the Sports Authority will complete and publish the Final EIS, which will include written responses to the public comments on the PEIS, and will submit it to the Hearing Officers and to the Department and the Commission. A Final EIS is expected to be available to the public on or about February 12th, 2007. The Hearing Officers will then review the Final EIS and submit their report and recommendations to the DEP and the Meadowlands Commission for approval on or about March 26th, 2007. The Hearing Officers' Report and recommendations will thereafter be available for public review at the offices and on the websites of the Meadowlands Commission, the DEP and the Sports Authority, and at local public libraries within the Meadowlands District.

At this time I'd like to invite John

Duffy of the Sports and Exposition Authority to present an overview of the proposed project. John?

MR. DUFFY: Thank you. Good afternoon. I'm John Duffy, Vice President of the New Jersey Sports and Exposition Authority, or the NJSEA.

The NJSEA is the sponsor of a project proposed for construction at the Meadowlands Sports Complex in East Rutherford. This project will provide a modern replacement for the existing thirty-year-old Giants Stadium and will also include additional amenities and facilities consistent with modern stadiums.

The New Meadowlands Stadium Company, a joint venture of Giants Stadium LLC and Jets Development LLC, will implement the proposed project under the authority of the NJSEA.

A Preliminary Environmental Impact Statement, or PEIS, has been prepared and is available on-line and at area libraries and document repositories.

Today, the NJSEA will receive public comments on the PEIS.

Representatives of the New Meadowlands Stadium Company and the NJSEA's

consultants will now present a description of the proposed project and a summary of the PEIS.

At this time, I would like to call upon Mary Musca, Co-Project Executive for the New Meadowlands Stadium Company, to present an overview of the replacement stadium and its associated facilities.

Following Ms. Musca, Elizabeth McLoughlin of Paulus, Sokolowski and Sartor, the NJSEA's consultants, will present a summary of the PEIS. Thank you.

MS. MUSCA: Thanks, John. Good afternoon, all. I am Mary Musca, and I'm one of two Project Executives associated with the New Meadowlands Stadium Project. I want to thank you all for coming today, welcome you, and encourage your comment and your participation. We look forward to hearing what you have to say today. And again, we thank you for being here, and thank the Hearing Officers for hosting us.

I'd like to walk through the slides, please, and just let you know that this is material that comes out of our draft or our Preliminary Environmental Impact Statement that we completed in October. This document is consistent with our

1 Master Plan, which was submitted to the NJSEA in the
2 summer on June 30th and was granted preliminary
3 approval by the NJSEA Board in October. So these
4 documents are consistent, and as you hear, they're
5 widely available.
6 Just to give you an orientation. Our
7 project location is on the west site of the
8 Meadowlands Sports Complex. The Meadowlands Sports
9 Complex is one of the largest sports and
10 entertainment venues in the entire country. And it
11 consists of Giants Stadium, Continental Airlines
12 Arena, the Meadowlands Racetrack, ancillary
13 buildings, parking areas and pedestrian walkways.
14 Next slide, please.
15 I want to show you some of the
16 project components that you'll learn about today.
17 You can read about it in the PEIS.
18 We have the New Meadowlands Stadium,
19 which is a replacement project for the existing
20 stadium. We have the replacement Giants training
21 facility. The Giants present -- currently train
22 and practice at the Meadowlands. They will in the
23 future at Lots 13 and 17. In addition, you're going
24 to hear me describe a little bit about ancillary
25 development components of this project, talk a

1 little bit today about parking and future tailgate
2 zones, and close on site circulation issues.
3 The New Stadium Project seeks to
4 create the premier football entertainment experience
5 on game day. We hope to enhance the Meadowlands
6 Sports Complex as a year-round destination, and
7 provide ancillary uses that are compatible with the
8 development and operation of a new stadium.
9 The Stadium Project replaces the
10 thirty-year-old Giants Stadium and the existing
11 training facility.
12 We're taking some steps for the New
13 Stadium Project to incorporate what I'll say are
14 smart growth and sustainable development practices
15 into the New Stadium Project. We're open to
16 considering a host of alternatives, and we're
17 committed to water and energy conservation. So far
18 through our design stages, we've taken the following
19 steps. We plan to use waterless urinals, which will
20 save an incredible amount of water at the stadium.
21 We hope to use low-water plants and landscaping,
22 again, reducing the need to irrigate. And at the
23 new stadium, we plan to use synthetic turf.
24 The New Stadium Project is a hundred
25 percent privately financed. And there will be

1 countless jobs created and will generate a
2 tremendous amount of tax revenue. Elizabeth
3 McLoughlin will talk to you about that in a moment.
4 Next slide, please.
5 Let's walk through some of the gross
6 leasable area of the project components that I've
7 just briefly outlined for you. There's the New
8 Meadowlands Stadium Project, gross leasable area of
9 285,000 square feet. When we see gross buildable
10 area on this table, that simply refers to the
11 leasable area plus non-leasable space, like
12 non-leasable public spaces and service areas, back
13 hallways, things of that nature. So what do I mean
14 when I say New Meadowlands Stadium, 285,000 square
15 feet of gross leasable area? I mean things like
16 inside the stadium building there's going to be a
17 Hall of Fame, there'll be sponsored areas, team
18 stores, and other related facilities.
19 In addition, for ancillary
20 development, we expect to develop 520,000 square
21 feet of gross leasable area. In this case, it's
22 located in two pods. You've seen it on the visual,
23 and it's in the book in greater detail.
24 And then finally, we anticipate at
25 some point in the future having the opportunity to

1 develop two future tailgating zone areas. They're
2 in the parking areas, and they could be up to 5,000
3 square feet.
4 Next slide, please.
5 Let's try to point out to these
6 places I've just described. Project overview. You
7 see the New Stadium Project just to the north and
8 east of the existing Giants Stadium, ancillary
9 development just to the south of the new stadium.
10 Giants training facility, 20-acre parcel on the
11 southwest corner of the New Meadowlands -- I'm
12 sorry, Meadowlands Sports Complex. Those are Lots
13 13 and 17. As I've said, the Giants training
14 facility constructed on 20 acres. The new stadium
15 and ancillary development on 55 acres. And in
16 addition, we'll do proposed infrastructure
17 improvements on approximately 195 other acres all on
18 the west site. All of the activities for our
19 project are proposed within existing surface parking
20 lots, roadways and landscaped areas.
21 Let's drill down into each of these
22 areas quickly. In terms of the New Meadowlands
23 Stadium, again, a replacement stadium for the
24 existing Giants Stadium. What are we looking at?
25 Approximately 82,500 seats. A building footprint of

about 700,000 square feet. A total building of 2,125,000 square feet of gross buildable area. You've seen on the other slide and you heard me describe already 285,000 gross leasable area. That's the football Hall of Fame, that's themed football dining, team offices, and outdoor plazas. We hope to break ground on the new stadium in the coming year, 2007. It's probably a three-year construction project, and so we look to open in 2010.

Next slide, please.

What about ancillary development? Again, to the south of the new stadium, the uses of ancillary development are compatible with the development and operation of a stadium project. What's that mean? Inside ancillary development, you'll see we have the opportunity for broadcast facilities, sponsorship zones, sports medicine, health and fitness facilities, retail stores, and restaurants. Again, gross leasable area here is 520,000 square feet. Gross buildable area, that includes those non-leasable hallway spaces and other service areas of 617,000 square feet.

The ancillary development sits in the footprint of the existing building. So

consequently, it's the last stage of development. It will not take place in terms of construction until after the existing stadium is demolished, and it will not take place unless market demands and conditions permit it.

Next, please. Thanks.

How about that Giants training facility? How about those Giants? How about that Giants training facility? The Giants training facility's a replacement of existing Giants facilities that are already at the Meadowlands. We're talking about 400,000 square feet of gross buildable area, or 360,000 square feet of gross leasable area. The training facility itself consists of one full-size indoor field, three full-sized outdoor practice fields, there'll be this training building, and inside the building there'll be a gym, locker rooms, places to watch tape, state-of-the-art training, and in this case, this year in particular, guys who are banged up get all of their treatments at the business offices for the Giants. In addition, there'll be adjacent at-grade parking. The office and training facility is basically 210,000 square feet of gross leasable area, plus there's 50,000 square feet of additional

gross leasable area for future sponsorship.

How about the next one?

Traffic and park -- why do I always say traffic and parking. That's what's always on my mind when I see parking. Parking and future tailgating zones. We know that traffic and parking are major concerns for the surrounding communities, for the teams, for our fans, and they're concerns that we address in our Preliminary Environmental Impact Statement. Let's go through what we hope to do here.

You'll see when reading the PEIS that we reconfigured the existing parking and internal roadways, and the goal here is to maximize parking efficiencies. And we -- and by doing so, we reduce traffic congestion in both the ingress and egress situations.

Basically what we find at the Meadowlands based on the research we've done so far is that there are choke points inside the parking areas. People get off the roadways and they find these choke points. They get inside the Meadowlands complex and then they start crisscrossing the site. Our parking plan seeks to eliminate that crisscrossing. You enter the site, and where you

enter is where you park. There'll be separate designated parking areas based on your access point.

In addition, there'll be new curbing, sidewalks, lighting and landscaping. We'll also widen plazas. We'll use things like speed parking and permits, and all of it is aimed at reducing the amount of time it takes from when you enter the site to when you park and get out of your car.

What else? Future development of tailgating areas. Again, these are all driven by market conditions, and for now we're not developing these tailgating areas. We're going to allow more parking. There'll be 5,000 square feet gross buildable area in the future. There'll be an opportunity for game and event-related merchandising, food and beverage operation, and restroom facilities.

How about site circulation? Last and not least, how are we going to move people off the roadways through the plazas? New inner loop and middle loop roads. So rather than enter the site and find medians and having to crisscross across intersections, we try to simplify the parking and traffic circulation system by creating these new

1 inner and middle loop roads that match up with the
2 regional roadway systems. So you get off the
3 regional roadway system, you connect with a loop
4 road, you get a targeted parking area based on how
5 you enter. These reconfigured parking areas are --
6 you find directed parking where people are managing
7 how you get in. And so you get through the plazas,
8 you get directed to park, and it all happens much
9 more quickly. As a result, you reduce the
10 bottlenecks that you see today. And without
11 bottlenecks within the site, you've lessened roadway
12 congestion outside the site.
13 And all in anticipation of this,
14 you're learning about this from roadway signage,
15 like airport signs. Newark Airport's the best
16 example of that. Boy, you can get in and out of
17 Newark Airport quickly. We're going to implement
18 airport-like signage. We're also going to inform
19 our fans about what we're doing through the use of
20 websites and other communications so our fans are
21 fully aware of how to come to and from the game.
22 What else are we doing in terms of
23 site circulation? A new west peripheral road.
24 We'll look at upgrading existing pedestrian and
25 vehicular connections so that you can get east and

1 west easily. We're going to realign the North
2 Access Road. And we're going to replace, as I said,
3 some of the toll plazas. Some are getting bigger.
4 In the case of B, we'll replace the plaza with a
5 smaller plaza.
6 I think with that, I turn it over to
7 Elizabeth McLoughlin, who will close this
8 presentation and open it up to you for comment.
9 Thank you very much for coming, and we welcome your
10 comment.
11 MS. MC LOUGHLIN: Good afternoon.
12 I'm Elizabeth McLoughlin of Paulus, Sokolowski and
13 Sartor. PS&S are the environmental consultants to
14 the New Jersey Sports and Exposition Authority. We
15 are working closely with Langan Engineering, the New
16 Meadowlands Stadium's environmental consultant, in
17 the preparation of the Preliminary Environmental
18 Impact Statement.
19 The location, type and character
20 consultation with the Meadowlands Commission is
21 conducted concurrently with the ecological factors
22 in consultation with the Meadowlands Commission and
23 the New Jersey Department of Environmental
24 Protection.
25 The Preliminary Environmental Impact

1 Statement presents the purpose and need for the
2 stadium. That's to continue the redevelopment of
3 the Meadowlands Sports Complex by redeveloping the
4 west site to provide a replacement stadium, practice
5 facilities, and ancillary development. This Stadium
6 Project seeks to create the premier football fan
7 experience on game day and to enhance the
8 Meadowlands Sports Complex as a year-round
9 destination.
10 The traffic and parking are focuses
11 of the Project Study. The study was conducted by
12 Volmer Associates working in conjunction with
13 Edwards and Kelcey. The Stadium Project will
14 improve the on-site roadway network, improve parking
15 facilities on the west site, facilitate traffic
16 management on game day. The Stadium Project Traffic
17 Study includes off-site roadway improvements
18 identified and/or to be constructed by others.
19 These studies include the Meadowlands Xanadu
20 project, the Turnpike Authority and Department of
21 Transportation regional roadway improvements, and
22 the New Jersey Transit Railroad project. These
23 regional studies were considered in the scope of the
24 study.
25 Traffic impacts. The PEIS presents

1 that additional vehicle trips generated by the
2 Stadium Project are anticipated to have an overall
3 minimal impact on the level of service of roadway
4 intersections. With off-site roadway and rail
5 improvements, traffic associated with game day
6 events are anticipated to remain the same as current
7 conditions. Game day traffic may also be reduced
8 due to the operation of the New Jersey Transit rail
9 station. The PEIS analysis indicates that the
10 Stadium Project does not require off-site roadway
11 improvements. And the formal review of the Traffic
12 Impact Study will be conducted by the New Jersey
13 Department of Transportation in the form of a Major
14 Highway Access Permit, which is currently under
15 study.
16 Now, the parking and transportation
17 management was presented in detail by Mary Musca,
18 and so let me just summarize that the Stadium
19 Project will also be coordinated with other ongoing
20 activities being constructed at the Sports Complex.
21 Now, the Stadium Project will result
22 in a number of beneficial socioeconomic impacts.
23 These impacts are to the New Jersey Sports and
24 Exposition Authority, the Hackensack Meadowlands
25 region, and the State of New Jersey. The ownership

1 families of the New York Giants and the New York
2 Jets are committed to investing over $1.2 billion
3 for the construction of the new stadium and training
4 facilities. Lease payments to the New Jersey Sports
5 and Exposition Authority will provide additional
6 revenue, and taxes and Payment in Lieu of Taxes will
7 provide beneficial impacts to both the region and
8 the State. The project and associated spending will
9 create a range of jobs beneficial to both the region
10 and the State.
11 Construction of the new stadium,
12 construction of the Giants and Jets training
13 facilities and associated direct, indirect and
14 induced economic impacts will support approximately
15 12,200 jobs. The project operations and associated
16 economic impacts will support approximately 12,450
17 jobs. The total direct, indirect and induced
18 economic activity during construction is projected
19 to be $1.2 billion, while the total economic
20 activity generated by operation of the new stadium,
21 the training facilities and associated spending in
22 the region will be approximately $938 million
23 annually. It is estimated that tax revenues from
24 the construction of the new stadium and training
25 facilities, and associated direct, indirect and

1 induced economic impacts will be $64.7 million,
2 while the annual tax revenues from operation of the
3 new stadium, training facilities, and associated
4 economic impacts will be $66.5 million.
5 The Preliminary Environmental Impact
6 Statement reviews a host of environmental components
7 as listed on the slide. In general, the location of
8 the Stadium Project within an existing paved,
9 developed site eliminates direct impacts on
10 environmentally sensitive features, such as wetlands
11 and wildlife habitat. With the implementation of
12 mitigation measures for both construction and
13 operation of the project, potential adverse impacts
14 are minimized. In addition, construction and
15 operation of the sports and entertainment facilities
16 within the Meadowlands Sports Complex are considered
17 an appropriate land use. Therefore, it is concluded
18 that the Stadium Project will not present a
19 significant adverse impact on the environment, and
20 that the location, type and character of the project
21 is appropriate.
22 In addition to the consultation
23 process with the New Jersey Department of
24 Environmental Protection and the New Jersey
25 Meadowlands Commission, the Stadium Project will

1 comply with a variety of federal, state and local
2 permit and approval processes.
3 Thank you very much.
4 MR. SONDERMEYER: Thank you,
5 Elizabeth, Mary and John.
6 At this time I would like to open the
7 afternoon session of the proceedings for public
8 comment. Is there anyone who would wish to offer
9 any public comment?
10 Seeing no one at this time, it's
11 approximately 2:40 p.m. I'd like to temporarily
12 close the record until someone arrives to give
13 testimony, at which point we will reopen the
14 record. Thank you.
15 (A brief recess is taken.)
16 MR. SONDERMEYER: It's approximately
17 4:00 p.m., and no one did appear to give testimony
18 in our afternoon session. So at this time I'd like
19 to formally close the record. We will have a third
20 session for today, our evening session, which will
21 begin at 7 p.m. Thank you.
22 (Hearing adjourned at 4:00 p.m., to
23 reconvene at 7:00 p.m.)
24
25

1 CERTIFICATE
2
3 I, MARY ANN ADAMS, a Certified Shorthand
4 Reporter and Notary Public of the State of New
5 Jersey, do hereby certify that the foregoing is
6 a true and accurate transcript of the proceedings
7 as taken stenographically by and before me at the
8 time, place, and on the date hereinbefore set
9 forth.
10 I do further certify that I am neither of
11 counsel nor attorney for any party in this action, I
12 am unrelated to the parties involved in this action,
13 I have no financial interest and am not related to
14 an agent of or employed by anyone with a financial
15 interest, and that I am not interested in the event
16 nor outcome of this litigation.
17
18 Mary Ann Adams, CSR
19 Notary Public of the State of New Jersey
20 I.D. NO. 372 - Expires August 2009
Certificate No. X101026
21
22 Dated: 12-22-06
23
24
25

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NEW JERSEY MEADOWLANDS
COMMISSION
PUBLIC HEARING

IN RE: :
NEW MEADOWLANDS STADIUM : TRANSCRIPT OF
PROJECT - NJDEP/NJMC : PROCEEDINGS
PEIS HEARING :

New Jersey Meadowlands Commission
1 DeKorte Park Plaza
Lyndhurst, New Jersey 07071
Wednesday, December 13, 2006
7:00 p.m.

B E F O R E:

GARY SONDERMEYER
Director of Operations of the New Jersey
Department of Environmental Protection

ROBERT CEBERIO
Executive Director of the New Jersey
Meadowlands Commission

ALSO PRESENT:

CHRISTINE PIATEK, ESQ.
Deputy Attorney General
New Jersey Department of Law and Public Safety

Reported by:

MARY ANN ADAMS
Certified Shorthand Reporter

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(The Hearing Officers reconvene at 7:00 p.m.)

MR. SONDERMEYER: It is approximately 7:45, and at this point we have not had anyone arrive to offer any public testimony at this evening's session of our public hearing. So at this point we would like to close the record. We will resume again tomorrow morning for a session between the hours of 10 and 12, and once again in the afternoon from 2 to 4, and the evening starting at 7 o'clock. Thank you.

(Hearing adjourned at 7:45 p.m., to reconvene on December 14, 2006, at 10:00 a.m.)

1 CERTIFICATE

2

3 I, MARY ANN ADAMS, a Certified Shorthand
4 Reporter and Notary Public of the State of New
5 Jersey, do hereby certify that the foregoing is
6 a true and accurate transcript of the proceedings
7 as taken stenographically by and before me at the
8 time, place, and on the date hereinbefore set
9 forth.

10 I do further certify that I am neither of
11 counsel nor attorney for any party in this action, I
12 am unrelated to the parties involved in this action,
13 I have no financial interest and am not related to
14 an agent of or employed by anyone with a financial
15 interest, and that I am not interested in the event
16 nor outcome of this litigation.

17

18 Mary Ann Adams, CSR
19 Notary Public of the State of New Jersey
I.D. NO. 372 - Expires August 2009
20 Certificate No. X101026

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NEW JERSEY MEADOWLANDS
COMMISSION
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IN RE: :

NEW MEADOWLANDS STADIUM : TRANSCRIPT OF
PROJECT - NJDEP/NJMC : PROCEEDINGS
PEIS HEARING :

New Jersey Meadowlands Commission
1 DeKorte Park Plaza
Lyndhurst, New Jersey 07071
Thursday, December 14, 2006
10:00 a.m.

B E F O R E:

GARY SONDERMEYER
Director of Operations of the New Jersey
Department of Environmental Protection

ROBERT CEBERIO
Executive Director of the New Jersey
Meadowlands Commission

ALSO PRESENT:

CHRISTINE PIATEK, ESQ.
Deputy Attorney General
New Jersey Department of Law and Public Safety

Reported by:

MARY ANN ADAMS
Certified Shorthand

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MR. SONDERMEYER: Good morning. I'm Gary Sondermeyer, Director of Operations of the New Jersey Department of Environmental Protection. With me is Robert Ceberio, Executive Director of the New Jersey Meadowlands Commission. We're the Hearing Officers for the public hearing to be held today. Seated with us is Christine Piatek, Deputy Attorney General of the New Jersey Department of Law and Public Safety. We welcome you all to today's proceedings.

We're here this morning to receive public comments on the Preliminary Environmental Impact Statement, or PEIS, document dated October 2006, prepared by the New Jersey Sports and Exposition Authority for the New Meadowlands Stadium Project to construct a new stadium within the Meadowlands Sports Complex in East Rutherford, New Jersey. This hearing provides you with an opportunity to comment on the PEIS. Your comments will be considered during the preparation of the Final EIS. The PEIS document has been available since November 3rd, 2006, on the websites and at the offices of the Meadowlands Commission, the DEP, and the Sports Authority. It has also been available at all the public libraries in each of the Meadowlands

District municipalities.

We will receive comments at three sessions today, as we did yesterday. The first session is now at 10 o'clock a.m., the second session is at 2 p.m., and the third session is at 7 p.m. If anyone has not already done so, please sign in at the registration desk. If you wish to submit written or verbal comments, please indicate that on the registration sheet. Please turn off all cell phones and pagers during the hearing.

Today's hearing is part of a consultation process set forth in the Sports Authority's authorizing legislation. When the Sports Authority proposes development projects at the Meadowlands Sports Complex, the Authority consults with the Meadowlands Commission on the location, type and character of the project and with the Meadowlands Commission and the DEP on ecological factors constituting the environment for the Hackensack Meadowlands so the delicate environmental balance of the Hackensack Meadowlands can be maintained and preserved.

During today's proceedings, the Hearing Officers will not respond to comments, but will receive them for review and consideration. A

summary of the hearing, copies of the handouts, and copies of the materials submitted by the public will be included in the Final EIS, which is expected to be available for public review on or about February 12th, 2007.

After the close of the comment period on January 15th, 2007, the Sports Authority will complete and publish the Final EIS, which will include written responses to the public comments on the PEIS, and will submit it to the Hearing Officers and to the Department and the Commission. The Final EIS is expected to be available to the public on or about February 12th, 2007. The Hearing Officers will then review the Final EIS and submit their report and recommendations to the DEP and the Meadowlands Commission for approval on or about March 26, 2007. The Hearing Officers' report and recommendations will thereafter be available for public review at the offices and on the websites of the Meadowlands Commission, the DEP, and the Sports Authority, and at local public libraries within the Meadowlands District.

Yesterday during our proceedings, we went through a brief overview of the project for the benefit of the public who had arrived to either hear

1 the presentation or to give public testimony. This
2 morning we don't have anyone who has yet appeared
3 and registered to either give testimony or is in the
4 audience to hear the presentation, so we'll forego
5 the presentation. And at this time we'll close the
6 record until someone appears. If they appear to
7 give testimony, we will reopen the record at that
8 time. Thank you.
9 (A brief recess is taken.)
10 MR. SONDERMEYER: At this point in
11 time, it's about 10:55 a.m., and no one has appeared
12 to give public testimony, but a few members of the
13 public have arrived, and it would be appropriate to
14 give the brief project overview. So we will do
15 that. And I'd like to ask Mary Musca, the
16 Co-Project Executive for the New Meadowlands Stadium
17 Company, to give the overview.
18 MS. MUSCA: Sure. I'm happy to do
19 it.
20 I will cue you by saying next slide,
21 please. Very good.
22 Good morning all. Thank you so much
23 for coming. I'm Mary Musca. I'm one of the two
24 Co-Project Executives for the New Meadowlands
25 Stadium Project. My colleague, Bill Senn, is not

1 here with us today, but he, too, represents the
2 joint venture, and together Bill and I work on this
3 project for the Giants and the Jets organizations
4 and the ownership families.
5 Next slide, please.
6 Let me first give you a brief
7 orientation to the project location. The New
8 Meadowlands Stadium Project is located on the west
9 site of the Meadowlands Sports Complex. The
10 Meadowlands Sports Complex is one of the largest
11 sports and entertainment venues in the entire
12 country. It consists of Giants Stadium, the
13 Meadowlands Racetrack, the Continental Airlines
14 Arena, ancillary buildings, parking areas and
15 pedestrian walkways.
16 Next slide, please.
17 What you will read about in our
18 Preliminary Environmental Impact Statement, which we
19 submitted in October, and what you will read about
20 in our Master Plan, which was submitted to the NJSEA
21 Board in June and received preliminary approval by
22 the NJSEA Board in October, is a project that has a
23 few components. Let me summarize them here for you,
24 point them out for you on the map, and then drill
25 down a little bit on each one of those components.

1 First of all, the project consists of
2 a replacement of the existing Giants Stadium with
3 the new stadium called the New Meadowlands Stadium.
4 It is located -- again, all of these elements are
5 on the west site of the Meadowlands Sports Complex
6 just north and east of the existing stadium. In
7 addition, we have ancillary development. Ancillary
8 development is located just to the south of the New
9 Stadium Project. And also as part of our project,
10 we have the Giants training facility located on 20
11 acres on the southwest corner, often known as Lots
12 13 and 17 by fans of the existing Meadowlands
13 stadium -- of the existing Meadowlands Sports
14 Complex, excuse me. In addition, you're going to
15 hear me describe a little bit today parking and
16 future tailgate zones and what we're doing in the
17 area of site circulation.
18 The Meadowlands -- I'm sorry. The
19 Stadium Project seeks to create the premier football
20 fan experience on game day, enhance the Meadowlands
21 Sports Complex as a year-round destination, and
22 provide ancillary uses that are compatible with the
23 development and operation of a 21st Century
24 stadium.
25 The families that own the Giants and

1 the Jets have formed an historically unprecedented
2 partnership in the world of sports. The families
3 have come together to build one home for two
4 franchises in the same league. That is unheard of.
5 We're doing this without the benefit of public
6 subsidies, and we're doing it for the fan. The goal
7 of our effort is to create a home-field advantage
8 for Jets and Giants fans for years to come.
9 The Stadium Project will replace the
10 thirty-year-old Giants Stadium and will replace the
11 existing training facility of the Giants and their
12 team offices with a new modern stadium and a new
13 Giants training facility. The Stadium Project also
14 includes the construction of new ancillary
15 development, which is adjacent to the new stadium
16 and whose uses are compatible with the development
17 and operation of a 21st Century stadium.
18 In addition to the efforts we're
19 undertaking as part of our project components, the
20 New Stadium Project is taking positive steps to
21 incorporate smart growth and sustainable development
22 practices into the Stadium Project. We're committed
23 to energy and water conservation. And through our
24 design efforts to date, we've taken steps in that
25 direction. For example, we'll be using waterless

1 urinals, which save water at the new stadium. We'll
2 be employing low water usage plants and low water
3 usage landscaping to reduce the need for
4 irrigation. And we will be building a synthetic
5 turf field at the New Stadium Project instead of
6 using natural grass. That will save a tremendous
7 amount of water in the area of irrigation.
8 The Stadium Project will be a hundred
9 percent privately financed. And, as such, the
10 Stadium Project is a vital component of the NJSEA's
11 redevelopment initiative for the Meadowlands Sports
12 Complex. It will generate substantial tax revenues
13 and it will create construction and permanent jobs
14 for New Jersey's citizens and its communities.
15 The Stadium Project has five
16 components as you see there. If you can flip to the
17 next table, let me walk you through some square
18 footages.
19 This page appears both in our Master
20 Plan, which was approved by the NJSEA Board, and is
21 part of the Preliminary Environmental Impact
22 Statement submitted in October. The documents are
23 consistent as follows.. Let me walk you through the
24 table.
25 On the left-hand side you see project

1 components, and across the top two elements, we
2 either have gross leasable area or gross buildable
3 area. Gross leasable area is in square feet. Gross
4 buildable area, also in square feet, includes
5 leasable area plus any non-leasable space, like
6 hallways and service areas and things of that
7 nature.
8 So first the New Stadium Project. In
9 terms of gross leasable area, we're talking about
10 285,000 square feet of gross leasable area. Those
11 spaces include things like Hall of Fame, team
12 stores, sponsorship areas inside the stadium.
13 Ancillary development. Two pods.
14 South of the New Stadium Project, 520,000 square
15 feet of gross leasable area.
16 Giants training facility, 360,000
17 square feet of gross leasable area.
18 And in the future, we expect the
19 opportunity to build two tailgating areas in the
20 parking lots. They're 5,000 square feet each,
21 10,000 square feet total, and again, they're in the
22 parking areas to service our fans who appreciate a
23 tailgating environment.
24 Next slide, please.
25 This project overview again just

1 illustrates where things are on the site, and again,
2 we are on the west site. So the new stadium and
3 ancillary development will occupy a leased area of
4 approximately 55 acres on the west site between the
5 existing Giants Stadium and Route 120. The new
6 Giants training facility will be constructed on a
7 second leased parcel of approximately 20 acres in
8 the southwest corner of the Meadowlands Sports
9 Complex. Other project-related improvements include
10 revised parking areas, modified internal roadway
11 networks. The stadium proposes these
12 infrastructure-related improvements on approximately
13 195 acres on the west site. All Stadium Project
14 activities are proposed within existing surface
15 parking lots, roadways and landscape islands.
16 Let's drill down, please, now with
17 the next slide on each one of the elements.
18 First and foremost, since we are two
19 football franchises, our goal is to create the new
20 premier stadium in the National Football League in
21 this nation, approximately 82,500 seats. The
22 building footprint, 700,000 square feet. The
23 overall building, the entire stadium in terms of
24 gross buildable area, 2,125,000 square feet. Within
25 the stadium itself, there'll be gross leasable space

1 of 285,000 square feet. And you've heard me say
2 what those things are; Football Hall of Fame, themed
3 dining experiences, team offices, you've heard me
4 talk about the team store. And surrounding the
5 entire stadium will be at-grade plazas. We hope to
6 break ground on the new stadium in 2007. It's about
7 a three-year build cycle, and we hope to be open for
8 the 2010 football season.
9 Next slide, please.
10 The second element of our project is
11 ancillary development. You've heard me say this.
12 The uses of the ancillary development are compatible
13 with the development and operation of the new
14 stadium. And as part of that 520,000 square feet of
15 gross leasable area and 617,000 square feet of gross
16 buildable area, we anticipate those uses will
17 include things like broadcast facilities,
18 sponsorship areas, sports medicine, health and
19 fitness facilities, retail stores, and restaurants.
20 Now, the ancillary component is the
21 last stage of development, and it's built in the
22 existing stadium's footprint. So the existing
23 stadium must be demolished, it will come down, we
24 expect to recycle as appropriate and will test
25 concrete and other things, we expect to recycle

1 materials of an existing building and fill the hole
2 of the existing building. Once that is completed,
3 we will have an opportunity to build ancillary
4 development. However, we will not start
5 construction on ancillary development unless the
6 market demands it.
7 Take a look at the next slide.
8 What about those Giants and the
9 Giants training facility. The Giants training
10 facility is a replacement. The Giants already train
11 at the Meadowlands Sports Complex. And so the
12 Giants training facility is a replacement facility
13 with new fields and offices. 400,000 square feet of
14 gross buildable, 360,000 square feet of gross
15 leasable area. What does it consist of? One
16 full-size indoor football field, three full-sized
17 outdoor practice facilities, and then a building,
18 210,000 gross leasable area of office and training
19 program space. So within a building, there'll be a
20 gym for the players, workout areas, a place to
21 rehab. So there'll be what we call a training
22 center. And then inside that building as well,
23 offices for the Giants. Surrounding the Giants
24 training facility, at-grade parking.
25 Next, please. Parking and future

1 tailgating zones. Traffic and parking are perhaps
2 the foremost concerns for our fans, for surrounding
3 communities, for the owners, for the NJSEA, for many
4 of you here today. And although the Stadium Project
5 is replacing Giants Stadium, we've learned a lot in
6 the study we've done in the last couple of months,
7 and so we look to improve existing conditions in the
8 area of parking and traffic. And how we do that is
9 by reconfiguring existing parking and internal
10 roadway networks to maximize parking efficiencies
11 and reduce traffic congestion both in the ingress
12 and egress situation.
13 The cornerstone of our parking and
14 traffic improvements is the creation of separate
15 parking areas for each access route. We will be
16 doing away with the opportunity that fans have today
17 to crisscross the lots once they get inside the
18 facility. So for us, you'll enter the facility in a
19 certain quadrant and you'll park there. You'll also
20 exit in those quadrants. Also to improve parking,
21 what we look to do is create opportunities for fans
22 to get permits, speed passes similar to EZ Pass, so
23 that once you get in off the regional roadway
24 system, you'll connect up with new reconfigured
25 internal roadways and parking areas, you'll speed

1 through the plazas, and you'll be ushered into
2 parking lots that will have managed or directed
3 parking. By doing this, we believe that we will
4 improve immeasurably parking and traffic in the
5 surrounding areas.
6 A few other things we plan to do is
7 employ airport-like signage on the regional roadway
8 system so people can learn in advance how do they
9 get in, once they get in, where do they go. And
10 because we have a very, both the Giants and the
11 Jets, stable fan base, we have mostly season ticket
12 holders, we'll be able to communicate these changes
13 and ongoing improvements to our fans so that they
14 will know far in advance through website
15 communications and mailings and E-mails exactly
16 what's the best route on any given day and how they
17 can speed their commute.
18 How about those tailgate zones? What
19 are they? We're looking in the parking areas to
20 develop two areas, 5,000 square feet of gross
21 buildable area each, that would support our fans who
22 tailgate. Everybody tailgates. That's one of the
23 great elements of a Giants and Jets game. And to do
24 so, we want to facilitate that through providing
25 food and beverage opportunities for our fans,

1 restroom facilities for our fans, we'll continue to
2 have the Port-o-Potties that are out there today,
3 and in addition, game and event-related
4 merchandising. There'll be fun places to go,
5 there'll be music, and they will be in the future
6 based, again, on market conditions. Right now we
7 intend to keep them as parking areas.
8 Next slide, please.
9 How about site circulation? Also in
10 the interest of supporting easy access to the site,
11 reduction of traffic congestion to get through the
12 regional roadway systems, we are looking to create
13 new inner and middle loop roads. We're going to
14 eliminate many of the medians that you see at the
15 Meadowlands Stadium today. We're going to realign
16 roads like the North Access Road. We're going to
17 replace and upgrade existing pedestrian and
18 vehicular inter-connections with the east/west sides
19 of the site. And we're going to, as I said already,
20 replace toll plazas so that our fans can speed
21 through them. All of this, again, in the interest
22 of getting people in, moving through the site
23 quickly, and by doing that, it will ease traffic
24 congestion.
25 Elizabeth, you want to say a few

words?

MS. MC LOUGHLIN: Sure.

MS. MUSCA: Elizabeth McLoughlin from PS&S. Thank you.

MS. MC LOUGHLIN: Thank you, Mary.

A few words about the Preliminary Impact Statement. PS&S is the environmental consultant to the New Jersey Sports and Exposition Authority. We're working closely with Langan Engineering on the preparation of the Environmental Impact Statement.

Now, the New Jersey Sports and Exposition Authority's enabling legislation requires that the Authority consult with the Meadowlands Commission and the Department of Environmental Protection with respect to ecological factors constituting the environment of the Hackensack Meadowlands.

Also, the enabling legislation requires that we consult with the Meadowlands Commission before making any determination as to the location, type and character of the project.

The Preliminary Environmental Impact Statement presents the purpose and need for the stadium as to provide modern replacement to the

existing professional football stadium, in other words, the replacement stadium, to create a premier football fan experience, as Mary has described in detail, and to further the goals of the New Jersey Sports and Exposition Authority for the Meadowlands Sports Complex as a year-round destination.

As was discussed, the traffic and parking areas are the focuses of this study. The traffic was prepared by Volmer Associates working closely with the firm of Edwards and Kelcey. The Stadium Project will improve the on-site roadway network, improve parking facilities on the west site of the stadium, facilitate traffic management on game day. The Stadium Project also includes off-site roadway improvements identified and/or to be constructed by others. These improvements include those designated through the Meadowlands Xanadu project, the New Jersey Turnpike Authority and the New Jersey Department of Transportation and New Jersey Transit Railroad project. Regional studies were considered in the scope of the traffic study.

With regard to the traffic impacts identified in the Preliminary Environmental Impact Statement, additional vehicle trips generated by the

stadium were anticipated to have an overall minimal impact on the level of service of roadway intersections. And together with the off-site roadway and rail improvements, the traffic associated with game day events are anticipated to remain the same as current conditions. Game day traffic will be reduced due to operation of the rail station. The analysis indicates that the Stadium Project does not need off-site roadway improvements. And the formal review of the Traffic Impact Study by the DOT in the form of a Major Highway Access Permit is currently underway.

Parking and transportation management consists of a plan that's been prepared to address event parking, shared parking, parking management, and pedestrian circulation. The on-site implementation of this has been described by Mary Musca. And let me also state that the project will be coordinated with other ongoing construction activities and actions at the Complex as a whole.

The economic and fiscal impacts are presented in the Preliminary Environmental Impact Statement. The Stadium Project will result in a number of beneficial economic impacts to the New Jersey Sports and Exposition Authority, the

Hackensack Meadowlands region, and to the State of New Jersey. The ownership families of the New York Giants and the New York Jets are committed to investing over $1.2 billion for the construction of the new stadium and training facilities. Lease payments to the New Jersey Sports and Exposition Authority will provide additional revenue, while tax revenues and a Payment in Lieu of Taxes will provide beneficial impacts to both the region and the State. The project and associated spending will create a range of jobs to the region and the State.

Construction of the new stadium, the Giants and Jets training facilities, and associated direct, indirect and induced economic impacts will support approximately 12,200 jobs, while the project operations and associated economic impacts will support an additional 12,450 jobs, approximately. The total direct, indirect and induced economic activity during construction is projected at $1.2 billion, and the total economic activity generated by operation of the new stadium, the training facilities and associated spending will be approximately $938 million annually. It is estimated that tax revenues from construction of the

new stadium and training facilities, with associated direct, indirect and induced economic impacts will be $64.7 million, while the annual tax revenues from operations of the new stadium, training facilities, and aforementioned associated economic impacts will be $66.5 million.

The Preliminary Environmental Impact Statement addresses all of these listed environmental factors. The location of the Stadium Project within an existing paved, developed site eliminates direct impacts on environmentally sensitive features, such as wetlands and wildlife habitats. With the implementation of mitigative measures for the construction and the operation of the project, the potential adverse impacts are minimized. In addition, construction and operation of the sports and entertainment facilities is an appropriate land use. Therefore, the Stadium Project is not anticipated to have significant adverse impacts on the environment, and the location, type and character of the project is appropriate.

In addition to the consultation process, the Stadium Project is required to comply with a variety of state and local approval

processes.

Thank you very much.

MR. SONDERMEYER: Thank you, Elizabeth, and thank you, Mary.

At this time I'd like to ask if any member of the public would like to offer any public comment?

PUBLIC MEMBER: Just a question actually.

MR. SONDERMEYER: You have to -- if you want to -- it doesn't work that way. If you want to come up and sign in and offer testimony, you can.

PUBLIC MEMBER: Oh, okay. In that case, that's fine. I appreciate it. Thanks.

MR. SONDERMEYER: Then seeing none, at this point I'd like to temporarily close the record. It's about 11:15. And if anyone comes that wishes to offer public comment, we'll reopen the record until we break at 12:00 noon. Thank you.

(A brief recess is taken.)

MR. SONDERMEYER: At this point it is 12 o'clock. We have not had anyone additional appear from the public to offer testimony. So at

this time I'd like to close the record for lunch. We'll reopen the record at 2 p.m. Thank you.

(Hearing adjourned at 12:00 p.m., to reconvene at 2:00 p.m.)

C E R T I F I C A T E

I, MARY ANN ADAMS, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place, and on the date hereinbefore set forth.

I do further certify that I am neither of counsel nor attorney for any party in this action, I am unrelated to the parties involved in this action, I have no financial interest and am not related to an agent of or employed by anyone with a financial interest, and that I am not interested in the event nor outcome of this litigation.

Mary Ann Adams, C.S.R.
Notary Public of the State of New Jersey
I.D. NO. 372 - Expires August 2009
Certificate No. X101026

Dated: 12-22-06

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1 NEW JERSEY MEADOWLANDS
2 COMMISSION
PUBLIC HEARING

COPY

3
4 IN RE: :
5 NEW MEADOWLANDS STADIUM : TRANSCRIPT OF PROCEEDINGS
6 PROJECT - NJDEP/NJMC
PEIS HEARING :
7
8 New Jersey Meadowlands Commission
1 DeKorte Park Plaza
9 Lyndhurst, New Jersey 07071
Thursday, December 14, 2006
2:00 p.m.
10

RECEIVED
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JAN 03 2007
LAND USE MANAGEMENT

11 B E F O R E:
12 GARY SONDERMEYER
Director of Operations of the New Jersey
13 Department of Environmental Protection
14 ROBERT CEBERIO
Executive Director of the New Jersey
15 Meadowlands Commission
16 ALSO PRESENT:
17 CHRISTINE PIATEK, ESQ.
Deputy Attorney General
18 New Jersey Department of Law and Public Safety
19
20 Reported by:
21 MARY ANN ADAMS
Certified Shorthand Reporter
22
23
24 REPORTING SERVICES ARRANGED THROUGH:
VERITEXT NEW JERSEY REPORTING COMPANY
25 25B Vreeland Road, Suite 301
Florham Park, New Jersey 07932

MR. SONDERMEYER: Good afternoon. It's a little after 2 p.m., and I'd like to open the afternoon session of our public hearings. I'm Gary Sondermeyer, Director of Operations of the New Jersey Department of Environmental Protection. With me is Robert Ceberio, Executive Director of the New Jersey Meadowlands Commission. We're the Hearing Officers for the public hearing to be held today. Seated with us is Christine Piatek, Deputy Attorney General from the New Jersey Department of Law and Public Safety. We welcome you to today's proceeding.

We're here this afternoon to receive public comments on the Preliminary Environmental Impact Statement, or PEIS, document dated October 2006, prepared by the New Jersey Sports and Exposition Authority for the New Meadowlands Stadium Project to construct a new stadium within the Meadowlands Sports Complex in East Rutherford, New Jersey. This hearing provides you with the opportunity to comment on the PEIS. Your comments will be considered during the Final EIS. The PEIS document has been available since November 3rd, 2006, on the websites and at the offices of the Meadowlands Commission, the DEP, and the Sports

Authority. It has also been available at all the public libraries in each of the Meadowlands District municipalities.

We will receive comments at three sessions today. So this morning we had a session from 10 o'clock to 12, the second session will run from now until 4 o'clock, and the third session this evening beginning at 7 p.m. If anyone has not already done so, please sign in at the registration desk. If you wish to submit written or verbal comments, please indicate that on the registration sheet. Please turn off all cell phones and pagers during this proceeding.

Today's hearing is part of a consultation process set forth in the Sports Authority's authorizing legislation. When the Sports Authority proposes development projects at the Meadowlands Sports Complex, the Authority consults with the Meadowlands Commission on the location, type and character of the project and with the Meadowlands Commission and the DEP on ecological factors constituting the environment of the Hackensack Meadowlands so the delicate environmental balance of the Hackensack Meadowlands may be maintained and preserved.

During today's proceedings, the Hearing Officers will not respond to comments, but will receive them for review and consideration. A summary of the hearing, copies of the handouts, and copies of the materials submitted by the public will be included in the Final EIS, which is expected to be available for public review on or about February 12th, 2007.

After the close of the comment period on January 15th, 2007, the Sports Authority will complete and publish the Final EIS, which will include written responses to the public comments on the PEIS, and will submit it to the Hearing Officers and to the Department and the Commission. The Final EIS is expected to be available to the public on or about February 12th, 2007. The Hearing Officers will then review the Final EIS and submit their report and recommendations to the DEP and the Meadowlands Commission for approval on or about March 26, 2007. The Hearing Officers' report and recommendations will thereafter be available for public review at the offices and on the websites of the Meadowlands Commission, the DEP, and the Sports Authority, and at local public libraries within the Meadowlands District.

All right. At this time we're going to just have a brief project overview, which has been part of what we've done through each of the preceding four sessions. And I'd like to recognize Elizabeth McLoughlin, who will kick it off.

MS. MC LOUGHLIN: Good afternoon. I'm Elizabeth McLoughlin from PS&S. I'm representing John Duffy, Vice President of the New Jersey Sports and Exposition Authority, the NJSEA.

The NJSEA is the sponsor of the proposed construction at the Meadowlands Sports Complex. The project will provide a modern replacement for the existing thirty-year-old Giants Stadium and will also include additional amenities and facilities consistent with modern facilities.

The New Jersey Meadowlands Stadium Company, a joint venture of Giants Stadium LLC and Jets Development LLC, will implement the proposed project under the authority of the New Jersey SEA.

A Preliminary Environmental Impact Statement, a PEIS, has been prepared and is available on-line and at area libraries and repositories.

Representatives of the New

1 Meadowlands Stadium Company and the NJSEA's
2 consultants will present a description of the
3 proposed project and a summary of the PEIS.
4 At this time, I would like to call on
5 my friend and colleague, Mary Musca, the Co-Project
6 Executive for the New Meadowlands Stadium Company,
7 to present an overview of the replacement stadium
8 and associated facilities. Mary?
9 MS. MUSCA: Thanks, Elizabeth. Good
10 afternoon, everyone. Thank you so much for coming.
11 I will cue you by saying next slide,
12 please. Thanks.
13 Mr. Mayor it's nice to see you.
14 Thank you all for being here this afternoon. We are
15 delighted to be part of this two-day public hearing
16 process, and we so look forward to hearing the
17 comments of the public, elected officials, and
18 others. We'd like to hear and learn more about your
19 thinking.
20 We're here to talk about our
21 Preliminary Environmental Impact Statement. Our
22 Preliminary Environmental Impact Statement, as Gary
23 has indicated, was completed in October. It follows
24 a Master Plan that we submitted to the New Jersey
25 Sports and Exposition Authority on June 30th. Both

1 the Preliminary Environmental Impact Statement and
2 the Master Plan are consistent, and what I'm about
3 to say today is reflected in both documents. The
4 Master Plan that I've described was granted
5 preliminary approval by the NJSEA Board in October.
6 So what you're about to see here today is an overall
7 presentation of our project. And again, we so
8 welcome your comments. So let's get going.
9 Next slide, please.
10 First let me orient you to the
11 project. The New Meadowlands Stadium Project is on
12 the west site of the Meadowlands Sports Complex, as
13 you can see in this map. The Meadowlands Sports
14 Complex is one of the largest sports and
15 entertainment venues in the entire country. It
16 consists of Giants Stadium, the Meadowlands
17 Racetrack, the Continental Airlines Arena, ancillary
18 buildings, parking areas, and pedestrian walkways.
19 And one of the purposes of the New Meadowlands
20 Stadium Project is to make the Meadowlands Sports
21 Complex the preeminent sports and entertainment
22 complex in the world today. That's our goal. I'm
23 sure that's everyone's goal here. And we really
24 look forward to achieving it.
25 Next slide, please.

1 I'd like to describe to you briefly
2 what some of the project components are, point them
3 out to you on this map, and then I'll give you some
4 additional information in a moment.
5 So first let's talk about the project
6 components. What makes up the New Stadium Project?
7 Well, first and foremost, the New Stadium Project
8 involves a replacement of the existing Giants
9 Stadium. It is located -- again, everything I'm
10 going to describe is located on the west site of the
11 New -- of the Meadowlands Sports Complex, but the
12 New Meadowlands Stadium will be constructed just
13 north and east of the existing Giants Stadium.
14 In addition, the second component of
15 this project is ancillary development. Ancillary
16 development is located to the south of the new
17 stadium. It sits in the footprint of existing
18 Giants Stadium.
19 Another component of our project
20 involves the Giants training facility. It, too,
21 like the stadium, is a replacement project. The
22 Giants currently train at the Meadowlands Sports
23 Complex. And in this case, in the new project,
24 we're looking to develop a 20-acre parcel in the
25 southwest quadrant of the Meadowlands Sports Complex

1 in Lots 13 and 17.
2 In addition, you're going to hear me
3 talk a little bit today about parking, future
4 tailgate zones, and site circulation.
5 As I said, the purpose of our project
6 is to create an unrivaled, premier football
7 entertainment experience for our fans. And while
8 doing so, we're looking to enhance the Meadowlands
9 Sports Complex as a year-round destination, make it
10 the preeminent sports and entertainment destination
11 in the nation, and provide ancillary uses that are
12 compatible with the development and operation of a
13 21st Century stadium.
14 The three ownership families that are
15 involved with the Jets and the Giants have formed a
16 historically unprecedented partnership, which is
17 really almost unknown in sports. Certainly in one
18 professional sport, football, there are not two
19 teams that come together in one marketplace to play
20 in the same building. Our three ownership families
21 have done so. They're committed to spending in
22 terms of private investment over a billion dollars
23 without any public subsidy to build this new
24 project.
25 The Stadium Project replaces the

1 thirty-year-old Giants Stadium and the existing
2 Giants training facility and team offices with a new
3 modern stadium and the new Giants training
4 facility. The Stadium Project also includes the
5 construction of new related ancillary development,
6 which I've said will be located in the existing
7 stadium's footprint, and it will follow once the
8 existing stadium is demolished. This is based on
9 market demand. In addition, we'll work on parking
10 areas, internal roadways, future tailgate zones,
11 pedestrian walkways, all part of the New Stadium
12 Project.
13 Let me pause and say a few things
14 about the kinds of activities and work we've done to
15 date in the area of sustainable development and
16 smart growth. Our owners are committed to water and
17 energy conservation, and we've already taken steps
18 to ensure that we are good neighbors to the
19 communities in this area. And among the things that
20 we've done to date, and there will be more things
21 that we will consider in the future, but to date,
22 we've been willing to take the following steps.
23 First, our owners are committed to the installation
24 of waterless urinals in the stadium. This saves
25 millions of gallons of water. In addition, in terms

1 of plantings, we will be using low water usage
2 plants and landscaping, again, to reduce the
3 requirement that we irrigate and use water. And
4 thirdly, we'll be constructing the new stadium with
5 synthetic turf, and that material is primarily made
6 up of recycled tires and recycled shoes. And as
7 time goes on, we'll be considering even more steps
8 in the area of water and energy conservation.
9 Now, Elizabeth will be back in a
10 moment to talk to you more about this, but I've
11 indicated to you already that this is a private
12 investment of well over a billion dollars, plus the
13 two teams will be locating their training facilities
14 in New Jersey, again, each team contributing
15 somewhere in the vicinity of fifty to seventy plus
16 million dollars each to build their training
17 facility. And by making this commitment to the
18 State of New Jersey, the owners are also committing
19 to generating millions in tax revenues and creating
20 both construction and permanent jobs. Elizabeth
21 will give you the details.
22 So why don't we flip to the table.
23 Now, this table is one that you will
24 see in both the Master Plan and in the Environmental
25 Impact Statements. It outlines the project

1 components, so let me just go through it with you.
2 On the left-hand column you see the
3 major project elements, and across the top you see
4 both gross leasable area and gross buildable area.
5 In the case of gross leasable area, you see that in
6 square feet. What is gross buildable area? Gross
7 buildable area is leasable area plus any
8 non-leasable space, hall spaces, service areas,
9 etcetera.
10 So first, what about the New
11 Meadowlands Stadium. The stadium gross leasable
12 area, 285,000 square feet. Ancillary development,
13 520,000 square feet. Giants training facility,
14 360,000 square feet. And future tailgate zones, in
15 this case we've indicated, and you'll hear me talk
16 about them a little bit, that there will be up to
17 two areas of 5,000 square feet each.
18 What makes up some of these
19 elements? Well, in the New Stadium Project, what is
20 that 285,000 square feet? It's things like Hall of
21 Fame, sponsored areas, team stores and related
22 facilities. And you'll hear me speak more in a
23 moment about the 520 that makes up ancillary
24 development.
25 Next slide, please.

1 Here's another visual to show you
2 from on high. Where are these components on the
3 west side? New Meadowlands Stadium, as you can see,
4 is just north and east of existing Giants Stadium.
5 The Giants training facility, that is a separate
6 20-acre parcel. That's in the southwest corner,
7 Lots 13 and 17. Ancillary development, just south
8 of the new stadium.
9 Now, ancillary development in the new
10 stadium will occupy a leased area of approximately
11 55 acres on the west site between existing Giants
12 Stadium and Route 120. You've heard me tell you
13 about the 20 acres, that's the Giants training
14 facility. But in addition, we will be doing
15 site-related improvements, infrastructure-like
16 improvements, revising parking areas, modifying
17 roadways, plantings, on approximately 195 other
18 acres, all on the west site, and all of these
19 activities take place in areas that are already
20 paved surface parking lots or other roadways or
21 landscaping areas.
22 So let's drill down for a minute on
23 some specifics. And we'll look first, please, at
24 the first slide, which is on the New Meadowlands
25 Stadium Project.

1 Look, we're football people, so first
2 and foremost we want to build a great new stadium
3 for our fans. And so what is this new stadium?
4 It's a replacement. Approximately 82,500 seats, a
5 building footprint of about 700,000 square feet, and
6 an overall building of 2,125,000 square feet. And
7 what about that 285 in gross leasable area? This is
8 area within the stadium I've described to you
9 already where we'll put things like the Hall of Fame
10 for the teams, football themed dining, team offices,
11 and outdoor -- and in addition, the stadium will be
12 surrounded by at-grade outdoor plazas.
13 Again, the owners want to create a
14 fantastic experience for our patrons, and so we want
15 to animate these plazas with entertainment and
16 food. We want to give the stadium life and make it
17 a home so that we have a real home-field advantage
18 for our fans. And we want to do so by having Halls
19 of Fame and theme dining and other opportunities
20 inside the building. So whether you're a Jets fan
21 or a Giants fan, and I'm both, you'll be able to
22 arrive on game day and feel like this is where your
23 team plays.
24 We hope to break ground on the New
25 Stadium Project in 2007, and we hope to open with

1 completed construction in 2010.
2 Next slide, please.
3 You've heard me talk about this
4 ancillary development piece. That's 520,000 square
5 feet of gross leasable, 617 square feet -- 617,000
6 square feet of gross buildable area. What is it?
7 These are uses that are going to be compatible with
8 the development and operation of a stadium. They're
9 going to include things like broadcast facility,
10 sponsor area, sports medicine, health and fitness
11 facilities, retail stores, and restaurants.
12 Now, the ancillary development,
13 you've heard me say, sits in the footprint of the
14 existing Giants Stadium. And so by its very nature,
15 it will be the last stage of development. The new
16 stadium goes up, the old stadium is demolished, the
17 materials inside the existing stadium are recycled
18 and help us, as appropriate, fill the hole of the
19 demolished stadium. And then following that and
20 based on market demand, the ancillary development
21 piece commences.
22 Next slide, please. What about the
23 Giants training facility? The Giants already
24 practice at the Meadowlands Sports Complex, so we're
25 replacing, as you know, because we're ripping down

1 the existing building and the Giants training
2 facility. Most of it is in the existing building.
3 The Giants need a new home to practice and to have
4 their business offices. So we'll be replacing the
5 existing facilities that are housed now in Giants
6 Stadium with a new Giants training facility, 20
7 acres, southwest corner, Lots 13 and 17. The gross
8 buildable area is about 400,000 square feet. That
9 translates into about 360,000 square feet of gross
10 leasable area.
11 What are these facilities? Well, in
12 the case of the Giants training facility, it's one
13 full-size indoor football field, three full-sized
14 outdoor practice fields, and then there's the
15 building. You've heard me talk about the building
16 as being both offices and a training center. It
17 will be the home of the New York Giants. It's where
18 players will practice and train. It's where they'll
19 be able to rehab and where, on off days, they'll
20 watch tapes of their week ahead game and get ready
21 for next week's opponents. In addition to the
22 building, the fields, the offices, there'll be
23 at-grade parking that will surround the Giants
24 training facility.
25 Next slide, please.

1 Parking and future tailgate zones.
2 Traffic and parking are concerns for the surrounding
3 communities. Traffic and parking are concerns for
4 the NJSEA. Traffic and parking are concerns for our
5 fans, we hear it every day. And traffic and parking
6 are concerns for the owners as a result. Now,
7 although the Stadium Project is replacing the
8 existing Giants Stadium, we've learned a lot in our
9 studies over the past few months, and our objective
10 is to improve existing conditions, and we propose to
11 do so with the reconfiguration of existing parking
12 and internal roadway network areas to maximize
13 parking efficiencies and reduce traffic congestion
14 in both ingress and egress situations.
15 One of our primary objectives is to
16 eliminate crisscrossing within the Meadowlands
17 Stadium Project. If you go to a game today, you
18 know you can enter from the south and you can head
19 to the north. You could enter from the north and go
20 west. In the future plan, we seek to eliminate
21 that. One of the fundamental goals, one of the
22 fundamental aspects of our plan is that we create
23 separate parking areas based on how you access the
24 site. So if you come in from the south, you'll park
25 in the south. Come in in the west, you park in the

1 west. And then when the game is over, you exit in
2 the west if you've come in in the west. You can't
3 go from west to east.
4 How do we do this? Well, for one
5 thing, we're going to create some airport-like
6 signage. Newark Airport is our model. Whisk in,
7 whisk out. We're hoping to make our Giants -- our
8 new stadium as easy in, as easy out as that. In
9 addition to airport-like signage, we're going to
10 implement manager-directed parking techniques. So
11 you'll be able to see through airport signage on
12 regional roadway systems where your area is to
13 park. We'll be able to get you in with reconfigured
14 new parking lots, so we'll be eliminating a lot of
15 the medians, a lot of the intersections. You won't
16 be allowed to crisscross. And when you get to
17 Giants -- to the New Meadowlands Stadium area, you
18 will be able to, with the help of directed parking,
19 get right into the lots.
20 We have an advantage. The Giants and
21 Jets both have stable patrons. Our fans are mostly
22 season ticket holders. So we will be able to
23 communicate with them and let them know through
24 websites and E-mails exactly what we're seeking to
25 achieve.

1 In addition, we'll be doing some work
2 in the parking areas in the future to support
3 tailgating. In this plan, we've proposed two 5,000
4 square feet, that's gross buildable area, tailgate
5 zones. What are they? They're ways to support our
6 fans who tailgate in the parking lots. We'll
7 provide food and beverage, we'll have game and
8 event-related merchandising, there could well be
9 music. It will be fun and festive places to be.
10 And in addition, there'll be restroom facilities.
11 Shall we turn to site circulation.
12 Fundamental to our parking and
13 traffic plan is that we've created some new inner
14 and middle loop road systems. You've heard me say
15 we're eliminating medians. Our goal is to link up
16 more directly with the regional road network, so
17 that once you get into the site, whether it's on 16W
18 or 3 or 120, you will connect with the road system
19 that will take you to the reconfigured parking
20 areas. And you will then -- in addition, some of
21 the things we're doing are widening toll plazas so
22 that the plazas can service more cars more quickly.
23 We're also putting in place things like speed pass,
24 EZ Pass systems, permits. All of this is in the
25 effort of moving cars off the regional system,

1 getting them into Giants Stadium area, and then once
2 they get into the New Meadowlands Stadium area, they
3 get to their lots more quickly, thereby eliminating
4 congestion.
5 We'll also be upgrading and replacing
6 existing pedestrian and vehicular inter-connections
7 with the east site, so you'll be able to move within
8 the site more quickly and more easily.
9 I think with that, I'll turn to
10 Elizabeth. Elizabeth?
11 MS. MC LOUGHLIN: Okay.
12 MS. MUSCA: Thanks.
13 MS. MC LOUGHLIN: Thank you, Mary.
14 PS&S is the consultant to the NJSEA, and we're
15 working closely with Langan Engineering, the New
16 Meadowlands Stadium's environmental consultant, in
17 the preparation of the Preliminary Environmental
18 Impact Statement.
19 The NJSEA is required to consult with
20 the Meadowlands Commission and the Department of
21 Environmental Protection with respect to the
22 ecological factors constituting the environment of
23 the Hackensack Meadowlands.
24 Also, the NJSEA is required to
25 consult with the Meadowlands Commission before

1 making any determination as to the location, type
2 and character of the project.
3 The Preliminary Environmental Impact
4 Statement presents the purpose and need for the
5 stadium, to provide a modern replacement to the
6 existing stadium, to create a premier football fan
7 experience, and to further support the goals of the
8 NJSEA Meadowlands -- at the Meadowlands Sports
9 Complex, and to create a year-round destination.
10 The traffic impacts were the focus of
11 the project study. The stadium is a replacement
12 project which will improve the on-site roadway
13 network, improve parking facilities on the west
14 site, and facilitate traffic management on game
15 day. The Stadium Project includes off-site roadway
16 improvements identified and/or to be constructed by
17 others. These initiatives include the Meadowlands
18 Xanadu project, the New Jersey Turnpike Authority
19 and New Jersey Department of Transportation regional
20 roadway improvements, and the proposed New Jersey
21 Transit Railroad project. Regional studies were
22 considered in the scope of this Stadium Project
23 study.
24 The traffic impacts in the report
25 consist of the following. Additional vehicle trips

1 generated by the stadium are anticipated to have an
2 overall minimal impact on the level of service of
3 roadway intersections. With the off-site roadway
4 improvements and the rail improvements, the traffic
5 associated with game day events is anticipated to
6 remain as current conditions. In addition, game day
7 traffic may be reduced due to the operation of the
8 rail station. The analysis indicates that the
9 Stadium Project does not need off-site roadway
10 improvements. The formal review of the Traffic
11 Impact Study will be performed by the New Jersey
12 Department of Transportation in the form of a Major
13 Highway Access Permit which is currently underway.
14 The Parking and Transportation
15 Management Plan has been prepared to address event
16 parking, shared parking, parking management and
17 pedestrian circulation. These management items were
18 discussed in detail by Mary Musca. I would like to
19 state that the Stadium Project will be coordinated
20 with other ongoing activities and construction
21 activities at the Sports Complex.
22 The Stadium Project will result in a
23 number of substantial and beneficial socioeconomic
24 impacts. These impacts will improve the NJSEA, the
25 Hackensack Meadowlands region, and the State of

1 New Jersey as a whole. The ownership families of
2 the New York Giants and the New York Jets are
3 committed to investing $1.2 billion for the
4 construction of the new stadium and training
5 facilities. Lease payments to the NJSEA will
6 provide revenue, while tax revenues and a Payment in
7 Lieu of Taxes will provide beneficial impacts to the
8 region and the State. The project and associated
9 spending will create a range of jobs to the region
10 and the State.
11 The construction of the new stadium,
12 the Jets and Giants training facilities, and
13 associated direct, indirect and induced economic
14 impacts will support approximately 12,200 jobs,
15 while the project operations and associated economic
16 impacts will support approximately 12,450 jobs. The
17 total direct, indirect and induced economic activity
18 during construction is projected to be $1.2 billion,
19 while the total economic activity generated by the
20 operation of the new stadium, the training
21 facilities and associated spending will be
22 approximately $938 million annually. It is
23 estimated that tax revenues from construction of the
24 new stadium and training facilities and associated
25 direct, indirect and induced economic impacts will

1 be $64.7 million, while the annual tax revenues from
2 operation of the new stadium, its training
3 facilities, and aforementioned associated economic
4 impacts will be $66.5 million.
5 The Preliminary Environmental Impact
6 Statement discusses these listed environmental
7 components. In addition, the location of the
8 Stadium Project within an existing paved, developed
9 site eliminates impacts on environmentally sensitive
10 features, such as wetlands and wildlife habitats.
11 With the implementation of certain mitigation
12 measures, potential adverse impacts will be
13 minimized. In addition, the construction and
14 operation of sports and entertainment facilities on
15 the Meadowlands Sports Complex is considered an
16 appropriate land use. The Stadium Project will not
17 present significant adverse impacts on the
18 environment, and the location, type and character of
19 the project is appropriate for its use.
20 In addition to this consultation
21 process, the Stadium Project is required to comply
22 with a variety of federal and state approval
23 processes.
24 Thank you.
25 MR. SONDERMEYER: Thank you,

1 Elizabeth, and thank you, Mary.
2 At this point I'd like to open the
3 afternoon session of the hearing for the receipt of
4 public comment.
5 I also would note that we will accept
6 additional written comments on the PEIS until the
7 close of business on Monday, January 15th, 2007.
8 And those comments may be submitted in writing
9 either to myself, Gary Sondermeyer, Director of
10 Operations, New Jersey Department of Environmental
11 Protection, 401 East State Street, P.O. Box 402,
12 Trenton, New Jersey, 08625, or Robert Ceberio,
13 Executive Director of the New Jersey Meadowlands
14 Commission, One DeKorte Park Plaza, Lyndhurst, New
15 Jersey, 07071.
16 At this time I'd like to call upon
17 Mayor Dennis Elwell of Secaucus.
18 Mayor, thank you for your patience.
19 MAYOR ELWELL: Thank you. And I'm
20 sorry for the telephone.
21 I guess not seeing too many people
22 here, my suggestion is we call it the New Jersey
23 Giants and New Jersey Jets home. Is that correct?
24 That's not going to happen, I know that. No
25 comment.

1 You know, I spoke here once before,
2 and I know we did have a meeting out at Giants
3 Stadium with representatives of the teams, but --
4 and quite frankly, the meeting went very well. I
5 must commend you and -- I must commend you on
6 everything that you're planning here and on this
7 presentation. However, it doesn't change the fact
8 that if we were only building Giants Stadium here, I
9 think it would be one thing. And I think the
10 question that I have as the Mayor of a town that is
11 burdened by traffic on Route 3, and certainly as the
12 Chairman of the Meadowlands Mayors Committee that
13 represents towns that are burdened by traffic on
14 Route 17 and Moonachie Avenue and Moonachie Road,
15 the one thing that's different here is this stadium
16 is being constructed and being enlarged while Xanadu
17 is going on. And I guess -- and I know -- I
18 understand that you do not answer questions here,
19 but I think the questions that need to be answered
20 and need to be addressed are what is the impact on
21 this -- of this stadium and the impact of Xanadu
22 together? Were the traffic studies done in
23 conjunction or are they separate studies? We need
24 to know that.
25 I see by the amount of people here

1 and even talking with other Mayors, the question
2 isn't that we're opposed to a new Giants Stadium. I
3 think most people think it's a wonderful idea. But
4 on the other hand, you know, what will the impact be
5 on traffic? And certainly traffic has an impact on
6 our environment. So I think this is the place to
7 start. You know, obviously on Sundays, it may not
8 be a problem if Xanadu is not open. I'm not so sure
9 right now if Xanadu is going to be open on Sundays.
10 I think these questions have to be answered. But
11 there'll also be other days where there will be
12 games and there will be a full-fledged Xanadu going
13 on. And particularly with the shopping mall there
14 and the football season created in and around the
15 holidays is something we need to deal with. And I
16 think it's answers we need to give to our
17 constituents.
18 So while I know you do not -- you do
19 not give answers here, I think at one point through
20 this process at least, the Meadowlands Mayors
21 Committee should receive answers as to that, were
22 the studies done in conjunction or were they done
23 separately. If they were done separately, why
24 wouldn't we do them together and combine them and
25 get an understanding as to what the impacts of the

1 two things together would be.
2 And then of course thirdly, if there
3 is an impact, and obviously if there's no impact,
4 that's fine, but if there is an impact, who's going
5 to pay for that? And what we don't want to see
6 happen is we don't want to see, well, we'll address
7 that in the next five to ten years. I mean, I know
8 that on certain days, and I know that in speaking
9 with some of the other Mayors in the District, the
10 original proposal for the Xanadu project was the
11 Mills project. There were months and months spent
12 on trying to figure out how to create entryways to
13 protect Little Ferry and Moonachie from gridlock
14 traffic. That condition still exists. Has that
15 been looked at? Route 3, which affects my
16 community. I think these are all important things,
17 I think they have to be looked at, but they need to
18 be looked at together in conjunction with one
19 another.
20 Again, I thank you for your time.
21 MR. SONDERMEYER: Thank you, Mayor.
22 I appreciate your comments. And we will, as part of
23 the process, be answering any questions that arise
24 in the PEIS as part of the PEIS document. So thank
25 you very much.

1 At this time, is there anyone else
2 who would like to offer public testimony?
3 Seeing no one at the moment, I'd like
4 to temporarily close the record, and we will remain
5 here as advertised until 4 o'clock, and then we'll
6 reopen the record if anyone appears wishing to give
7 public testimony. Thank you.
8 (A brief recess is taken.)
9 MR. SONDERMEYER: Okay. It's
10 approximately 4 p.m., and we did not have any
11 additional individuals from the public appear to
12 offer any public testimony. So at this point I
13 would like to close the record for the afternoon
14 session. We will have one final session that will
15 start at 7 p.m. this evening. Thank you.
16 (Hearing adjourned at 4:00 p.m., to
17 reconvene at 7:00 p.m.)
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1 CERTIFICATE

2

3 I, MARY ANN ADAMS, a Certified Shorthand
4 Reporter and Notary Public of the State of New
5 Jersey, do hereby certify that the foregoing is
6 a true and accurate transcript of the proceedings
7 as taken stenographically by and before me at the
8 time, place, and on the date hereinbefore set
9 forth.

10 I do further certify that I am neither of
11 counsel nor attorney for any party in this action, I
12 am unrelated to the parties involved in this action,
13 I have no financial interest and am not related to
14 an agent of or employed by anyone with a financial
15 interest, and that I am not interested in the event
16 nor outcome of this litigation.

17

18 Mary Ann Adams, C.S.R.
Notary Public of the State of New Jersey
19 I.D. NO. 372 - Expires August 2009
Certificate No. X101026

20

21 Dated: 12-22-06

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STATE OF NEW JERSEY
COUNTY OF BERGEN
NEW JERSEY MEADOWLANDS COMMISSION
December 14, 2006
Commencing at 7:00 p.m.

COPY

IN RE:

PUBLIC HEARING ON THE PRELIMINARY ENVIRONMENTAL IMPACT OF THE MEADOWLANDS STADIUM PROJECT

TRANSCRIPT OF PROCEEDINGS

New Jersey Meadowlands Commission
One DeKorte Park Plaza
Lyndhurst, New Jersey

B E F O R E:

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NJ Department of Environmental Protection

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NJ Meadowlands Commission

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REPORTED BY:
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MR. SONDERMEYER: Good evening. It's approximately seven p.m. My name is Gary Sondermeyer, as the co-hearing officer though these proceedings, I'm the Director of Operations with the New Jersey Department of Environmental Protection. With me is the other co-hearing officer, Ileana Kafrouni, who serves as the Director of Land Use Management with the New Jersey Meadowlands Commission.

We have held proceedings in this matter for the past two days, having sessions in the morning, afternoon and evening. Today we did have public testimony from ten o'clock to two o'clock and again from two o'clock to four o'clock. At this time at approximately seven p.m., no one has appeared who wishes to give testimony, or for that matter, anyone from the public interested in the project. Therefore, at this time, I'm going to close the record, and we will remain here until approximately 7:30 to see if anyone does appear to give testimony. With no one here, we will not go through the formal procedure of entering an opening statement into the record, which has been put into the record on four previous occasions, and we will also forego the presentation and overview of the

Meadowlands Project. Thank you.

(At this point in the proceeding, a recess is taken.)

MR. SONDERMEYER: At this point, it is approximately 7:30 p.m., and we have not had anyone appear wishing to give testimony as part of this proceeding, so at this point, we are closing the record, ending two days of hearings, and once again, any written comments will still be accepted through January 15th, 2007. Thank you.

(Whereupon the proceeding is then concluded at 7:31 p.m.)

C E R T I F I C A T I O N

I, SHARI CATHEY, a Notary Public and Shorthand Reporter of the State of New Jersey, hereby certify that the proceedings herein are from the notes taken by me of an Open Public Meeting of the New Jersey Meadowland Commission, held on Thursday, December 14, 2006; and that this is a correct transcript of the same.

Shari Cathey/ns

SHARI CATHEY, S.R.
A NOTARY PUBLIC of the
State of New Jersey
I.D. No. 2283786
Commission Expires 2/4/07

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December 29, 2006

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Re: PEIS for New Meadowlands Stadium

Dear Messrs. Ceberio and Sondermeyer:

In response to the Public Notice issued by the New Jersey Meadowlands Commission and published in the New Jersey Register of November 4, 2006 at 38 N.J.R. 5181, the New Jersey Builders Association ("NJBA") offers these comments on the New Meadowlands Stadium Project Preliminary Environmental Impact Statement ("PEIS"), dated October 2006, submitted by the New Jersey Sports and Exposition Authority ("Authority"). NJBA previously commented this past summer on the scoping document for the environmental impact statement for the Project.[1]

The $1.22 billion Project, which involves the redevelopment of portions of the Meadowlands Sports Complex, and subsequent demolition of Giants Stadium, consists of four components:

New Meadowlands Stadium Project	
Project Component	Gross Buildable Area (sf)
New Stadium	2,125,000
Ancillary Development	617,000
Giants Training Facility	400,000
Tailgate Zones	10,000

[1] Appendix J in Volume III of the PEIS reproduces the NJBA comments letter of August 10, 2006 and its four attachments.

The PEIS ignores housing, and in particular affordable housing, as a socio-economic and land use issue. Appendix J to the PEIS presents the scoping document hearing summary and records a public comment as follows: "The socioeconomic analysis should address the housing implications, including affordable housing, of the project." However, the PEIS ignored that comment. The PEIS has no analysis of the housing impacts of the Project.[2] This is a fatal flaw, which must be remedied before the Project may proceed.

Not only is there well established law on state agencies' obligations relating to affordable housing, *see Matter of Egg Harbor Associates*, 94 *N.J.* 358 (1983), you, as hearing officers, have previously noted the pertinence of housing to a review of redevelopment activity within the Meadowlands Sports Complex. In response to the 2004 Meadowlands Xanadu Redevelopment Project EIS, in which the NJSEA also ignored housing impacts, your 2004 Hearing Officers' Report and Recommendations on the Meadowlands Xanadu Redevelopment Project stated:

> Another parameter that is within the scope of evaluating socioeconomic impacts is affordable housing. While the lack of residential units of any type in close proximity to the project site is a positive factor for some areas of impact analysis, it can be a negative for people who may eventually work at the site.[3]

The socioeconomic impact analysis in the PEIS inexplicably ignores this precedent and fails to address explicitly the housing implications, including the affordable housing implications, of the Project.[4]

The PEIS fails to specifically address how the project's responsibility for creating a realistic opportunity for affordable housing will be met, as required by the Mount Laurel doctrine and its progeny, *see Fair Share Housing Center, Inc v. Tp. of Cherry Hill*, 172 *N.J.* 393 (2002).

Further, the PEIS fails to recognize or calculate the Growth Share obligation that will be triggered by the Project under the Third Round Rules of the New Jersey Council on Affordable Housing ("COAH").[5] The information presented in the PEIS does, however, permit a Growth Share analysis of the Project, as follows:

---

[2] The PEIS mentions housing only in the context of describing (a) six residential or mixed use developments underway or proposed in the Meadowlands District (PEIS, p. 4-197) and (b) the number of existing housing units in the Meadowlands District and the value of owner-occupied housing in Bergen and Hudson Counties (PEIS, Appendix 1, Socioeconomic Impact Analysis, p. 11).

[3] 2004 Hearing Officers' Report, page 52.
http://www.hmdc.state.nj.us/land_use/Planning_and_Redevelopment/Redevelopment/xanadu_PDFs/2004_Hearing_Officer_30-60.cfm

[4] "Affordable Housing" refers to low and moderate income housing as defined by the New Jersey Fair Housing Act *(N.J.S.A. 52:27D.–301 et seq.)* and the rules of the New Jersey Council on Affordable Housing (COAH).

[5] N.J.A.C. 5:94. It should be noted that NJBA is a party in the matter of In re Substantive and Procedural Rules of the New Jersey Council on Affordable Housing for the period beginning December 20, 2004 (N.J.A.C. 5:94 - 1 et seq. and N.J.A.C. 5:95 - 1 et seq.), which challenges the validity of COAH's Third Round Rules and is currently pending before the Appellate Division. The present submission urging the consideration of housing needs in the context of the PEIS for the proposed Project (and illustrations of their magnitude relying on COAH's factors) should not be construed as any acknowledgement by NJBA as to the validity of COAH's Third Round Rules. The fact remains that the obligation to provide realistic housing opportunities for New Jersey's low income and moderate income households is constitutional in nature and should be considered by this agency irrespective of whether the current methodology for calculating that need is invalidated in whole or in part.

New Meadowlands Stadium Project: Growth Share Analysis				
Project Component	UCC Use Group	Growth Share Factor (one affordable unit required per sf)	Gross Buildable Area (sf)	Growth Share Obligation (affordable units)
New Stadium	A5	exempt	2,125,000	
Ancillary Development	M	25,000	617,000	24.68
Giants Training Facility	A3 and B	8,333	400,000	48.0
Tailgate Zones	M	25,000	10,000	0.50
Total Growth Share (to be revised with more precise project components data)				73.18

Note: Project Component data PEIS, Table 2-1, p. 2-17. Growth Share factors from COAH Third Round Rules, N.J.A.C. 5:94 Appendix E.
Prepared by Kinsey & Hand, Princeton, N.J., December 26, 2006

Moreover, in addition to addressing the magnitude of the affordable housing obligation that would result from the construction of the project, the PEIS must also carefully explain and analyze how, where, when, and by whom this constitutional obligation of approximately 73 housing units affordable to low and moderate income households will be addressed. Particular attention must be paid to the lands upon which such housing is to be located. In the matter of *New Jersey Builders Association v. The New Jersey Meadowlands Commission, et al.*, L-14374-04 (Law Division, Bergen County), A-003107-04T3 (App. Div., currently pending), NJBA filed applications for restraints against the further development of the lands that comprise both the Meadowlands District and the Meadowlands Sports Complex. The basis for seeking such restraints was that, based upon the independent research of NJBA, which is set forth in the Certification of David N. Kinsey, Ph.D., P.P., F.A.I.C.P.,[6] the vacant and developable lands of both the Meadowlands District and Meadowlands Sports Complex were insufficient to address the affordable housing obligations that have accrued, and are continuing to accrue, as a result of the plans and actions of the Meadowlands Commission and the New Jersey Sports and Exposition Authority (the "Authority"). NJBA's concern is heightened by the increased need for affordable housing that will result from the construction of the Project, which may well consume the remaining developable land resources within the jurisdiction the Authority.

During a February 18, 2005, hearing before the Law Division on NJBA's application for restraints on further development of lands, the trial court focused on the adequacy of lands subject to the land use control of both the Authority and the Meadowlands Commission. In focusing on the issue of the need to preserve the subject matter of the lawsuit, i.e., the lands of the Authority and within the jurisdiction of the Meadowlands Commission, the trial court inquired as to whether other lands, aside from the lands upon which the Meadowlands Xanadu Project is being constructed, would be available to satisfy the affordable housing obligations that are accrued as a result of the Meadowlands Xanadu Project, in the event that the obligation to provide such affordable housing fell to the Authority. In response to that line of inquiry, the trial court was assured that such available lands did exist:

> THE COURT: But if the subject matter of the litigation were to be destroyed, doesn't the Court have the right to maintain the status quo for that purpose?
>
> [Counsel for the Authority]: The -- the -- the Court cannot conclude that on the -- on --

[6] The Kinsey Certification was attached as Exhibit A to my letter of August 10, 2006 on the scoping document and is reproduced in the PEIS Appendix J.

> THE COURT: Well, that's what I'm looking for at this point.
>
> [Counsel for the Authority]: Your Honor --
>
> THE COURT: Because -- because I agree, that on many of the aspects of the application, this is not founded upon subtle law. And what I fall back upon, the fall safe in all injunction jurisprudence is, will the RES, R-E-S, be destroyed if the Court doesn't act. And that suggests a response as to whether or not there is other land -- there may be other ways to address that, but is there other land to meet a potential future obligation, assuming one were ever to arise.
>
> [Counsel for the Authority]: And the answer to that, Your Honor, is unequivocally yes. There's --
>
> THE COURT: What, in the record, supports that?
>
> [Counsel for the Authority]: Your Honor, I believe we have a certification from Ms. [Lampen] attesting to the fact that the sports complex consists of some 700 acres of land on which we currently have three facilities; the race track, the stadium, and the arena. The Xanadu project will encircle the arena and occupy some 104 acres of land. <u>So you have -- you have something less then 600 acres that provide, I submit, ample grounds for this Court to conclude that there is no reasonable danger that the RES of this dispute will be destroyed</u>. [emphasis added][7]

Despite the above assurances by counsel for the Authority, the certification of Barbara Lampen, the Authority's Vice President for Strategic Planning, referred to in the above colloquy[8], makes no conclusion as to the ability of the Authority to satisfy the affordable housing obligations associated with the Meadowlands Xanadu Project within the Meadowlands Sports Complex. Further, the Environmental Impact Statement for the Meadowlands Xanadu Project expressly acknowledged that the Meadowlands Xanadu Project was proposed in its present location for the very reason that the remainder of lands within the Authority's jurisdiction were either occupied or environmentally constrained:

> If the Meadowlands Xanadu Project were to be constructed on an undeveloped site, adverse environmental impacts such as site clearing, loss of wildlife habitat, loss of wetland, and changes in land use would probably occur.[9]

---

[7] *See* February 18, 2006 Hearing Transcript of Superior Court at pp. 51-52, a copy of which was attached as Exhibit B to my letter of August 10, 2006 on the scoping document and is reproduced in the PEIS Appendix J.
[8] The Lampen Certification was attached as Exhibit C to my letter of August 10, 2006 on the scoping document and is reproduced in the PEIS Appendix J.
[9] See p. 12 of Meadowlands Xanadu Environmental Impact Statement, Executive Summary, a copy of which was attached as Exhibit D to my letter of August 10, 2006 on the scoping document and is reproduced in the PEIS Appendix J.

The above acknowledgment, coupled with the Certification of Dr. Kinsey, raises serious questions as to the ability of the Authority to adequately address, on its lands, its constitutional obligation to provide the affordable housing units required by the construction of the Meadowlands Xanadu Project, as well as those required by the New Stadium Project. The present PEIS must now determine whether the construction of the New Meadowlands Stadium and other components of that Project, as now proposed, will consume any of those lands that the Law Division was assured, by counsel for the Authority, would be available to serve the housing needs of the region's low income and moderate income households.

On the record produced to date, neither the Authority nor the Meadowlands Commission have examined where the affordable housing to be constructed as a result of the Meadowlands Xanadu Project can be constructed if the obligation to do so lies with the Authority. Incredibly, given the past comments of you as NJDEP/NJMC hearing officers, and NJBA comments in August 2006 submitted on the scoping document that led to the present New Meadowlands Stadium PEIS, the PEIS does not include such an examination in connection with this proposed Project, despite the fact that the Project will generate an additional need for affordable (and workforce) housing and, simultaneously, consume scarce, developable lands within the Meadowlands Sports Complex.

Such indifference to the housing needs of New Jersey's modest income and working households cannot be permitted to continue. Accordingly, NJBA urges that the flawed PEIS be withdrawn, corrected and revised to fully address socio-economic and land use impacts, including housing, and resubmitted for public scrutiny.

Respectfully,

Patrick J. O'Keefe
Executive Vice President & Chief Executive Officer

January 9, 2007

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New Jersey Department of Environmental Protection
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RE: **New Meadowlands Stadium Project**
East Rutherford, Bergen County
Preliminary EIS Comments

Dear Mr. Ceberio and Mr. Sondermeyer:

The Office of Permit Coordination and Environmental Review of the New Jersey Department of Environmental Protection (NJDEP) has completed its review of the Preliminary Environmental Impact Statement (PEIS) for the proposed new Meadowlands Stadium Project in East Rutherford, Bergen County. The PEIS was prepared by the New Jersey Sports and Exposition Authority (NJSEA) pursuant to the environmental review requirements of the NJDEP/New Jersey Meadowlands Commission (NJMC) "Consultation Process" of the NJSEA enabling legislation. We offer the following comments for your consideration.

SOLID WASTE

The Meadowlands Stadium Project involves replacing the old Giants Stadium, existing training facility, and existing team offices with a new modern Stadium and Giants Training Facility. The Project also proposes infrastructure improvements on the existing stadium property. Appendix B of Volume II indicates the Project site was a former wetlands that was filled with non-native material to depths ranging from 8 to 18 feet. Borings at the site documented the material to consist of soil with concrete and red brick rubble along with traces of wood pilings, plastic particles, coal fragments, ash, garbage bags, wires, piping,

rag and tape. The material is reported as historic fill as defined in N.J.A.C. 7:26E-1.8.

Further, the analytical data from the soil sampling that was conducted in the historic fill and at other locations indicates that the material shows contaminant levels exceeding the NJDEP's Non-Residential Soil Clean-up Criteria (SCC). As a remediation of the parameters exceeding the SCC, Langan Engineering has proposed a Remedial Action Work Plan including engineering controls, deed notices, and/or the removal of contaminated material and replacement with clean material as backfill.

Based on the information presented, the NJDEP's Bureau of Solid and Hazardous Waste Permitting - North concurs that the site should not be regulated as a solid waste facility and that a disruption permit is not needed for the Project development. All environmental concerns with the material can be addressed in accordance with N.J.A.C. 7:26E, the Technical Rules for Site Remediation.

RECYCLING

The NJDEP's Bureau of Recycling and Planning have reviewed the Solid Waste and Recycling section of the PEIS for the Meadowlands Stadium Project and offers the following comments.

Pursuant to the provisions of the New Jersey Statewide Mandatory Source Separation and Recycling Act (Recycling Act), N.J.S.A. 13:1E-99.11 et seq., each of twenty-one counties of New Jersey developed recycling plans which mandated the recycling of certain materials. The Recycling Act also requires municipalities to adopt an ordinance based upon the recycling plan their county. Amendments to the Recycling Act established the recycling goals for each county to be 50% of the municipal waste stream and 60% of the overall waste stream. The Bergen County Utilities Authority is the designated county agency that implements the Bergen County Solid Waste and Recycling Plans.

The PEIS states that the construction phase would generate construction debris including concrete, asphalt, wood, drywall, glass, metals, and other composite materials. Construction and demolition debris is a designated recyclable material pursuant to the Bergen County Recycling Plan, and thus must be recycled to the fullest possible extent. Private recycling facilities and transfer stations exist in Bergen County and the State that could environmentally process the materials.

The PEIS also states that the Recycling Plan to be implemented for the Project will require the recycling of glass, paper, and other Class A recyclables. Aluminum cans, mixed paper, corrugated cardboard, high-grade paper, glass containers, and ferrous scrap are designated recyclable materials pursuant to the

Bergen County Recycling Plan, and thus must be recycled to the fullest possible extent. Again, private recycling facilities exist in Bergen County and the State to environmentally process this material.

The Bureau of Recycling and Planning is concerned with language presented on Page 4-54 of the PEIS, concerning current on-site solid waste management practices. The PEIS states that, "the commercial carter picks up solid waste from the stadium and takes the waste to transfer stations where recyclable materials are separated from solid waste". Materials designated as recyclable in a municipal ordinance, must be source-separated for recycling unless an exemption from the source-separation requirements of that ordinance is granted by the governing body of the host municipality, pursuant to N.J.S.A. 13:1E-99.16d. The Bureau of Recycling and Planning is not aware of the Borough of East Rutherford granting such an exemption to any hauler of solid waste servicing the Meadowlands Sports Complex. Any hauling company servicing these facilities should not continue to transport designated recyclables mixed with solid waste unless proof of an exemption, which by law may only be issued to the Sports Complex as the waste generator, is produced and supplied to the Department.

In summary, the Project developers are required to abide by and hopefully exceed the provisions of the Bergen County Solid Waste and Recycling Plans. In addition, the current solid waste management system employed by the Meadowlands Sports Complex appears to be currently in violation of State and local source-separation requirements and must be revised in order to avoid enforcement action by the NJDEP.

Please contact Ross M. Hull of the Bureau of Recycling and Planning at 609-984-5936 or by e-mail at ross.hull@dep.state.nj.us if you have any questions regarding the above comments.

AIR QUALITY

Clean Air Act General Conformity

The NJDEP's Bureau of Air Quality Planning (BAQP) has reviewed the Air Quality section of the PEIS. The BAQP's has the following comments.

On July 28, 2006, Langan Engineering and Environmental Services, an agent for the New Meadowlands Stadium Company, LLC, sent a request to the United States Army Corp of Engineers (ACOE) for a Jurisdictional Determination to confirm the absence of jurisdictional wetlands and other waters of the United States on the Project site. If the ACOE determines that there are no wetlands or other waters of the United States on the Project site, then the General Conformity requirements in Section 176 (c) of the Clean Air Act would not apply to the Project. If the ACOE determines that there are wetlands or other waters of the

United States on the Project site, then the General Conformity requirements in Section 176 (c) would apply to the portion of the Project that is covered by the ACOE permit. If General Conformity applies to a Project a General Conformity Determination would need to be completed by the ACOE.

Diesel Emissions

The NJDEP's Diesel Risk Reduction Program offers the following comments on Section 4.12.2.1 (Construction Source Emissions) which states that a Diesel Emissions Management Plan will be implemented to reduce emissions from on-site construction related equipment. This plan has an emissions reduction goal of 35% of Particulate Matter (PM), which will include the mandatory use of low-sulfur diesel on construction equipment.

The Diesel Risk Reduction Program recommend that the applicant's Diesel Emissions Management Plan include the following:

- Mandatory use of ultra low sulfur diesel (15 ppm sulfur) for both on-road and non-road equipment used at the site. The use of only ultra low sulfur diesel would reduce the logistics of providing two different fuels for the Project in addition to eliminating the accidental fueling of a piece of retrofitted equipment that required ultra low sulfur diesel with only low sulfur diesel (500 ppm sulfur).
- Additional detail regarding how the 35% reduction goal will be achieved.
- A plan to reduce idling by both on-road and non-road construction equipment operating at the site.

As a point of reference, the applicant may want to consider the attached list of requirements as a way to implement the 35% reduction plan and minimize impacts of diesel emissions at the site. The General Contractor working on the Xanadu project used a version of this document. If you have any questions, please contact Bob Marcolina of the Diesel Risk Reduction Program at 609-633-7237.

RADIOFREQUENCY RADIATION

The New Jersey Meadowlands region is home to a large concentration of AM radio station antennas, primarily due to its proximity to Manhattan and the high conductivity of the soil for radio waves. While constructing any structures in this area, care must be taken not to expose both workers and the public to levels of radiofrequency radiation in excess of the limits specified in N.J.A.C. 7:28-42, Radio Frequency Radiation. Even though free space electric and magnetic fields may be in compliance with the limits of Subchapter 42, metallic objects within a 1000 meter radius of AM broadcasting towers can become charged and result in contact current burns when touched. Fatalities may occur from ancillary hazards

such as falls from a startle reaction when a charged object is grasped. Metallic objects in such fields should be properly grounded.

The DEP does not have induced and contact current limits at this time. Worker health and safety can be assured by following guidance set forth in the Institute of Electrical and Electronic Engineers' IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz (IEEE Std C95.1 – 2005). OSHA also uses this consensus standard when citing violations of their General Duty Clause ("Employers shall provide work which is free of recognized hazards...likely to cause serious death or serious physical harm".) Several workers were already injured this summer at the Xanadu construction site from high radiofrequency (RF) contact currents. These incidences are still under investigation by OSHA. Therefore, the potential for RF hazards to exist at this location has been proven.

SUSTAINABLE COMMUNITIES AND INNOVATIVE TECHNOLOGIES

The NJDEP's Bureau of Sustainable Communities and Innovative Technologies offers the following comments.

Page 2-19 states the following:

"As part of the Project design process, a number of design opportunities will be evaluated to potentially implement sustainable growth practices, improve environmental performance and reduce energy consumption. The options to be assessed include use of low sulfur fuels, implementation of a construction debris recycling program during construction; specification of all equipment to be non-ozone depleting; "buy local" program for materials; use of energy efficient and United States Environmental Protection Agency (USEPA) Energy-Star compliant equipment such as lighting; Direct Digital Control (DDC) and Heating, Ventilating, and Air Conditioning (HVAC) controls; waterless urinals throughout the Stadium; and low Volatile Organic Compounds (VOC) adhesives, paints and coatings, carpets, composite wood and other interior finish materials where practicable."

The incorporation of these design features is an excellent start towards the creation of a sustainable stadium. However, the Bureau of Sustainable Communities and Innovative Technologies challenges the applicant to incorporate additional sustainable design features. In the NJDEP's comments on the scope of the EIS, we provided comments encouraging the applicant to commit to building a green stadium. On the top of page 23 of the Scoping document, it was noted that "energy conservation measures will be evaluated to the extent feasible using the Leadership in Energy and Environmental Design (LEED) criteria as a guideline."

The US Green Building Council's (USGBC) LEED Green Building Rating System as a whole, not just the energy conservation measures, should be

assessed in Final EIS as a guide for all components of the Stadium Project. The new Meadowlands Stadium Project is a wonderful opportunity to showcase green development in New Jersey.

The State currently provides rebates for renewable energy through the New Jersey Clean Energy Program. See their web site for more information: http://www.njcleanenergy.com.

As noted on page ES-3 of the FEIS, one of the strategic goals for this Project is to "maintain the world-class status of the Meadowlands as a Sports Complex" and to improve the entertainment experience for all patrons. One way to achieve these goals is to design and build a sustainable / green stadium that rivals other stadiums in the world.

Examples of sustainable / green stadiums exist in Germany, Great Britain and Australia. Additionally, the USGBC's LEED Green Building Rating System is being applied to some stadium / training facility projects in the United States, including the Detroit Lions, Dartmouth College, University of Florida and University of Connecticut. In fact, the new Jets headquarters in Florham Park will be designed to meet the USGBC LEED standards.

Attached you will find an additional document that describes some of the green stadium projects noted above.

Specific Comments

Energy

One of the major components to a green stadium is energy efficiency and the use of renewable energy. Again, we want to note that the State currently provides incentives for energy efficiency and the best rebates for renewable energy through the NJ Clean Energy Program. See their web site for more information: http://www.njcleanenergy.com/.

Methane Remediation Design

Page 4-52 outlines plans to vent methane gas. Methane is a potent greenhouse gas that contributes to global warming. As such, we would like to know if any consideration has been given to capture the methane gas for use or to flare it so that its impact on global warming is minimized. If not, we strongly encourage that this be considered.

If you need any further assistance or have any questions, especially with respect to the USGBC LEED Green Building Rating System, please contact Athena Sarafides of the Bureau of Sustainable Communities and Innovative Technologies at 609-633-1161.

Thank you for the opportunity to comment on the PEIS.

Sincerely,

Kenneth C. Koschek
Supervising Environmental Specialist
Office of Permit Coordination and
Environmental Review

Attachments

Attachment

The prime contractor(s) shall achieve a 35% reduction, at a minimum, in particulate matter (PM) emissions in their off road equipment during construction activities. This reduction shall be achieved utilizing tailpipe and/or crankcase retrofit equipment and/or alternative fuels at the discretion of the prime contractor(s). The reduction shall be calculated on a quarterly basis and be included in each quarterly report (see below).

1. All off road diesel powered construction vehicles/equipment with engine horsepower (HP) ratings of 60 HP and above, that is located at the permittee's site for a total of 30 days shall be retrofitted with Emission Control Devices. A day is considered to be any portion of a workday and the total number of days is the combination of consecutive and non-consecutive days. In addition, all motor vehicles and/or construction equipment shall comply with all pertinent State and Federal regulations relative to exhaust emission controls and safety.

2. Sixty (60) days prior to construction commencement, the prime contractor(s) shall submit to NJDEP a certified list of the diesel powered construction equipment that will be retrofitted with emission control devices. The list shall include (1) the vehicle/equipment unit number, type, make, model number, engine make, engine EPA family number, horsepower, displacement and contractor/sub-contractor name; (2) the emission control device make, model and EPA certification number.

3. The prime contractor(s) shall submit to NJDEP on a quarterly basis, a spreadsheet that includes equipment type, equipment amount, horsepower, activity hours, PM output, PM control devices and PM reduction. The initial spreadsheet shall be completed using estimates and projections. All subsequent spreadsheets shall incorporate empirical data to demonstrate the reduction of particulate matter towards the targeted goal of a minimum 35% reduction, on a quarterly basis.

4. The Emission Control Device, or retrofit equipment, shall consist of retrofit equipment control technology that is included in the USEPA or California Air Resources Board (CARB) Verified Retrofit Technology List. These lists can be found at http://www.epa.gov/otaq/retrofit/retroverifiedlist.htm and http://www.arb.ca.gov/diesel/verdev/currentlyverifiedtech.htm, respectively. The use of this equipment, although not verified for off-road use, will be acceptable to the Department if the equipment manufacturer has approved its use in this particular equipment.

5. The prime contractor(s) shall make retrofitted vehicles available for any emissions spot testing performed by the NJDEP or its contractor.

6. Idling of delivery and /or dump trucks, or other diesel powered vehicles/equipment shall not be permitted during periods of non-active use. The prime contractor(s) shall post signs advising the vehicle operators of these idling restrictions. Idling shall be limited to 3 minutes, with the following exceptions:

- When the vehicle is forced to remain motionless because of traffic conditions or mechanical difficulties over which the operator has no control,

- When it is necessary to operate defrosting, heating or cooling equipment to ensure the safety or health of the driver or passengers,

- When it is necessary to operate auxiliary equipment that is located in or on the vehicle to accomplish the intended use of the vehicle,

- When the outdoor temperature is below twenty degrees Fahrenheit (20 degrees F),

- When the vehicle is undergoing maintenance that requires such mobile source be operated for more than three (3) consecutive minutes,

- All work shall be conducted to ensure that no harmful effects are caused to adjacent sensitive receptors. Sensitive receptors include but are not limited to hospitals, schools, daycare facilities, elderly housing and convalescent facilities. Engine exhaust shall be located away from fresh air intakes, air conditioners and windows.

Sustainability Fact Sheet for Reser Stadium Expansion (Phase1)
Oregon State University, Corvallis, Oregon

Reser Stadium, located on the Oregon State University campus in Corvallis, is home to the Oregon State football team. Built in 1953, the stadium has undergone periodic renovations and additions that have not kept pace with the needs of a major NCAA Division 1-A football program.

A renovation of the east side was completed and opened for the 2005 season. This four-level, 300,000-sq.ft., $80 million addition features new student and spectator seating, two patron clubs, 21 new private suites, concessions, restrooms, commissary, 2 public concourses, 3 elevators, 4 escalators and a 135' cantilever roof.

Sustainable strategies incorporated into the project include the following:

- Local erosion and sedimentation control standards for construction activity, more stringent than those required by the EPA's document #832-R-92-005, were utilized.
- To reduce the heat island effect from the site, standard grey concrete was used for the site's non-roof impervious surfaces.
- Light trespass from the building site is more contained than in the prior situation. Reflector systems on the field lighting fixtures reduce the off-field spill light and glare, maintaining the quality of light on the field. Fixtures located on the roof structure are concealed from view.
- Landscape mounted fixtures are provided with shields and louvers, where possible, to avoid spill light and promote the night sky policy. New full cut-off pole lights were installed in the plaza and are used only during events.
- Bicycle parking and close access to busses encourage alternative transportation usage.
- A water quality vault was provided to meet local water quality standards. This facility is capable of removing 80% of the total suspended solids and 40% of total phosphorus in storm water runoff.
- The Energy Star compliant white roof, with high emissivity and high reflectivity, will reduce solar heat gain and the air conditioning load on the building.
- A combination of high efficiency and standard irrigation technology was used in conjunction with a centrally controlled computer irrigation management system to reduce potable water consumption.
- Building systems were commissioned to ensure peak performance.
- A building automation system was used for operating and continuous monitoring of the building system for performance, trending & energy usage.
- The building will use 32% less energy than the Oregon Energy Code baseline, based on SEED analysis & energy modeling to date. Premium efficiency motors are used for HVAC equipment. A high efficiency condensing type boiler is used as the first stage of the heating sequence for energy savings. Variable speed fans are used for AC units. Hot water circulating pumps are used to service restroom sinks.
- Demand ventilation control (CO_2 sensors) serve the Founder's Loge and Stadium Club, controlling the amount of outside air needed to provide proper indoor air quality.
- All A/C units over 5 tons utilize economizers, allowing the use of "free" cooling and 100% outside air when outdoor temperatures are below 72 degrees.
- Occupancy sensors were provided in private restrooms, suites and storage areas to control the lighting system.
- Local construction materials make up at least 35% of building materials, reducing transportation costs and environmental impacts.

- Recycled content building materials such as steel, carpeting, ceramic tile, and ceiling tiles were used throughout the project. It is estimated the structural steel contains 65% recycled content with 50% of that post-consumer.
- Reclaimed Douglas fir, salvaged from a building in southern Iowa, was used extensively in the Founder's Loge as an architectural element and was incorporated into custom furnishing items. The reclaimed select heart pine flooring, also used in the Founder's Loge, was salvaged from bridges constructed during the 1800's in Virginia.
- Low- emitting paints, adhesives and carpets were used to improve indoor air quality.
- All wood casework in the suites and club contain a strawboard core.
- A construction waste management plan was developed and resulted in a salvage/recycling rate that exceeded 50 percent by weight of total waste generated by the work.
- The AstroTurf field was recycled and replaced with Field Turf. The new turf is stabilized with "synthetic earth" which includes reground athletic shoe material.
- The plastic components of the seats are recyclable.

September 8, 2006

Results of Research on Green Stadiums

By Athena Sarafides

First let me say that there are no LEED certified stadiums. There is one registered stadium project at Dartmouth College but I did not find any information on the project on the USGBC web site. I have called Dartmouth Facilities Planning Office twice but have not heard back from them.

There are a few LEED certified and registered projects that have athletic type facilities associated with them, e.g. training / practice facilities and locker rooms w/ offices attached. All these are also identified below.

In my search I found a number of non-LEED but still "green" stadium projects. These are described below with their associated "green" features by projects in the USA and outside of the USA (international projects).

Also, I have learned through my research and conversations with architects I know that HOK Sport, an architectural firm, seems to have the most experience when it comes to green stadium projects. There web page is: http://www.hoksve.com/sport/index.htm.

At the end of the report I have attached some information on the wastewater treatment system used at the Solaire Apartments in New York City as an fyi. I mentioned this technology at our meeting.

Please review my findings and let me know if you have any questions or would like me to investigate some of these projects in more detail. Thanks.

USGBC LEED Projects

Certified Stadiums: none to date

Certified Building – sports related:
Detroit Lions Headquarters and Training Facility
LEED 2.0 – *see attachment*

Registered Stadiums:
Varsity Athletics Facility and Stadium, Dartmouth College
LEED NC 2.2
Contact: Facilities Planning Office, (603) 646-2131

Registered Building – sports related:
Baseball Locker Room Facility, University of Florida
LEED NC 2.1
Contact: Bahar Armaghani, (352) 294-0080

The Burton Family Football Complex, University of Connecticut
This is an indoor practice facility w/ an office building attached.
The LEED checklist is attached.
Contact: George Kraus, george.kraus@uconn.edu
Architects: HOK

Other Green Stadium Projects - USA

Gillette Stadium, Foxboro, Massachusetts
Not sure if these were proposed or incorporated, regardless still good ideas to consider.
Environmental measures in the Gillette Stadium project:

Energy saving program - The team installed a series of timing devices in the electrical distribution system that automatically shutdown all non-essential lightning after hours, thereby conserving electrical energy and lowering power consumption.

Restoration of a river - The design team proposed a solution for the restoration of a culverted river into a free-flowing riverbed and steps taken to "seed" the river bed with appropriate flora. The result was a creation of a new ecosystem that enhanced the reestablishment of wildlife into an area that was formerly asphalt paving.

On-site wastewater treatment facility - Another environmental feature proposed by the design team was the stadium's on-site wastewater treatment facility. This system allows the reuse of sanitary drainage after treatment in the form of a "gray" water supply to the thousands of water closets in the new facility.

Extensive resource management - 130,000 cubic yards of blasted open rock was processed through on-site crushers and re-used on site resulting in over 90% of the residual products were diverted from the region's shrinking landfill space.

Reser Stadium Expansion, Oregon State University
See *attached Fact Sheet* or go to: http://oregonstate.edu/sustainability/docs/resersheet.doc
Architects: HNTB Architecture, Inc.

DC Major League Baseball Park, DC Sports & Entertainment Commission
Please see attached letter dated April 4, 2006, from the Chair of the Commission to the Council Chairman of the District of Columbia. In summary, the Commission is noting that they are doing all they can, within the existing budget, to build a green stadium. They note that in order to achieve LEED the budget would need to be increased.

Within the current budget they are incorporating some of the following LEED type credits:

> Sustainable Sites: Site Selection, Density & Community Connectivity, Alternative Transportation including public, bicycle storage & changing rooms, low emitting & fuel efficient vehicles, parking capacity, and stormwater quality control through the use of sand filtering.

Water Efficient Landscaping by reducing water consumption by 50% and not using potable water.

Energy & Atmosphere – use of green power.

Indoor Environmental Quality – Use of low-emitting materials in adhesives & sealants, paints & coatings, carpet systems, and composite wood & agrifiber *[define]*

Innovation & Design – off-season shut-down program.

Other Green Stadium Projects - International

Dartford Football Club, Kent, United Kingdom

The UK's first sustainable football stadium is almost finished, built for Dartford Football Club in Kent. With ongoing drought conditions and a desperate need for high quality grass on the field, the architect, Urban Edge Studio, has created two lakes nearby to store rainwater for watering the grass. The average football field needs a staggering 20,000 litres of water a day to keep it looking good. The rainwater will be collected from the large flat open areas such as the plaza, artificial turf community pitch, the stadium and clubhouse roofs, and piped directly to the ponds. In an average year the ground staff should not need to take any water from the main supply to water the pitch. In a complete drought the ponds will be able to supply water for almost two months without being topped up. The lakes will make the stadium self-sufficient, look pretty, and attract local wildlife.

Because of the small size of the stadium, the architects could use sustainable building materials. The gently curving roof structure incorporates renewable, laminated timber beams, exposed timber decking and a green sedum roof cover so that it appears to merge with the surrounding landscape. Solar panels on the clubhouse roof and extensive insulation add to the overall energy efficiency. The base of the clubhouse is built in flint and brick and the upper level is clad in Siberian Larch supplied from a sustainable source. The Larch will be left untreated allowing the colour to fade and soften with age. The team is known as the "Darts" and their colours are red and white. As an added touch, white flowering cherry trees have been planted to reflect this as has a plant with the name Spirea "Darts Red

Architects: Urban Edge Studio

Arsenal Stadium, London, United Kingdom

There are three phases to this project. The HOK Sport-designed stadium; the regeneration of Lough Road with housing by architects CZWG and a new sealed waste and recycling plant by Sheppard Robson.

Green Features in Arsenal Stadium:

- Passive and mixed mode ventilation system to minimize the use of air conditioning
- Daylight maximized through the use of skylights and high levels of fenestration
- photovoltaic solar power
- 12,000m^2 of green roofs, increasing thermal insulation and creating biodiversity benefits

- Minimize energy use by choosing, where practical, materials that are less energy intensive to manufacture
- Rainwater collected and stored for reuse in irrigation and toilet flushing
- Reuse and recycling all demolition waste by 70%

Architects: HOK Sport

Telstra Stadium, Sydney, Australia

- Energy management system that reduces the use of conventional electric power through measures such as natural lighting, two gas-fired co-generation engines and energy-efficient lighting
- Materials selected for their contribution to minimizing pollution, conserving resources and their durability
- Waste management and water saving measures are also in place

Munich Stadium, Germany - World Cup 2006

- Energy Conservation - Use of energy saving lamps, motion detectors in stairways and the players' area, and regulated air conditioning controlled by CO_2 sensors
- Reduction of excavation work in order to protect ground water
- A system allowing all rainwater to infiltrate back into the ground, permeable car parks
- Refusal to use wood from tropical forests on the stadium interior

Nuremberg Stadium, Germany - World Cup 2006

- Containers for collecting up to 1,000m^3 of rain water for watering the pitch areas
- Car-park surfaces treated to allow water seepage
- Water-saving sensor activated sanitary fixtures and fittings
- Centralized building services engineering to optimize the use of energy resources
- 20% reduction in the amount of waste produced
- increased use of public transportation
- During the renovation, 36 old lime trees were dug up and then re-planted after the building was finished

Green Wastewater Treatment Technology

Green Wastewater Treatment System Used at Solaire Apartments, NYC

The Solaire Apartments selected ZENON's proprietary ZeeWeed® MBR (memberane bioreactor) process to treat, store and reuse the wastewater for toilet flushing, irrigation and cooling towers. This approach reduces the freshwater taken from the city's water supply by over 76% and significantly decreases energy costs as less drinking water is pumped from the city's treatment plant and wastewater is not transferred to the city's wastewater treatment system.

For more information go to:
http://www.zenon.com/resources/case_studies/water_reuse/Solaire_Apartments_Battery_Park.shtml

TRI-STATE TRANSPORTATION CAMPAIGN

Mobilizing the Region

Testimony of Damien Newton, Tri-State Transportation Campaign on the DEIS for the Meadowlands Stadium Project December 13, 2006

Thank you for the opportunity to testify today. I am the New Jersey coordinator for the Tri-State Transportation Campaign. The Campaign is the region's leading non-profit consortium of experts, planning organizations, activist and environmental groups concerned with transportation. Our mission is to achieve an environmentally sound, economically efficient and socially just transportation network and system in the 32 counties in and surrounding New York City.

Our testimony on the scope of the EIS included several suggestions on how to improve the transportation plan for the sports complex and how to fix the poor transportation plan submitted by the Xanadu developers. In some areas the DEIS succeeded, in other areas there is still much room for improvement.

The most glaring problem is with the traffic study. It fails to consider the traffic impacts of a 'Perfect Storm' of rush hour commuters, mall shoppers generated by Xanadu, and event at the stadium and an event at the race track. The traffic study doesn't address evening weeknight events at the Stadium at all, instead studying what impact the ancillary development will have on rush hour. It's a far greater concern what the impact a Bruce Springsteen concert could have on rush hour than the NJ Hall of Fame.

Even if such an analysis was done in the DEIS, the results would be suspect because it is built upon the Xanadu traffic study, with its ludicrous assertion that rush hour in North Jersey is between 4:30 and 5:30, for a baseline. By carefully placing the evening rush hour in your study at a time too early to coincide with evening event traffic at the stadium you avoid having to consider the cumulative impact of the three trip generators. Refusing to study what impact all of the development within the complex will have in a "worse case scenario" only fuels the concerns of the residents of the Meadowlands that they are in store for a congestion nightmare.

Another area where the DEIS falls short is in the area of public transportation. Section 4.11.2.4 on public transportation improvements has one sentence on bus service, stating that it anticipates that bus service from NJ Transit will continue and may increase. Despite the presence of the most used bus-only lane in the world less then ten miles

away, the DEIS ignores the tremendous positive impact increased bus service could have on stadium traffic.

A comprehensive transit plan is needed to minimize auto trips. Unhappy with the transportation plan proposed for Xanadu, the Borough of Wallington, the Township of Lyndhurst, the Borough of Carlstadt, the Town of Secaucus, The Hudson County Board of Freeholders and the Borough of East Rutherford all passed resolutions calling for a full and complete transportation plan that examines all of the regional impacts and opportunities offered by the new development in the Sports Complex. This includes bus, and bus rapid transit as well as the Pascack Valley Line extension, light rail and road improvements.

I can probably cross that out

The Giants and Jets, as well as Xanadu's developer Mills/Mack Cali, should allocate a percentage of their profits for mass transit operating costs to the sites, and help the Port Authority pay for Lincoln Tunnel express bus lane expansion. Funding for these projects should not come from the New Jersey taxpayer. If casinos can foot the bill for transit improvements that will ultimately make them money so can New Jersey's premiere sports franchises and largest retail center.

Despite these flaws, there are some areas where the DEIS excels. The first is the parking plan.

Unlike other stadium projects in the region, the DEIS recognizes that the amount of traffic generated depends on the amount of parking spaces available. By decreasing the number of spaces, even including overflow parking for the arena and Xanadu, the Giants and Jets are sending a clear signal to fans to utilize car-pool and transit options. Some sports franchises are now selling parking spaces with tickets and if you don't prepay for parking, you can't get into the stadium lots. The Campaign encourages the football teams to look into this to further encourage transit usage.

Also important in encouraging transit use is having a pedestrian safe and friendly environment from the transit station to the stadium. The DEIS outlines a plan to not only make the internal circulation more attractive, but also to better separate pedestrians from vehicle traffic.

In conclusion, there are some parts of the DEIS that outline what should be a bright future for the Sports Complex, but other areas, specifically the traffic study, which still needs a lot of work.

Thank you for the opportunity to testify today. I am available for questions.

COUNTY OF BERGEN
OFFICE OF THE COUNTY EXECUTIVE
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(201) 336-7300 • Fax (201) 336-7304

Dennis McNerney
County Executive

TESTIMONY CONCERNING ENIVRONMENTAL IMPACT STUDY NEW MEADOWLANDS STADIUM December 13, 2006

Thank you for inviting me to the Meadowlands Commission and for allowing me to provide this testimony and express my wholehearted support for the new Giants / Jets Stadium

As a lifelong resident of Bergen County and its current County Executive, I have a unique perspective on the importance Giants Stadium and its tenants mean to the region

As a young boy, I remember driving with my father through what was then a vast wasteland in the Meadowlands and watching the first steel girders being erected for the new Giants Stadium

Since the stadium opened in 1976, it's hosted many stellar events including NFC Championship games, Pele's last professional soccer game, a Papal visit, World Cup matches, and, of course, Springsteen concerts

For me and millions of people, Giants Stadium stands as a symbol of New Jersey pride

You can imagine, then, the anxiety felt by myself and countless others as the future home of the Giants and Jets became such a volatile issue

First, the teams were moving, then they were staying, then the public and private officials couldn't decide on who should pay for a new stadium

To put it in the football vernacular, the process was rife with false starts, delay of games, and illegal procedures

It appeared that the stadium project was doomed to failure

The powers that be, however, realized that we all have a vested interest in seeing this project succeed

Both teams have been integral parts of the community for decades and both the Jets and Giants know that the Meadowlands is a perfect home for them and their fans

In a few years the Meadowlands will be transformed into the entertainment capital of the east coast and I'm convinced that this venue and stadium will become the new face of the NFL

With the completion of this draft environmental impact study, we must carefully review the plans and proceed with due diligence

I urge all vested parties – team owners, state and local officials, environmentalists, and concerned citizens – to work together and help build a stadium in which everyone can be proud

This has been a long process, but, right now, we're in the Red Zone, and if we take our time and methodically move the ball down the field, I'm confident we'll reach the end zone

I appreciate the hard work and commitment from the staff of the Giants, Jets, and NJSEA and I look forward to assisting you in any way to help turn this vision into reality

Thank you

Office: (201) 641-7552
Fax: (201) 641-6407

BERGEN COUNTY UTILITIES AUTHORITY

Box 9, Foot of Mehrhof Road, Little Ferry, New Jersey 07643

January 11, 2007

Mr. Robert Ceberio, Executive Director
New Jersey Meadowlands Commission
One DeKorte Park Plaza
Lyndhurst, New Jersey 07071

Re: Request for Comments on Preliminary Environmental Impact Statement for the Meadowlands Stadium Project Public Comment Period Ending January 15, 2007

Dear Mr. Ceberio:

In response to your notice published in the December 4, 2006, New Jersey Register, the Bergen County Utilities Authority (BCUA) is submitting the following comments on the Preliminary Environmental Impact Statement published for the Meadowlands stadium project.

The BCUA services forty-six municipalities in Bergen County and operates a 109 MGD water pollution control facility, in Little Ferry, New Jersey. The BCUA has implemented a reclaimed water for beneficial reuse program by providing treated effluent to Public Service Electric and Gas (PSE&G) Bergen generating facility in Ridgefield for use in the cooling system for its generators. PSE&G recently increased its use of reclaimed water in this facility. This is the largest reuse program in the state.

Since the drought experienced from 1999 through 2002, the State of New Jersey has encouraged the use of treated effluent from wastewater treatment facilities as another source of water to offset potable water supplies. Reclaimed water may be used for such operations as irrigation, water for toilets and urinals, fire control, and mechanical applications such as climate control systems.

The BCUA requests that the new Meadowlands stadium and supporting facilities consider the use of reclaimed water to off-set the usage of potable water for activities such as restroom facilities (toilets and urinals), process water for boilers and other mechanical processes, and irrigation of the proposed landscaping.

In support of our request, we offer the following:

1. In Section 4.13.1.3: Potable Water Service of the *New Meadowlands Stadium Project EIS*, it states the following:

   "The Project Area is located within the Hackensack River Basin as defined in the New Jersey Water Supply Master Plan (CH2M, 1993)."

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> *"Water supply is projected to meet the increased future water demand in 2040 because additional potable water can be supplied from the adjacent Lower Passaic River and Saddle River Watersheds."*

The use of reclaimed water would lessen the need for this transfer and allow other uses for this water.

2. In Section 4.2.4: Utilities and Infrastructure of the *New Meadowlands Stadium Project EIS*, it states the following:

   "In addition, various energy conservation measures will be evaluated to the extent feasible using the Leadership in Energy and Environmental Design (LEED) criteria as a guideline.

   As stated on the U.S. Green Building Councils webpage, "LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality." (http://www.usgbc.org).

   The implementation of a reclaimed water system for the new Meadowlands stadium and its supporting facilities could help the Sports Authority design and construct such a facility in accordance with LEED guidelines for resource sustainability.

3. The Meadowlands Commission should look to the water reuse system that was successfully constructed and is currently in operation at Gillette Stadium, home of the NFL's New England Patriots, located in Foxboro, Massachusetts, as an example of a water reuse system. Publications on the matter have indicated that the new reclaimed water system led to a 65% reduction of potable water usage for the stadium. It should be noted that since the new Meadowlands stadium is the home of two NFL teams, the overall reduction of potable water usage will be greater for than that of the Foxboro stadium.

4. It would be substantially more cost effective to include a secondary water supply (reclaimed water) during construction of the stadium and facilities rather than retrofit at a later date.

5. The NJDEP is requiring that the Meadowlands Golf Redevelopment Project (EnCap Golf Holdings, L.L.C.) to utilize reclaimed water for all irrigation of proposed golf courses and landscaping. This requirement is set forth in the Water Quality Management Plan (WQMP) amendment approved for the Meadowlands golf project. This amendment was published in the *New Jersey Register* on June 7, 2004, and states in part:

   > *"Based upon Northeastern New Jersey's recent susceptibility to recurrent drought emergencies (1995, 1999, 2002) and the fact that the region's potable water demand is largely reliant on surface water supplies, the Department's Depletive/Consumptive Water Use Analysis has concluded that the only viable water supply option for the irrigation of the proposed golf courses to be located at the former sites of the Kingsland Park Sanitary Landfill and Rutherford Landfills is the utilization of reclaimed water for beneficial reuse."*

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The BCUA has had discussions with the EnCap Golf Holdings; L.L.C. for the use of BCUA's reclaimed effluent for the golf resort project.

6. A jointly funded reclaimed water pipeline servicing both the Meadowlands sports complex and EnCap golf courses would benefit both parties and reduce the total costs associated with the project as well as the operation of the reclaimed water system.

7. There would be an overall societal benefit if the Meadowlands stadium project was to utilize reclaimed water. The use of the reclaimed water will reduce the consumption of potable water today and lessen the need for increasing the water supply in the future.

Thank you for considering our comments and if you have any questions, please contact me directly at 201-807-8634.

Very truly yours,

DERGEN COUNTY UTILITIES AUTHORITY

Eric Andersen, P.E.
Chief Engineer

EA:JFS/ljc

pc: Leonard R. Kaiser, Executive Director
Jerome F. Sheehan, P.E., T&M Associates

United States Department of the Interior

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In Reply Refer to:
2007 FA 0050

JAN 19 2007

Mr. Robert R. Ceberio, Executive Director
New Jersey Meadowlands Commission
One DeKorte Park Plaza
Lyndhurst, New Jersey 07071

Mr. Gary Sondermeyer, Operations Director
New Jersey Department of Environmental Protection
P.O. Box 402
Trenton, New Jersey 08625

Re: *Preliminary Environmental Impact Statement for the New Jersey Sports and Exposition Authority's Proposed Meadowlands Stadium Project*

Dear Mssrs. Ceberio and Sondermeyer:

The U.S. Fish and Wildlife Service (Service) has reviewed the New Jersey Sports and Exposition Authority's (NJSEA) October 2006 Preliminary Environmental Impact Statement (PEIS) regarding the proposed New Meadowlands Stadium Project (Stadium Project) in East Rutherford, Bergen County, New Jersey. The Stadium Project will replace Giants Stadium with a new state-of-the-art stadium and four related ancillary components, nearly all of which are to be located within the existing footprint of the Meadowlands Sports Complex (MSC). The site of the Stadium Project is now largely developed and covered by buildings and impervious surfaces and provides little habitat value to fish and wildlife; however, the Stadium Project has the potential to contribute additional contaminants to the Meadowlands through stormwater discharge, and thus adversely affect fish and wildlife and ongoing efforts to remediate and restore the Hackensack Meadowlands ecosystem.

It appears that compensatory mitigation for the wetlands that were filled has not been implemented in accordance with federal and State permits and authorizations. Though more than 30 years old, federal and State permits and authorizations still govern use of the site. Thus, mitigation for the original wetlands' filling must be addressed. These and other concerns have been expressed in previous letters to the New Jersey Meadowlands Commission (NJMC), New Jersey Department of Environmental Protection (NJDEP), and the U.S. Army Corps of Engineers, New York District (Corps). To date, the Service has received no response addressing its concerns.

AUTHORITY

Review comments on the PEIS are provided as technical assistance pursuant to the Congressional directive to the Service (P.L. 109-54 [see H.R. 109-80]) to collaborate on the restoration and protection of the Hackensack Meadowlands ecosystem. Service comments and recommendations are consistent with the intent of the Service's Mitigation Policy (*Federal Register* Vol. 46, No. 15, January 23, 1981). These comments do not preclude separate review and comment by the Service pursuant to the National Environmental Policy Act of 1969, as amended (83 Stat. 852; 42 U.S.C. 4321 *et seq.*), or the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) regarding review of existing Department of the Army (DA) permit conditions for the project site or of any forthcoming application(s) for DA permits for the Stadium Project.

BACKGROUND

In addition to the PEIS, the Service has reviewed Department of the Army (DA) Permit 72-009, the Corps' 1975 Statement of Findings supporting the DA permit's issuance, and the 1972 State Hearing Officers' Report and Recommendations (SHORR) in the Matter of the Hearings Held on the Proposed Sports Complex in the Meadowlands (July 10, 1972 through August 11, 1972), Hackensack, New Jersey.

The Service's August 11, 2006 letter (copy enclosed) to the NJMC and the NJDEP in response to the May 24, 2006 Public Notice and the May 2006 Scoping Document regarding the Stadium Project noted several concerns, including: (1) inconsistencies in the Scoping Document; (2) potential non-compliance of the existing MSC Project with conditions of previous State and federal permits governing use of the project site; (3) adverse project impacts on fish and wildlife species of concern, such as State-listed endangered or threatened bird species; (4) adverse (including cumulative) impacts to aquatic and other resources, such as wetland mitigation areas; (5) the control of invasive, exotic species on the project site; (6) the potential adverse effects of environmental contaminants on fish and wildlife in the Hackensack Meadowlands; (7) inadequate stormwater management on the site exacerbating contaminant effects offsite; (8) the lack of wetland buffers around the site's periphery, and (9) adverse effects of the built landscape, including communications towers, on fish and wildlife.

The Service reiterated these concerns in a subsequent letter dated October 27, 2006 (copy enclosed) to the Corps, and requested a review of the consistency of the existing MSC Project with existing permit conditions. In accordance with the August 29, 1997 Interagency Compensatory Wetland Mitigation Agreement for the Hackensack Meadowlands District, the Service also requested that the MSC Project be placed on the agenda of the next meeting of the Meadowlands Interagency Mitigation Advisory Committee (MIMAC) to provide for a review of the MSC Project's federal and State permit conditions, including the status of mitigation. To date, the Service is unaware of any review of the MSC Project by the MIMAC.

SERVICE REVIEW

According to the PEIS, more than 95 percent of the Stadium Project site (within the MSC) is covered by impervious surfaces; most vegetated areas within the Stadium Project site consist of lawn or other landscaped areas. Thus, the Stadium Project site presently provides little habitat value for fish and wildlife. Nonetheless, the Stadium Project may adversely affect fish and wildlife, including two State-listed species (northern harrier [*Circus cyaneus*], yellow-crowned night heron [*Nyctanassa violacea*]) inhabiting surrounding wetlands, and compromise the successful remediation and restoration of the Hackensack Meadowlands due to potential contaminant effects from stormwater discharge. In addition, wetland filling for the original MSC Project has not been compensated for with mitigation. Additional information regarding these concerns and their implications are provided below.

The Proposed Stadium Project: Potential Contaminant Effects

The Stadium Project, largely through off-site impacts, has the potential to adversely affect fish and wildlife and compromise efforts to remediate and restore the Hackensack Meadowlands ecosystem. Currently, several efforts (*e.g.*, the NJMC- and Corps-funded *Hackensack Meadowlands Ecosystem Restoration*) are underway to remediate and restore wetland sites in the Hackensack Meadowlands.

Stormwater discharges into Berry's Creek could affect fish and wildlife using wetlands, including restored sites, throughout the Meadowlands in several ways. First, stormwater runoff from the extensive impervious surfaces of the Stadium Project has the potential to contribute substantial contamination to the Meadowlands via the stormwater lagoon system discharging into Berry's Creek. Stormwater management requirements have changed since the original development of the stormwater plan for the MSC site in the 1970s; however, stormwater management will still rely on the same lagoon system. To reduce runoff of contaminated stormwater from the Stadium Project, the Service recommends: (1) bringing the stormwater system into full compliance with the appropriate (NJMC or NJDEP) stormwater regulations; (2) modifying the lagoon system to separately trap and provide for additional treatment of the "first flush" (the initial stormwater runoff that is more polluted than runoff originating later during storm events); and (3) eliminating use of coal tars on roadways, parking lots, and other impervious surfaces. Stormwater and groundwater transport of volatile organic compounds (VOCs) and polycyclic aromatic hydrocarbons (PAHs) emanating from coal tars used on parking lots are recognized as major pathways of these contaminants to urban watersheds (*e.g.*, Mahler *et al.*, 2005). Moreover, VOCs and PAHs are recognized to have substantial adverse effects on fish and wildlife (*e.g.*, Agency for Toxic Substances and Disease Registry, 2006).

Another off-site effect of the Stadium Project would result from any increased scour of contaminant-laden sediments in Berry's Creek by high velocity storm currents, together with the contaminants' re-suspension and subsequent tidal transport. Marshes in the vicinity of Berry's Creek are among the most contaminated wetlands in North America; thus, disturbance of those sediments has the potential to contaminate other wetlands and waterways throughout the Meadowlands ecosystem. The Service recommends that the NJSEA increase the retention

capacity of the lagoon system and take additional steps (*e.g.*, flow diffusers) to prevent any disturbance of the contaminant-laden sediments in Berry's Creek and Berry's Creek Canal.

Finally, because some portion of the stormwater runoff will flow directly into wetlands around the periphery of the entire MSC site, the Service recommends that the NJSEA incorporate a buffer of open space (*e.g.*, upland or wetland) between all components of the Stadium Project and adjoining wetlands. Such buffers are increasingly noted for their beneficial effects on water quality (*e.g.*, Fischer and Fishenich, 2000) and would contribute to improved overall water quality in the Stadium Project's vicinity. Improving water quality is considered important to ensuring successful restoration of wetland ecosystems (*e.g.*, Kentula, 2002).

The Original Meadowlands Sports Complex Project: Lost Wetland Functions and Uses

The Service is also concerned by the apparent lack of mitigation for the original MSC Project, which includes the site of the Stadium Project. The Stadium Project essentially represents a modification to a portion of the original MSC Project. As stated on page 4-17 of the PEIS, "The site of the Meadowlands Sports Complex contains wetlands that were filled in the early 1970s." Federal and State permits and authorizations were required (to fill the wetlands) for the original MSC Project. Numerous statements in the 1972 SHORR (see below) clearly established both the NJSEA's intent and the NJMC's and NJDEP's requirements to improve the environment of Berry's Creek "to the end that the delicate balance of the Hackensack Meadowlands may be maintained and preserved" (as stated in N.J.S.A. 5:10-23, and reaffirmed later by the New Jersey Supreme Court in *New Jersey Sports and Exposition Authority v. McCrane, et als.*, 61 N.J. 1 [1972]).

> *The forms of life present in the Berry's Creek Marsh justify its preservation. But as also indicated at numerous points, preservation is not in itself sufficient. We find it necessary for the Sports Authority to address a number of restoration and protection measures. They include the following:* (pg. 20)
>
> *The present heavy metal concentrations which have accumulated in Berry's Creek and in the Berry's Creek Tidal Marsh pose a serious and continuing threat both to the Berry's Creek Marsh and to the Hackensack Meadowlands Wetlands and therefore should be removed.* (pg. 20)
>
> *We make specific note in this regard of Mr. Pitney's Statement of July 25, 1972 that the Authority "is prepared and has always been prepared to take whatever steps are necessary for the management of this area."* (pg. 20)
>
> *We find that further crossings of the Berry's Creek Tidal Marsh by roads, powerlines, sewer and water lines, fuel lines, telephone cables and the like which would further disturb the waterway network of ditches and creeks crucial to marshland productivity and food transport must at all costs be avoided.* (pg. 21)
>
> *The Authority shall restore the Marsh using the scraping method recommended by Jack McCormick and Associates including the immobilization of toxic metals, the improvement*

of water quality, and re-establishment of pre-1900 vegetation. The scraping method will be initiated on an experimental basis until significant positive results therefrom are manifested. If such results are determined to be negative, the scraping method shall be abandoned and other acceptable restoration methods shall be applied. (pg. 23)

All expenses in the acquisition, restoration, and permanent management of the Berry's Creek Tidal Marsh shall be borne by the Authority. (pg. 24)

The Service recognizes that the compensatory mitigation required by the 1972 SHORR presented (and continues to present) substantial technical and logistical challenges due to the extensive contamination of wetlands and waterways along Berry's Creek and Berry's Creek Canal. Nonetheless, non-compliance with permit conditions and authorization requirements (*i.e.*, the failure to implement the mitigation identified in the permit or to develop appropriate alternative mitigation) has resulted in substantial losses of wetland acreage, wetland functions, and related use opportunities (*e.g.*, recreation).

Though the Stadium Project may now be confined to existing uplands, use of the MSC site was, and remains, governed by both State and federal authorizations. The Service strongly recommends that the NJSEA develop an alternative mitigation project for the Stadium Project.

The Original Meadowlands Sports Complex Project: Regulatory Concerns

The lack of mitigation for the filling of wetlands on the original MSC Project can lead to the wrong precedent; moreover, redress for the apparently unauthorized filling of wetlands appears needed under State and federal wetland regulations. The lack of mitigation is also inconsistent with interagency efforts to achieve successful restoration of the Hackensack Meadowlands (*e.g.*, the Corps' Hackensack Meadowlands Ecosystem Restoration). Furthermore, unauthorized filling of wetlands may affect future protection or make it difficult for State and federal agencies to enforce permit conditions or ensure adequate compensatory mitigation on future projects proposing wetland filling. For example, a transportation project related to the development of the MSC (*e.g.*, the Meadowlands Railroad and Roadway Improvement) also appears inconsistent with the 1972 SHORR by crossing and disturbing portions of Berry's Creek and nearby wetlands (see the quote from pg. 21 of the 1972 SHORR provided above).

The Service is trying to determine if, or how, State authorizations may have been modified since the 1972 SHORR. The 2004 State Hearing Officers' Report for the Xanadu Redevelopment Project makes note of an Environmental Liaison Committee of representatives from the NJDEP, NJMC, and NJSEA to monitor the progress of the development and ensure that the conditions of previous approvals were addressed. Since the conditions of State authorizations were (and still are) considered in federal approvals, changes to the State SHORR requirements potentially affect the status of the federal DA permits and thus require notification and subsequent review by the Corps. The Service is unaware of any notification from the permittee or the Environmental Liaison Committee to the Corps or the MIMAC regarding the status of, or specific changes to, conditions in State (*i.e.*, the 1972 SHORR) authorizations regarding the MSC site.

The Service also has been unable to determine if a Water Quality Certificate was issued for the original MSC Project or re-issued subsequent to any modification. Therefore, in order to address all of the apparent regulatory questions surrounding the original MSC Project and the Stadium Project (as a "modification" to the MSC), the Service recommends review of the status of all authorizations and permit conditions for the MSC by the MIMAC.

CONCLUSIONS

The Stadium Project has the potential to adversely affect fish and wildlife and the successful remediation and restoration of the Hackensack Meadowlands. The Service recommends that the NJSEA bring the stormwater management system into full compliance with State regulations and take additional steps to prevent disturbance of the contaminated sediments in Berry's Creek, Berry's Creek Canal, and their adjoining wetlands. The Service also recommends that the NJSEA incorporate a buffer between all components of the Stadium Project and adjoining wetlands to improve water quality in the Hackensack Meadowlands ecosystem.

Federal and State permits still apply to use of the MSC site, and thus affect the Stadium Project, State and federal regulatory programs, and collaborative programs to restore the Hackensack Meadowlands. The Service strongly encourages the NJSEA to develop and submit an alternative mitigation proposal to the MIMAC for consideration as mitigation of the Stadium Project. The Service is available to provide review and comment as more detailed mitigation plans are developed.

The Service recommends that the Environmental Liaison Committee (NJSEA, NJMC, and NJDEP) provide an update to the MIMAC regarding the condition/status of all State approvals. The Service reiterates its request that State and federal agencies review the status of all authorizations and permit conditions at the next meeting of the MIMAC.

Please contact John Staples or Stan Hales of my staff if you have any questions regarding the above Service comments. Mr. Staples and Dr. Hales can be reached at John_Staples@fws.gov; Stan_Hales@fws.gov; or at 609-646-9310 extensions 12 and 36, respectively.

Sincerely,

Clifford G. Day

Clifford G. Day
Supervisor

Enclosures (2): 1. The Service's August 11, 2006 letter the NJMC and NJDEP
2. The Service's October 27, 2006 letter to the Corps

LITERATURE CITED

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United States Department of the Interior

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In Reply Refer to:
SP 06/32
06-I0057

AUG 11 2006

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One DeKorte Park Plaza
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Mr. Gary Sondermeyer, Director of Operations
New Jersey Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, New Jersey 08625

Re: *Public Notice: Request for Comments on the Scoping Document for the Proposed Meadowlands Stadium Project to be Constructed Within the NJSEA's Meadowlands Sports Complex*

Dear Mssrs. Ceberio and Sondermeyer:

The U.S. Fish and Wildlife Service (Service) has reviewed the New Jersey Meadowlands Commission's (NJMC) May 24, 2006 Public Notice and the May 2006 Scoping Document for the New Jersey Sports and Exposition Authority's (NJSEA) proposed New Meadowlands Stadium Project (Project) in East Rutherford, Bergen County, New Jersey. The proposed Project will replace the present 30-year-old Giants Stadium with a new state-of-the-art stadium and four related ancillary components, nearly all of which are to be located within the existing footprint of the current Meadowlands Sports Complex (MSC).

Five distinct components of the Project have been identified in the Scoping Document. In addition to the stadium itself, the stadium component of the proposed Project is likely to include retail stores, a hall of fame, sponsored areas, program areas, club lounges, and banquet/ conference/dining facilities. The four other components of the proposed Project will include:

(1) a new Giants Training Facility of 400,000 square feet located on 20 acres in the southwest corner of the current MSC;

(2) reconfigured parking areas and tailgating zones (20,000 square feet total divided among four zones of 5,000 square feet each) that will feature unique structures to provide game and/or event retail, food, and beverage operations and restroom facilities;

(3) on-site circulation and transportation improvements, including roadways, pedestrian and vehicular inter-connections, to be integrated with off-site improvements, such as the realignment of nearby access and toll roads and the replacement of toll plazas; and

(4) ancillary facilities compatible with the development and operation of the stadium: broadcast facilities; sports-medicine, health, and fitness clinics and facilities; retail stores and restaurants; and sponsored areas.

The Project also will necessitate the relocation, replacement, and enhancement of existing water, stormwater, sewer, electric, gas and other infrastructure on the MSC.

AUTHORITY

Comments are provided pursuant to the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*; 87 Stat. 884) and the Migratory Bird Treaty Act of 1918 (MBTA; 40 Stat 755; 16 U.S.C. 703-712). Service comments and recommendations are consistent with the intent of the Service's Mitigation Policy (*Federal Register* Vol. 46, No. 15, January 23, 1981). These comments do not preclude separate review and comment by the Service pursuant to the National Environmental Policy Act of 1969, as amended (NEPA; 83 Stat. 852; 42 U.S.C. 4321 *et seq.*), or the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) regarding review of existing permit conditions for the project site or any forthcoming application(s) for Department of the Army (DA) permits for the proposed Project. Additional review comments on the Scoping Document are provided as technical assistance.

PROJECT AND SITE INFORMATION

The Project's purpose, as stated in the NJSEA's Scoping Document is to continue the redevelopment of the MSC by providing a state-of-the-art stadium, practice facilities, and ancillary development. The original development of the MSC required federal and State permits, including: (1) DA Permit 72-009, issued by the U.S. Army Corps of Engineers (Corps) on January 23, 1976, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Federal Water Pollution Control Act of 1972 (86 Stat. 816; P.L. 92-500; now known as the Clean Water Act [CWA]; 33 U.S.C. 1344); (2) a National Pollution Discharge Elimination System (PDES) permit from the U.S. Environmental Protection Agency (USEPA) pursuant to the Section 402 of the CWA (33 U.S.C. 1342); and (3) the 1972 State Hearing Officers' Report and Recommendations (SHORR) Regarding the Proposed Sports Complex [*i.e.*, the original Giants Stadium] in the Hackensack Meadowlands. The Service has requested a copy of the NPDES permit from the USEPA. To date, the Service has not yet received a copy of the original National PDES permit.

At a minimum, the proposed Project will require the following:

(1) a notification to the Federal Aviation Administration regarding several structures (the stadium and temporary construction cranes) that will exceed 150 feet in height;

(2) consultations required by the NJSEA's enabling legislation, including: (a) review of the project's location, type and character with the NJMC pursuant to N.J.S.A. 5:10-5[x]; and (b) review and approvals from the NJMC and New Jersey Department of Environmental Protection (NJDEP) regarding "ecological factors constituting the environment of the Hackensack meadowlands to the end that the delicate environmental balance of the Hackensack meadowlands may be maintained and preserved" pursuant to N.J.S.A. 5:10-23;

(3) a Stream Encroachment Permit (N.J.S.A. 58:16A-50 *et seq.*; N.J.A.C. 7:8-3.15); Section 401 (33 U.S.C. 1341) Water Quality Certificate; New Jersey PDES Permit (N.J.S.A. 58:10A-1 *et seq.*; N.J.A.C. 7:14A); Approvals of the Preliminary Assessment Report, Site Investigation Report, and Remedial Action Work Plan (N.J.A.C. 7:26E-6.2); and other approvals/permits pursuant to New Jersey's Safe Drinking Water Act (N.J.S.A. 12A-1 *et seq.*) from the NJDEP;

(4) a Coastal Zone Consistency Determination (N.J.S.A. 13:19-1 *et seq.*; see below) from the NJMC and NJDEP;

(5) a Certification of Soil Erosion and Sediment Control Plans (N.J.S.A. 23:5-29) from the New Jersey Department of Agriculture;

(6) approval of building plans (N.J.A.C. 5:23) from the New Jersey Department of Community Affairs; and

(7) a Major Access Permit (N.J.A.C. 16:47) from the New Jersey Department of Transportation.

The subject Project is being coordinated with additional projects to be located on the MSC site. Ongoing construction of the Xanadu Redevelopment Project (Xanadu) adjacent to the Continental Airlines Arena will provide several entertainment venues, and additional retail and other, mixed-use, facilities on the MSC site. Construction of Xanadu is subject to conditions of other DA and State permits. The proposed Meadowlands Roadway and Railroad Improvement Project (MR&R) is currently being planned to improve roadway and public rail transportation to the MSC, will also require DA and State permits, and is subject to conditions of the existing DA permit and conclusions and recommendations of the 1972 SHORR.

HACKENSACK MEADOWLANDS REMEDIATION, RESTORATION, AND PROTECTION

Presently, commensurate with strong public support, numerous State and federal efforts are underway to remediate, enhance, restore, and protect the Hackensack Meadowlands ecosystem. As you know, the NJMC, Service, and Corps are partners in the *Hackensack Meadowlands Ecosystem Restoration* to restore wetland sites throughout the Hackensack Meadowlands District (HMD). The NJMC and Service also are supporting the development of the NJDEP's *Wildlife Action Plan for the Hackensack Meadowlands* to manage the area's fish and wildlife resources.

The Service and NJDEP also are members of the Biological Technical Assistance Group (BTAG) that advises the USEPA regarding the cleanup of Superfund sites in the Meadowlands (and elsewhere in New Jersey), including the three Superfund Sites that are located along Berry's Creek near the MSC. Pursuant to Congressional directive (P.L. 109-80), the Service has established the Hackensack Meadowlands Initiative (Initiative), a watershed partnership including the NJMC, NJDEP, Corps, USEPA, National Park Service, National Marine Fisheries Service, and the National Fish and Wildlife Foundation, to remediate and restore the entire Meadowlands ecosystem. In support of and to help guide this Initiative, the Service has developed *The Hackensack Meadowlands Initiative: Preliminary Conservation Planning*, which is currently in draft undergoing review by the Initiative partners.

SERVICE COMMENTS

Overview

The proposed Project will occupy the MSC site, an extensive area (approximately 750 acres) of former wetlands. The Service understands that the proposed Project will not expand any further into adjoining wetlands; however, we note that the Scoping Document incorrectly identifies the boundaries of the project study area. The boundaries identified in the Scoping Document should be corrected to include the existing lagoon areas, which will be used for stormwater management by the proposed Project. The Service also noted several inconsistent statements in the Scoping Document regarding the proposed Project's impacts, public financing, and certain process (*e.g.*, regulatory) issues, which are discussed in detail below. In addition, the Service is uncertain about the conditions of the DA permit and the 1972 SHORR that apply to the MSC and about the NJSEA's implementation of State and federal permits for the original Giants Stadium project.

Even though confined to the existing MSC site (including the lagoon areas), the proposed Project may result in adverse impacts on wetlands and fish and wildlife resources in the Hackensack Meadowlands ecosystem. Discussed below are Service concerns and recommendations regarding potential adverse environmental impacts of the proposed Project upon State-listed endangered, threatened, and "special concern" species that occur in the Hackensack Meadowlands ecosystem, especially in the vicinity of the MSC (*i.e.*, the Berry's Creek subbasins). Other concerns include the potential for the proposed Project to contribute to cumulative adverse impacts on fish and wildlife resources and facilitate the dispersal of exotic, invasive species throughout adjoining areas. Certain adverse impacts of the proposed Project on wetlands and their biota (*i.e.*, cumulative and indirect impacts from the built landscape; spread of invasive species) may also be exacerbated by related projects (Xanadu, MR&R).

In view of ongoing efforts to remediate, enhance, and restore contaminated sites in the Meadowlands, the Service is concerned regarding the Project's potential to contribute to establishment of attractive nuisances[1] and/or population sinks[2] of fish and wildlife at adjacent or

[1] Attractive nuisance- Anything that is attractive to animals but potentially a danger to their survival, health, or reproduction.

[2] Population sink- An environment in which a species' total mortality exceeds its reproduction; thus, immigration from other, more productive "source" populations is necessary to maintain the "sink."

downstream sites within the Meadowlands. The Service is concerned especially that the proposed Project may exacerbate effects of environmental contamination in the Berry's Creek subbasins, which are among the worst mercury-contaminated wetlands in North America. Without proper design, stormwater management systems on the MSC site could disturb mercury-laden sediments in the Berry's Creek subbasins, subsequently allowing mercury to disperse tidally throughout the Meadowlands ecosystem.

The Service recognizes the potential for certain components of the proposed Project, such as the parking and tailgating zones, training facility, ancillary facilities, and their infrastructure to adversely affect water quality, and thus fish and wildlife resources and wetlands. Communication towers, presumably a component of broadcast facilities that are listed in the Scoping Document as a likely ancillary facility, also are recognized to have adverse impacts on biotic resources, especially migratory birds due to collisions. These concerns and specific Service recommendations are discussed below.

Inconsistencies in the Scoping Document

The Scoping Document (pg. 17) states "The Stadium Project will not result in significant incremental social, economic, or environmental impacts." Information provided in the Scoping Document and other sources indicates that the proposed project will likely have adverse environmental impacts (as discussed below). The Service recommends that the environmental impact statement (EIS) accurately represent both the potential positive and negative environmental impacts of the proposed Project, including a thorough review and assessment of impacts on fish, wildlife, and other resources on the MSC and adjoining landholdings. The Scoping Document (pg. 17) also states that the project is being privately financed, yet later statements (pg. 22) indicate that remediation costs for the proposed Project will be passed to the public via reimbursements as part of a Redevelopment Agreement with the NJDEP pursuant to the State's Brownfield Act (New Jersey P.L. 1997, Chapter 278). In the Section titled Regulatory Setting, the Scoping Document (pg. 28) states "The role of the NJMC, in this instance (land-use planning perspective), is limited to its role in the Consultation Process as discussed above." If the NJMC's role is limited by the NJSEA's enabling legislation to the two consultation processes required by N.J.S.A. 5:10-5[x] and 5:10-23, the Service requests clarification regarding:

(1) the role of the NJMC pursuant to any Coastal Zone Consistency Determination for the proposed Project; and

(2) the participation of the NJMC in MIMAC meetings regarding any existing (previously issued) federal DA and State permits or applications for federal DA or State permits for the MSC.

The Service recognizes that the NJMC has been a valuable contributor to, and partner in, the MIMAC; thus, the Service seeks clarification whether the NJMC's participation is potentially limited by the NJSEA's enabling legislation (identified above).

Conditions of Previous State and Federal Permits

The Service requests clarification regarding the compliance of the NJSEA with conditions and recommendations of the federal permits and the 1972 SHORR. The Service understands that the conditions of the 1972 SHORR, DA permit 72-009, and the National PDES permit still apply to the use of the site. The 1972 SHORR contained recommendations that were conditions of the NJMC's and NJDEP's approval of the project. These recommendations were provided to: (1) prevent and minimize further contamination, fragmentation, and other adverse environmental impacts to the Berry's Creek wetlands and the surrounding Hackensack Meadowlands ecosystem; (2) compensate for lost wetlands, acreage, functions, and values resulting from the original Giants Stadium project. The Service understands that the many conclusions and recommendations of the 1972 SHORR are conditions of the NJMC's and NJDEP's approval "to the end that the delicate balance of the Hackensack meadowlands may be maintained and preserved" (as stated in N.J.S.A. 5:10-23, and reaffirmed later by the New Jersey Supreme Court in *New Jersey Sports & Exposition Authority v. McCrane, et als.*, 61 N.J. 1 [1972]). Furthermore, the conclusions and recommendations of the 1972 SHORR were discussed in the Corps' 1975 Statement of Findings and used to support the Corps' issuance of DA Permit 72-009 in 1976. Subsequently, the 2004 State Hearing Officers' Report for the Xanadu Redevelopment Project makes note of changed conditions and recommendations from the 1972 SHORR for the original Giants Stadium project.

> *Several of the conditions/recommendations were for tasks that spanned a period of time or were continuous in nature, like environmental monitoring or funding for environmental education. Such tasks shall be revisited to determine whether to continue, modify, reactivate, or suspend the specific efforts in the future.* (pg. 7)

The 2004 State Hearing Officers' Report for the Xanadu Redevelopment Project also makes note of an Environmental Liaison Committee of representatives from the NJDEP, HMDC, and NJSEA to monitor the progress of the development and ensure that the conditions of the approvals were addressed. Despite these steps, the Service is unaware of any notification from the permittee or the Environmental Liaison Committee to the Corps or the MIMAC regarding the status of or specific changes to conditions in State (*i.e.*, the SHORR) permits on the MSC site. Since the conditions of State authorizations were considered in federal approvals, changes to the State conditions potentially affect the status of the federal permits. Thus, the Service requests that: (1) the NJSEA provide the MIMAC with an update and review of its permit compliance actions for existing State and federal permits for the MSC site, and (2) the Hearing Officers provide a copy of previous correspondence identifying specific changes to any conditions of the 1972 SHORR. The Service also requests that the NJMC and NJDEP inform all member agencies of MIMAC of future, proposed changes to any State permit for any project in the HMD for which a federal permit has also been issued. By copy of this letter to the Corps, USEPA, and other agency members of the MIMAC, the Service requests a review of compliance with DA and State permit conditions that apply to the project site.

Federally Listed Species

These comments are provided in response to the Scoping Document and to the July 17, 2006 letter from Langan Engineering & Environmental Services (Elmwood Park, New Jersey) regarding the presence of federally listed (endangered and threatened) species in the vicinity of the proposed project. The presence of bald eagle (*Haliaeetus leucocephalus*) is increasing during fall migrations throughout the lower Hackensack River watershed; however, any impacts to migrating individuals are expected to be temporary and discountable. Except for those occasional, transient bald eagles, no other federally listed or proposed endangered flora or fauna under Service jurisdiction are known to occur within the vicinity of the proposed project site. Therefore, no further consultation pursuant to Section 7 of the ESA is required by the Service. If additional information on federally listed species becomes available, or if project plans change, this determination may be reconsidered.

Other Species of Concern

Approximately 33 species that are State-listed or identified as "of special concern" have been reported to occur in the HMD (Enclosures 1 and 2). Certain of these species (*e.g.*, peregrine falcon, *Falco peregrinus*) are known to breed and forage in the vicinity of the MSC. Other such species may occupy small pockets of vegetative cover (such as emergent wetlands) that occur in the vicinity of the MSC. In addition, certain State-listed species (*e.g.*, black-crowned night-heron, *Nycticorax nycticorax*; American bittern, *Botaurus lentiginosos*) may feed on fish and wildlife resources that use the MSC or adjoining wetlands. Thus, despite the developed nature of most of the MSC, the Service recommends that project sponsors consult the New Jersey Endangered and Nongame Species Program[3] and the New Jersey Natural Heritage Program[4] for: (1) a thorough review of the MSC and adjacent wetland areas for State-listed and other species of concern, and (2) information regarding seasonal restrictions for construction and demolition activities that may be needed to protect such species.

Impacts to Aquatic and Other Resources

The Scoping Document states that: (1) the project site contains few valuable natural resources, and (2) on-site wetlands, tidelands, vegetation, and wildlife will not be adversely affected by the proposed Project. The Corps' 1975 Statement of Findings (SOF) regarding DA Permit 72-009 indicates that on-site (MSC) mitigation for the original Giants Stadium would include: (1) transplantation of valuable vegetation, (2) additional plantings of native species, and (3) using the areas surrounding the lagoons as wildlife habitats. However, the Scoping Document does not confirm the existence of any mitigation areas referenced in DA Permit 72-009. The lack of on-site resources raises concerns that the mitigation for DA Permit 72-009 may not have been implemented. Failure to undertake required mitigation and to meet permit conditions are widely recognized as contributing to the nationwide loss of wetland functions and acreage (*e.g.*, National Research Council, 2001). Thus, the Service recommends that the NJSEA, NJMC, and

[3] Endangered and Nongame Species Program, New Jersey Division of Fish and Wildlife, P.O. Box 400, Trenton, New Jersey 08625; Phone: 609-292-9400

[4] New Jersey Natural Heritage Program, Office of Natural Lands Management, Division of Parks and Forestry, Department of Environmental Protection, P.O. Box 404, Trenton, New Jersey 08625; Phone: 609-984-1339

NJDEP: (1) conduct a review of previous on-site mitigation activities, (2) identify and deed-restrict any on-site mitigation areas that have been established to prevent future development of those areas, (3) include a thorough review and assessment of fish, wildlife, and other resources on the MSC and adjoining landholdings, and (4) develop a plan to protect those remaining resources and mitigation areas. This information should be provided in any environmental impact statement (EIS), which should include a thorough review and assessment of fish, wildlife, and other resources on the MSC and adjoining landholdings. The Service recommends that the NJSEA, NJMC, and NJDEP present their findings to the MIMAC. The Service is willing to assist in this effort by reviewing management plans to protect on-site resources.

Cumulative Adverse Impacts

The Service is concerned that the proposed Project may contribute substantially to cumulative adverse impacts on the Hackensack Meadowlands watershed. For example, the proposed Project may contribute to additional losses of habitats used by wildlife around the periphery of the MSC. The proposed Project has the potential to increase contamination in the Berry's Creek subbasins through disturbance of contaminated sediments on-site and stormwater run-off from the MSC's extensive impervious surfaces (see below). Certain adverse impacts, such as from contaminants, also may be exacerbated by related projects (*e.g.*, MR&R). The Service expressed numerous concerns about adverse impacts from the MR&R in its October 3, 2005 letter (Enclosure 3). The MR&R Project also appears to be inconsistent with the conclusions and recommendations (pg. 23) of the 1972 SHORR.

The importance of the Berry's Creek Tidal Marsh to the Hackensack Meadowlands ecosystem was acknowledged in the 1972 SHORR (pgs. 16-20). More recently, Service (2005) mapping, analyses, and planning have recognized that the lower Berry's Creek subbasins are situated between other subbasins in the HMD that have extensive wetland acreage (*i.e.*, along the Hackensack River between Rt. 3 and Bellman's Creek, and along the Hackensack River between Rt. 3 and the Amtrak Bridge). Remediation and restoration of the Berry's Creek Tidal Marsh and adjoining areas may help establish large, contiguous wetland tracts of native vegetation to support healthy fish and wildlife populations. Thus, any EIS for the proposed Project must identify the potential for bioaccumulative, contaminant effects, so the proposed Project may be carefully planned and implemented to neither disturb nor contribute additional contamination to the Berry's Creek subbasin.

Invasive, Exotic Species

The Scoping Document does not address the control of invasive species on the MSC site. Portions of the MSC, including lagoon areas and its borders with adjoining wetlands, are dominated by several exotic species such as tree-of-heaven (*Ailanthus altissimus*) and the invasive form (Haplotype[5] M) of common reed (*Phragmites australis*; U.S. Army Corps of Engineers, 2004). The proposed Project will disturb extensive areas of the MSC, possibly including some areas bordering wetlands. Historically, disturbance of soils and sediments by human activities has contributed to the establishment of invasive, exotic species throughout many areas in the northeastern United States, including the Meadowlands (Bertness *et al.*, 2002;

[5] Haplotype- a set of closely linked genes that give rise to a specific form of a species.

Bart and Hartman, 2003; Burdick and Konisky, 2003). Without an invasive species control program in place, the proposed project may facilitate the dispersal of invasive exotic species on the MSC into surrounding areas.

The MSC is located near one of the busiest port complexes of the United States; thus, eradication and/or control of invasive, exotic species requires a long-term commitment. The Service recommends that the NJSEA develop a long-term plan to monitor and control and/or eradicate invasive species from the MSC. However, because of the high levels of contamination in adjoining wetlands (the Berry's Creek Tidal Marsh [Walden Marsh], Eight Day Swamp), the Service recommends that the NJSEA not control or otherwise disturb any vegetation in those areas at this time. The Service is available for additional technical assistance regarding invasive species.

Environmental Contaminants

Much of the MSC complex is covered with historic fill; thus, soils on the MSC contain contaminants at levels that often exceed the NJDEP's Non-Residential Direct Contact Soil Cleanup Criteria. The Scoping Document acknowledges that hot spots of contaminants also are likely throughout the site and will require remediation. In addition to this on-site contamination, the MSC is surrounded by the mercury-contaminated wetlands of Berry's Creek, Berry's Creek Canal, Berry's Creek Tidal Marsh (Walden Marsh), and Eight-Day Swamp (*e.g.*, U.S. Environmental Protection Agency, 2006). Mercury is highly toxic to fish and wildlife, bioaccumulates, causes diverse sublethal effects that reduce survival and reproduction in many animals (*e.g.*, Wiener *et al.*, 2003), and presents the most problems to the remediation and restoration of the Meadowlands ecosystem.

The Service remains concerned about the NJSEA's implementation of State and federal permit conditions. Numerous conclusions, recommendations, and other statements were included in the 1972 SHORR regarding the value of the Berry's Creek wetlands to fish and wildlife, the magnitude of the contamination in the area, the need to address environmental contamination in Berry's Creek, and the NJSEA's commitment to addressing the area's substantial contaminant problems.

> *The forms of life present in the Berry's Creek Marsh justify its preservation. But as also indicated at numerous points, preservation is not in itself sufficient.* (pg. 20)
>
> *The present heavy metal concentrations which have accumulated in Berry's Creek and in the Berry's Creek Tidal Marsh pose a serious and continuing threat both to the Berry's Creek Marsh and to the Hackensack Meadowlands Wetlands and therefore should be removed.* (pg. 20)
>
> *We make specific note in this regard of Mr. Pitney's Statement of July 25, 1972 that the Authority "is prepared and has always been prepared to take whatever steps are necessary for the management of this area."* (pg. 20)

The Authority shall restore the Marsh using the scraping method recommended by Jack McCormick and Associates including the immobilization of toxic metals, the improvement of water quality, and re-establishment of pre-1900 vegetation. The scraping method will be initiated on an experimental basis until significant positive results therefrom are manifested. If such results are determined to be negative, the scraping method shall be abandoned and other acceptable restoration methods shall be applied. (pg. 23)

All expenses in the acquisition, restoration, and permanent management of the Berry's Creek Tidal Marsh shall be borne by the Authority. (pg. 24)

The remediation and restoration of the Berry's Creek Tidal Marsh and other wetlands in the Berry's Creek subbasins would contribute to a large contiguous tract of wetlands (from Mill Creek through the Richard P. Kane Natural Area to the Sawmill Creek Wildlife Management Area) that could provide exceptional habitats for fish and wildlife resources. Thus, the Service recommends that the NJSEA work with the Service and other federal and State regulatory and resource agencies to clarify the commitments made in the 1972 SHORR regarding the remediation and restoration of wetlands and waterbodies adjoining the MSC. Remediation of the Berry's Creek Tidal Marsh was acknowledged in the Corps' SOF supporting the issuance of DA permit 72-009.

Stormwater Management

Details of the stormwater management plan for the proposed Project were not provided in the Scoping Document; nonetheless, the Service remains concerned about the management of stormwater on the entire MSC complex and the potential for stormwater to have adverse impacts on the Meadowlands ecosystem and its biota. The majority of the MSC is currently paved or covered by existing structures; nonetheless, the proposed Project will likely affect stormwater characteristics (*e.g.*, discharge volume and velocity, contaminants). The Scoping Document indicates that stormwater will be discharged via the existing lagoon system under the existing NJPDES permit. However, stormwater management requirements have changed since the original development of the stormwater plan for the MSC site in the 1970s. As indicated in its July 1, 2004 letter to the NJMC regarding the Xanadu Redevelopment Project, the Service recognized that the then-proposed stormwater management systems needed revision. The Service recommends that the NJSEA work with the NJMC and the NJDEP to design and implement a state-of-the-art stormwater management system to address local stormwater management needs (*e.g.*, peak discharge rates, discharge volumes, control of nonpoint source pollution).

Wetland Buffers

Buffers are increasingly recognized for protecting wetlands from disturbances and adjacent land uses and for supporting ecosystem functions of wetlands, including moderating storm and flood waters, processing nutrients and contaminants, and providing habitats for fish and wildlife (*e.g.*, Castelle *et al.*, 1994; Wenger, 1999). Buffers perform disparate ecological functions in comparison to other uplands and wetlands, harbor a disproportionately high number of wildlife species, and have become a major focus in landscape restoration and management (*e.g.*, Naiman

and Descamps, 1997; Allan, 2004). The extent to which buffers provide ecosystem functions and support wildlife varies with buffer (*e.g.*, width) and wetland (*e.g.*, hydraulics, vegetation) characteristics (Fischer and Fishenich, 2000). Preliminary Service (2006) assessments indicate that buffers are in poor condition throughout the entire Hackensack River watershed, especially in the HMD. For example, most buffer areas in the HMD are developed: only 13 percent of the 100-meter-wide upland area adjoining all wetlands in the HMD is vegetated.

The Service recommends that the NJSEA consider designs of its training facility, parking and tailgating zones, ancillary facilities, and related infrastructure (*e.g.*, roadways) to reduce the footprint of the developed acreage in order to provide for natural buffer areas on the MSC. Examples of designs that would increase the acreage for buffer areas include tunnels, and multilevel parking structures, ancillary facilities, and roadways. Because such design features reduce the extent of impervious surfaces, they reduce and moderate the precipitation-runoff volume to be managed by any stormwater system. The Service encourages the NJSEA to work with the Initiative partners to incorporate broad (50-100 meter) buffers around the periphery of the MSC.

The Built Landscape and Sustainable Development

The built landscape of urban and suburban areas is increasingly recognized for its manifold, adverse impacts to fish and wildlife. For example, some building design features (*e.g.*, large, reflective glass areas) are recognized to contribute to substantial mortality of migratory birds (Klem, 1990). Thus, the Service encourages the NJSEA to work with the Hearing Agencies, agency partners of the Initiative, and others such as the United States Green Building Council (including the Leadership in Energy and Environmental Design Rating System) to promote environmentally responsible building practices and designs to achieve the highest standards of environmental quality and sustainable development. Such practices would employ innovative designs and technologies (*e.g.*, energy sensors, living rooftops, water-reuse systems) to improve water and energy efficiency, material use and recycling, and aesthetics. With careful planning, "green development" can be economical and presents a positive public image.

Communications Towers

The Scoping Document notes that broadcast facilities are likely to be included in the ancillary development component of the proposed Project. Based on information available through the Federal Communications Commission's (FCC) website, the Service notes that more than 58 separate communication towers up to 700 feet in height (average tower height = 333 feet) are located in or around the HMD. Many of these towers are guyed and are located in wetlands; the placement of communications towers in wetlands represents a non-water-dependent use, which is inconsistent with current federal guidelines (*e.g.*, U.S. Fish and Wildlife Service, 2000). In addition, the cumulative adverse impacts of towers on fish and wildlife in the Meadowlands have not been determined.

Communication towers are recognized as potentially having many adverse impacts on fish and wildlife, especially birds during their spring and fall migrations (*e.g.*, Shire *et al.*, 2000; Crawford and Engstrom, 2001). The Meadowlands is one of the most important stopover areas

on several migration corridors in the Atlantic Flyway for raptor, shorebird, waterfowl, and passerine bird species (Dunne *et al.*, 1989). Many of the bird species that occur in and migrate through the Meadowlands are recognized as vulnerable to communication towers (Enclosure 4).

Communication towers may also result in other adverse impacts on fish and wildlife resources due to their modification (*e.g.*, filling) and contamination (*e.g.*, copper radials and ground straps) of wetland sites. The Service encourages the NJMC and NJDEP to develop a plan to reduce tower impacts throughout the HMD and the surrounding watershed. A reduction in the adverse impacts of communication towers on fish and wildlife may be achieved in part through: (1) collocation (including toploading) of new antennas on existing communication towers, (2) use of unguyed tower designs, (3) a reduction in tower heights, and (4) application of other engineering modifications and designs (*e.g.*, Breakall *et al.*, 2002; Vincent and the University of Rhode Island, 2004).

SUMMARY OF RECOMMENDATIONS

The Service recommends that:

(1) the NJSEA work closely with the Service, its partners in the Initiative, and other Meadowlands stakeholders in its planning of all MSC projects to avoid and minimize adverse environmental impacts on fish and wildlife resources;

(2) the environmental impact statement (EIS) accurately represent both positive and negative environmental impacts of the proposed Project and include a thorough review and assessment of fish, wildlife, and other resources on the MSC landholdings and adjoining areas;

(3) the NJMC clarify its role in determining Coastal Zone Consistency, reviewing environmental impacts, and participating in MIMAC meetings in permit consideration for MSC projects;

(4) the NJSEA provide the MIMAC with an update and review of its actions in response to previous State and federal permits for the MSC site;

(5) the NJSEA, NJMC, and NJDEP provide a copy of previous correspondence and other materials regarding the consideration of specific changes to conclusions and recommendations (*i.e.*, conditions) of the 1972 SHORR;

(6) the Corps review the implementation of State and federal permit conditions for the original Giants Stadium project with the MIMAC members;

(7) the NJMC and NJDEP inform all member agencies of the MIMAC of any future modifications to any State permit for any project in the HMD for which a federal permit has been or is issued;

(8) project sponsors consult the State's Endangered and Nongame Species Program and Natural Heritage Program to: (1) review the MSC and adjacent wetland areas for State-listed and other species of concern, and (2) determine the need for any seasonal construction or demolition activities on the site to protect any such species;

(9) the Project EIS include a thorough review and assessment of: (1) fish, wildlife, and other resources on the MSC and adjoining landholdings; and (2) on-site mitigation sites and activities;

(10) the NJSEA deed-restrict any mitigation areas identified on the MSC to prevent their future development, and develop a plan to protect those remaining resources and mitigation areas;

(11) the NJSEA develop a long-term plan to monitor, control, and/or eradicate invasive species from the MSC;

(12) the NJSEA not control or otherwise disturb any vegetation in wetlands adjoining the MSC at this time;

(13) the NJSEA work with the Service and other Initiative partners to fulfill its commitment and the intent of the 1972 SHORR to remediate and restore Berry's Creek and the Berry's Creek Tidal Marsh;

(14) the EIS for the proposed Project identify the potential for bioaccumulative, contaminant effects; moreover, the proposed Project be planned and implemented to neither mobilize existing contaminants nor contribute additional contamination to the Berry's Creek subbasin;

(15) the NJSEA work with the NJMC and the NJDEP to design and implement a state-of-the-art stormwater management system to address local stormwater management needs (*e.g.*, peak discharge rates, discharge volumes, nonpoint source pollution);

(16) the NJSEA consider designs of its training facility, parking and tailgating zones, ancillary facilities, and related infrastructure (*e.g.*, roadways) to reduce the footprint of the developed acreage and to provide broad (50 to 100-meter-wide) natural buffer areas on the MSC;

(17) the NJSEA work with the NJMC, NJDEP, Initiative partners, and others to promote environmentally responsible building practices and designs to achieve the highest standards of environmental quality and sustainable development; and

(18) the NJMC and NJDEP assess the cumulative impacts of communications towers, including the project area, on fish and wildlife, and subsequently develop a plan to reduce any adverse impacts on fish and wildlife from communication towers throughout the HMD and the surrounding watershed.

CONCLUSION

The Service appreciates the opportunity to provide comments early in project planning. The Service encourages the NJSEA to make the same commitment to environmentally responsible development that it has made to providing premier sports and entertainment experiences on the MSC. The Hackensack Meadowlands has endured centuries of abuse and misuse. Thoughtful planning for, and responsible operation of, the proposed and related MSC projects have the potential to undo and rectify some historical adverse environmental impacts on the Hackensack Meadowlands ecosystem while promoting a responsible environmental image. Thus, the Service encourages the NJSEA, which was given control of more than 750 acres of former wetlands that comprise the MSC site, to work with the NJMC, NJDEP, federal agencies, and other stakeholders partnered in the long-term protection of the Meadowlands to: (1) avoid and minimize adverse environmental impacts of the MSC on wetlands and biotic resources; (2) honor its past commitments, including remediating environmental contamination in, and restoring portions of, the Berry's Creek subbasins; and (3) provide long-term support of regional efforts to restore and protect the Hackensack Meadowlands ecosystem.

The Service is available to provide review and comment as more detailed project plans are developed. Please contact John Staples or Stan Hales of my staff if you have any questions regarding the above Service comments. Mr. Staples and Dr. Hales can be reached at John_Staples@fws.gov; Stan_Hales@fws.gov; or at 609-646-9310 extensions 12 and 36, respectively.

Sincerely,

Clifford G. Day
Supervisor

Enclosures (4):
1. State-listed plants and animals in the Hackensack Meadowlands District.
2. State-listed animals of special concern in the Hackensack Meadowlands District.
3. The Service's October 3, 2005 letter to the NJDEP re: MR&R.
4. The 25 bird species most frequently killed by communication towers.

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State-listed plants and animals (Common name, scientific name, and NJ status [E = endangered. T = threatened]) in the Hackensack Meadowlands District.

Common name	Scientific name	NJ Status
Plants		
Saltmarsh bulrush	*Scirpus maritimus*	E
Seaside arrowgrass	*Triglochin maritimum*	E
Cyperus-like sedge	*Carex pseudocyperus*	E
Torrey's mountain mint	*Pycnanthemum torrei*	E
Barton's St. John's wort	*Hypericum adpressum*	E
Wafer-ash	*Ptelea trifoliata*	E
Smooth rattlesnake root	*Prenanthes racemosa*	E
Canada hawkweed	*Hieracium kalmii*	E
Dog fennel thoroughwort	*Eupatorium capillifolium*	E
Animals		
Appalachian grizzled skipper	*Pyrgus wyandot*	E
Triangle floater	*Alasmidonta undulata*	T
Wood turtle	*Clemmys insculpta*	T
Bald eagle	*Haliaeetus leucocephalus*	E
Osprey	*Pandion haliaetus*	T
Peregrine falcon	*Falco peregrinus*	E
Northern goshawk	*Accipiter gentiles*	E
Northern harrier	*Circus cyaneus*	E
Red-shouldered hawk	*Buteo lineatus*	E
Cooper's hawk	*Accipiter cooperii*	T
Short-eared owl	*Asio flammeus*	E
Long-eared owl	*Asio otus*	T
Barred owl	*Strix varia*	T
American bittern	*Botaurus lentiginosus*	E
Bl.-crwnd. night heron	*Nycticorax nycticorax*	T
Yl.-crwnd. night heron	*Nyctanassa violacea*	T
Pied-billed grebe	*Podilymbus podiceps*	E
Upland sandpiper	*Bartramia longicauda*	E
Roseate tern	*Sterna dougallii*	E
Least tern	*Sterna antillarum*	E
Black skimmer	*Rynchops niger*	E
Red knot	*Calidris canutus*	T
Red-headed woodpecker	*Melanerpes erythrocephalus*	T
Sedge wren	*Cistothorus platensis*	E
Loggerhead shrike	*Lanius ludovicianus*	E
Bobolink	*Dolichonyx oryzivorus*	T
Vesper sparrow	*Pooecetes gramineus*	E
Savannah sparrow	*Passerculus sandwichensis*	T

State-listed animal species of special concern in the Hackensack Meadowlands District.

Common name	Scientific name
Marbled salamander	*Ambystoma opacum*
Jefferson's salamander	*Ambystoma jeffersonianum*
Northern spring salamander	*Gyrinophilus porphyriticus porphyriticus*
Fowlers's toad	*Bufo woodhousii fowleri*
Spotted turtle	*Clemmys guttata*
Eastern box turtle	*Terrapene carolina carolina*
Northern diamondback terrapin	*Malaclemys terrapin terrapin*
Least bittern	*Ixobrychus exilis*
Tricolor heron	*Egretta tricolor*
Little blue heron	*Egretta caerule*
Great blue heron	*Ardea herodias*
King rail	*Rallus elegans*
Whimbrel	*Numenius phaeopus*
Spotted sandpiper	*Actitis macularia*
Sanderling	*Calidris alba*
Common tern	*Sterna hirundo*
Black tern	*Chlidonias niger*
Caspian tern	*Sterna caspia*
Sharp-shinned hawk	*Accipiter striatus*
Broad-winged hawk	*Buteo platypterus*
American kestrel	*Falco sparverius*
Common barn owl	*Tyto alba*
Common nighthawk	*Chordeiles minor*
Least flycatcher	*Empidonax minimus*
Horned lark	*Eremophila alpestris*
Cliff swallow	*Petrochelidon pyrrhonota*
Winter wren	*Troglodytes tyroglodytes*
Veery	*Catharus fuscescens*
Gray-cheeked thrush	*Catharus minimus*
Solitary vireo	*Vireo solitarius*
Northern parula	*Parula americana*
Black-throated green warbler	*Dendroica virens*
Eastern meadowlark	*Sturnella magna*

Enclosure 3

United States Department of the Interior

FISH AND WILDLIFE SERVICE

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Ecological Services
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In Reply Refer to:

SP-05/36

OCT 0 3 2005

Gary Sondermeyer, Chief of Staff
New Jersey Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, New Jersey 08625

Dear Mr. Sondermeyer:

The U.S. Fish and Wildlife Service (Service) has received the New Jersey Meadowlands Commission's (NJMC) August 31, 2005 Public Notice of Availability of the State-level Final Environmental Impact Statement (FEIS)[1] regarding the proposed Meadowlands Railroad and Roadway Improvement Project to be located in East Rutherford Borough, Bergen County, New Jersey. The Service has reviewed the FEIS.

The proposed project is sponsored by the New Jersey Sports and Exposition Authority (NJSEA). New Jersey Transit (NJT) and the New Jersey Department of Transportation (NJDOT) will assist the NJSEA in the design, management and construction of the project. Upon completion of the project, the NJSEA will grant NJT an easement across NJSEA property for the purpose of operating the rail line. The NJSEA will operate and maintain a new station. The NJSEA prepared the State-level FEIS pursuant to New Jersey Executive Order 215. No federal funding will be used in project implementation.[2]

Construction of the proposed project (along the project proponents' preferred alternative route) would require a Department of the Army (DA) permit from the U.S. Army Corps of Engineers, New York District (Corps) pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344 *et seq.*) (CWA) and Section 10 of the Rivers and Harbors Act of 1899 (30 Stat. 1151, as amended; 33 U.S.C. 403 *et seq.*) for activities in wetlands and open waters, which consist primarily of a rail crossing of Berry's Creek and the surrounding wetlands known as Walden Marsh in the Hackensack Meadowlands. The project would also require a Bridge Permit from the U.S. Coast Guard (USCG) pursuant to Section 9 of the Rivers and Harbors Act for the proposed crossing of Berry's Creek.

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[1] No documentation has been prepared to date pursuant to the federal National Environmental Policy Act of 1969 as amended (83 Stat. 852; 42 U.S.C. 4321 *et seq.*) (NEPA).
[2] The NJSEA, the NJT, and the NJDOT are collectively referred to as "project proponents" in this letter.

AUTHORITY

These comments are provided as technical assistance, and are consistent with the intent of the Service's Mitigation Policy (Federal Register, Vo. 46, No. 15, Jan. 23, 1981). Conservation of federal trust fish and wildlife resources such as migratory birds and fish is a Service responsibility pursuant federal statues including the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) and the Migratory Bird Treaty Act of 1918 (40 Stat. 755, as amended; 16 U.S.C. 703-712). These comments do not preclude any separate future review and comments by the Service pursuant to these statutes regarding any DA permit application, or the National Environmental Policy Act of 1969 as amended (83 Stat. 852; 42 U.S.C. 4321 *et seq.*) (NEPA) if a federal Environmental Assessment or Environmental Impact Statement is required.

PROJECT DESCRIPTION

The purpose of the proposed project is to improve public transportation to the NJSEA's Sports Complex, which consists of Giants Stadium, the Meadowlands Racetrack, the Continental Airlines Arena, and the Xanadu redevelopment project now under construction. The project proponents' preferred alternative (and the proposed project) includes a new 2.3-mile rail line connecting NJT's Pascack Valley Line to a proposed station to be located adjacent to Route 120 (Paterson Plank Road). The proposed station is designed to permit a future, independent project to connect with NJT's Bergen County Line.

Most wetland crossings would be constructed on pile-supported viaduct structures. The 2.3-mile rail line would cross Berry's Creek on a bridge of sufficient height to meet USCG navigational requirements (approximately 23 feet of clearance above mean high water).

According to the State-level FEIS, the proposed project would result in 1.03 acres of wetland shading and 0.56 acre of wetland fill, for a total of 1.59 acres of permanent impacts to wetlands. The project would result in temporary construction disturbance to 1.11 acres of wetlands. An additional 0.31 acre of natural upland vegetation would be permanently impacted, and an additional 0.29 acre of natural upland vegetation would be temporarily disturbed during construction, primarily where the rail line would cross wetland/upland transition areas.

The proposed rail line would cross the Universal Oil Superfund Site (EPA ID# NJD002005106), which is officially designated on the National Priorities List pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (P.L. 96-510; 94 Stat. 2797; 26 U.S.C. 4611-4682) (CERCLA), as amended by the Superfund Amendment and Reauthorization Act of 1986 (P.L. 99-499; 42 U.S.C. 9601 *et seq.*). The entire Berry's Creek watershed (including wetlands and open waters to be crossed by the rail line) is known to suffer impairments from a variety of contaminants, and is under study by the U.S. Environmental Protection Agency's (USEPA) Superfund Program pursuant to these statutes.

SERVICE INVOLVEMENT TO DATE

- By letter dated December 28, 2004 (our log # PL-NJ-04/468), the Service provided comments to the New Jersey Department of Environmental Protection (NJDEP) Land Use Regulation Program (LURP) regarding an application to conduct geotechnical borings as part of planning for the subject rail project (File #0212-04-0004.1).

- Project proponents participated in a pre-application meeting with federal and State agencies during the March 16, 2005 meeting of the Meadowlands Interagency Mitigation Advisory Committee (MIMAC), of which the Service is a member.

- By letter dated May 5, 2005 (our log # SP-05/10), the Service provided comments to the NJDEP on a Scoping Document prepared by the NJSEA pursuant to New Jersey Executive Order 215.

- By letter dated June 22, 2005 (our log # EC-05/48), the Service provided comments to the USEPA pursuant to the Service's participation on the Biological Technical Assistance Group (BTAG) regarding the June 10, 2005 *Meadowlands Railroad and Roadway Improvement Project Final Sediment Sampling Plan* for the Universal Oil Products and Renapar Realty sites (sampling plan).

- By letter dated July 15, 2005 (our log # PL-NJ-05/194), the Service provided comments to the NJDEP on the Preliminary Environmental Impact Statement (PEIS) prepared by the NJSEA pursuant to New Jersey Executive Order 215.

Each of the Service's July 15, 2005 comments on the PEIS is provided below in Italics, followed first by the response contained in the FEIS, [1] and then by any additional Service comments.

SECTION 2 – PURPOSE AND NEED

Service Comment on PEIS: *Page 2-2: The PEIS includes a quote from the 2003 Hearing Officers Report for the Xanadu redevelopment project that references "the proposed NJ Transit Phase 1 and 2 heavy rail lines." The Final Environmental Impact Statement (FEIS) should clarify if the subject project constitutes Phase 1, and include a description of Phase 2.*

FEIS Response:[1] "In order to provide an attractive level of service to and from the Meadowlands Site, it is advantageous to connect the new rail spur into NJ TRANSIT's existing Pascack Valley line. This allows existing commuter rail equipment the opportunity to shuttle passengers from NJ TRANSIT's Secaucus Station and maximize access to the new service for most rail patrons in New Jersey and New York City. The long-range plan is to connect the new spur directly with the Bergen County Line just west of the NJ Turnpike. Phase 1, which is the subject of this FEIS, is aligned to accommodate this Phase 2 connection at a later date. When completed, the "full build out" will allow through service from the Bergen County Line to the

[1] The responses (in quotes) are taken verbatim from the FEIS Appendix C, "Response to Comments Received During PEIS."

Pascack Valley Line and make the new Meadowlands Station a regular stop on the "new" Pascack Valley Line. The Phase 1 alignment takes advantage of the existing commuter rail infrastructure and minimizes the need to acquire additional property. The new service allows the opportunity to provide direct commuter rail service from both Hoboken and the Pascack Valley Line. The use of ten car commuter trains during high volume events allows for enough capacity to handle the projected 10,000 to 12,000 patrons that will utilize the station immediately after a major event concludes. The new Meadowlands Rail spur and station is designed to be able to remove these patrons within one hour of the end of the event."

Additional Service Comments: The Service notes that the text of the FEIS was revised to clarify Phases 1 and 2, per Service recommendation. An eventual connection to the Bergen County Line is clearly proposed as a future project. Therefore, the Service reiterates its recommendation to address cumulative impacts from Phase 2; see additional comments below regarding the cumulative effects analysis that will be required by NEPA upon review for federal authorizations (DA and USCG permits).

SECTION 3 - ALTERNATIVES

Service Comment on PEIS: *Page 3-1: The PEIS indicates that project sponsors selected commuter rail equipment (i.e., diesel locomotives hauling commuter coaches) over other available technologies such as diesel multiple unit vehicles, light rail transit, monorail/automated guideway transit, and busway. The Service recommends that the FEIS include: (1) an explanation of each of these technologies; (2) a side-by-side comparison of costs, engineering and operational considerations, and environmental impacts associated with each technology; and (3) the criteria used in selecting commuter rail equipment.*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: The Service will reiterate its request for the above information during the federal permitting process.

Service Comment on PEIS: *Page 3.3: According the PEIS, potential future extension of the proposed alignment to the NJT's Bergen County Line was a constraint in selecting possible station locations (such a connection would be addressed as a separate project in the future). The Service suggests revising the FEIS to address the following planning issues related to the future extension:*

- *clarify if project sponsors would seek a future connection to the Pascack Valley Line if one of the other six alternatives (all connecting to the Bergen County Line) were selected over the currently preferred alternative for the current proposal;*

- *state the purpose and need for a future connection to the Bergen County Line;*

- *address the disadvantages of alternatives 1 through 6 (including additional wetland impacts up to 3.95 acres) that are given in the PEIS as reasons for rejecting a Bergen County Line connection for the current proposal; and*

- *identify other station locations, if any, that would be feasible without the constraint of a future Bergen County Line connection, and determine if any of these station locations would allow an alternative alignment that reduces impacts to wetlands and contaminated sites relative to the currently preferred alternative.*

FEIS Response: These Service comments were partially addressed by the revision of the FEIS to explain Phases 1 and 2, as discussed above under Purpose and Need.

Additional Service Comments: The Service notes that the text of the FEIS was revised to clarify Phases 1 and 2, per Service recommendation. However, the specific planning issues identified in Service comments were not addressed in the FEIS. An eventual connection to the Bergen County Line is clearly proposed as a future project. Therefore, the Service reiterates its recommendation to address cumulative impacts from Phase 2; see additional comments below regarding the cumulative effects analysis that will be required by NEPA for federal authorization.

Service Comment on PEIS: *Section 3.1.3 – Description of Alternatives: The Service recommends revising this section to replace the lists of advantages and disadvantages for each alternative with an explicit set of screening criteria against which each alternative should be compared consistently.*

The alternative station location (which would be employed for all six rejected alternatives) is described as not providing adequate access to existing and proposed Sports Complex venues. The Service recommends that, in the FEIS, project sponsors explain: (1) why the alternative station location (approximately 500 feet from the preferred location) fails to provide adequate access; (2) if any of the six rejected alternative alignments could be connected to the preferred station location (this would appear feasible, based on the discussion of a future connection to the Bergen County Line); and (3) if such a connection (e.g., alternative alignment 1, 2, or 3 connected to the preferred station location) could reduce impacts to wetlands and contaminated sites relative to the currently preferred alternative.

The Service concurs with the project proponents' rejection of alternatives 4 through 6, based on greater wetland impacts.

The Service also recommends that project sponsors consider another alternative route, slightly modified from the preferred alternative, that would extend from the Pascack Valley Line parallel to Route 120 across Murray Hill and Berry's Creek. This modification may reduce impacts to aquatic resources, and should be evaluated as an alternative in the FEIS.

FEIS Response: These Service comments were not addressed in the FEIS.

Additional Service Comments: The Service will reiterate its request for the above information during the federal permitting process.

Service Comment on PEIS: *Page 3-5: The Service recommends revising Table 3-1 to include the following information for each alternative: (1) acreage of permanent wetland impacts split out by shading versus fill; (2) acreage of temporary wetland impacts; (3) estimated cost; (4) a summary of each alternative's ability to meet explicit screening criteria, as recommended above.*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: The Service will reiterate its request for the above information during the federal permitting process.

Service Comment on PEIS: *Page 3-8: The PEIS contains a reference to a proposed EnCap Station. The Service recommends that the FEIS include a description of this facility, an explanation of how it affected the alternatives analysis, and its location on a map.*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: The Service will reiterate its request for the above information during the federal permitting process.

Service Comment on PEIS: *Section 3.2 – Meadowlands Rail Project Value Engineering: In the PEIS, project proponents indicate that the NJDOT proposed an alternative alignment that would cross Sports Complex parking lots, and an alternative station location parallel to and just north of Giants Stadium, in order to decrease impacts to wetlands. Project sponsors rejected these recommendations for reasons briefly summarized in the PEIS. The Service recommends that the FEIS: (1) include a map of the NJDOT-recommended alignment and station location, (2) indicate the acreage of wetlands impacts that would be avoided, and (3) provide a more detailed rationale describing why this alternative was rejected.*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: The Service will reiterate its request for the above information during the federal permitting process.

SECTION 4.2 - WETLANDS

Service Comment on PEIS: *Permit Issues: From information obtained at the March 16, 2005 MIMAC meeting, the Service understands that a previous federal permit(s) for the Sports Complex may contain conditions restricting construction in Walden Marsh. The Service recommends that project sponsors investigate and clarify this issue before proceeding with FEIS development or application to the Corps for DA permits. Copies of all correspondence between the Corps and project sponsors, and any other documentation regarding this issue should be provided to all MIMAC members for review. The Service will support continued adherence to any conditions of the original federal and/or State permits for construction of the Sports Complex that were intended to protect the surrounding wetlands from further encroachment or fragmentation.*

FEIS Response: "The NJSEA understands the conditions and restrictions which were placed on construction activities within Walden Marsh and will provide a detailed explanation and analysis of the mitigation of any environmental impacts to the Marsh in the ACOE [Army Corps of Engineers] DA permit application associated with the Project."

Additional Service Comments: The Service will review the explanation and analysis during the federal permitting process. Discussion of mitigation in the forms of minimizing, then compensating, adverse impacts to Walden Marsh is not germane to the issue of whether previous permit conditions prohibit any further impacts. The Service reiterates its request for any relevant documents or correspondence, and its support for continued adherence to any previous permit conditions to protect Walden Marsh.

Service Comment on PEIS: *Section 4.2.3.1 - Permanent Impacts: The Service supports the proposed elevated design of the rail line to minimize placement of fill material and associated hydrologic impacts to wetlands. The Service recommends designing the elevated portions of the rail line to minimize shading impacts (i.e., maximum possible height above the marsh surface; a grid or plank design rather than a solid support structure), and describing such measures in the FEIS.*

FEIS Response: "The proposed alignment was designed to accommodate the vertical rail design requirements for the connection between the NJ TRANSIT Pascack Valley Railroad Line and the proposed station. Consultation has taken place with United States Coast Guard to determine the best vertical clearance above the navigation channel for the proposed bridge to be at twenty three (23) feet above the Mean High Water Line (MHWL). Therefore, the rail alignment has been designed to the maximum height possible above the marsh and wetland surface. The Service has suggested a grid or plank design to minimize the amount of shading above the marsh and wetland areas, however, NJ TRANSIT design criteria requires a closed deck (solid) viaduct that is ballasted to support the concrete ties and rail. This requires a box type structure that will allow for maintenance of the track alignment. Ballasted track is most desirable for durability of the track and comfort of ride. Open deck structures would require what is called direct fixation of track, a method that is much more costly to construct and much more difficult to maintain. In areas where special trackwork is needed (turnouts and crossovers),

additional apparatus is necessary (switch machines and track signal components). The construction to support these is very difficult to provide in an open deck type structure. Utilizing a box type viaduct eliminates these difficulties."

Additional Service Comments: The Service supports the proposed design at the maximum height possible above the marsh surface, and acknowledges the above-mentioned constraints that prevent construction of a grid or plank design.

Service Comment on PEIS: *Section 4.2.3.2 - Temporary Impacts: According to the PEIS, use of temporary timber matting is proposed as a means of vehicle and worker access through wetland muck soils. Project sponsors anticipate that federal and State wetland permits may require restoration of wetland vegetation in the area of the temporary access roadway.*

The Service recommends that project sponsors be required to restore the 1.11 acres of wetlands temporarily impacted during construction to at least pre-construction condition. In coordination with permitting agencies, project sponsors should pursue any opportunities to enhance temporarily impacted areas during post-construction restoration (i.e., replacement of invasive vegetation with native species, hydrologic improvements). The Service recommends monitoring the hydrology and vegetation of the restored areas for at least 3 to 5 years, depending on the nature of the existing wetland vegetation and the proposed restoration plan. The restoration plan for temporary impacts should be approved by the MIMAC prior to issuance of a DA permit.

FEIS Response: "The NJSEA will provide a restoration plan to the ACOE for all areas temporarily disturbed during the course of construction activities to ensure that all restoration activities are acceptable and effective in order to return disturbed areas to the pre-existing condition. Monitoring of the restoration will be discussed with the NJSEA and NJ TRANSIT to determine the available resources and personnel to conduct the monitoring activities for the proposed three (3) to five (5) year period."

Additional Service Comments: The Service will review the restoration plan during the federal permitting process. The Service reiterates its previous recommendations for the content of the plan.

Service Comment on PEIS: *Section 4.2.4 - Compensatory Mitigation: . . . The Service opposes the proposed preservation of acreage at the Empire Tract as compensatory mitigation . . . the Service supports other compensatory mitigation options as discussed at the March 16, 2005 MIMAC meeting. Project sponsors discussed purchase of credits from the Marsh Resources, Inc. mitigation bank at a ratio of 3:1. Sponsors also discussed potential preservation of an approximately 10-acre parcel immediately adjacent to the Anderson Creek site . . .* [1]

[1] Excerpted comment. For the Service's full comment and recommendations, see our July 15, 2005 letter.

FEIS Response: "The NJSEA plans to propose a wetland mitigation plan as part of the DA permit application to the ACOE. The application will contain the facts which will be reviewed by the ACOE in accordance with applicable regulations and guidelines. The [New Jersey Sports and Exposition] Authority expects the ACOE will consult with the MIMAC and will consider its recommendations. As a member of the MIMAC, the Service will be able to join with other members in developing its recommendations to the ACOE. The Authority is aware of several regulations and guidelines outlined in your letter, as well as other and further applicable regulations and guidelines."

Additional Service Comments: The Service will review the compensatory mitigation plan during the federal permitting process. The Service reiterates its previous recommendations for the content of the plan.

SECTION 4.3 – WATER RESOURCES

Service Comment on PEIS: *The Service recommends that project proponents:*

(1) design a stormwater collection system for the 4 acres of impervious surface to be created over wetlands and open waters, with collected waters directed to an upland site for treatment prior to discharge;

(2) design a stormwater collection and treatment system for roadways and ramps in the vicinity of the project that drain to the Cedar Creek peripheral ditch;

(3) make available for public review the proposed stormwater management plan, including results of hydrologic modeling showing that the 3 acres of new impervious surface to be directed to the Sports Complex lagoons will not impair the function of that system; and

(4) include in the FEIS any comments or recommendations of the NJDEP regarding the stormwater management plan, including a determination if the plan complies with State regulations.

FEIS Response: "A multi-permit application consisting of a Waterfront Development Permit and a Stream Encroachment was submitted to the New Jersey Department of Environmental Protection (NJDEP) on August 1, 2005. The stream encroachment application portion of this multipermit application contains a hydrologic and hydraulic analysis and stormwater management plan for the Project. The application is currently under review by the NJDEP and the Project will adhere to any forthcoming permit conditions."

Additional Service Comments: The Service will reiterate its request for the above information during the federal permitting process.

Service Comment on PEIS: *Page 4-26: According to the PEIS, "Shallow groundwater in and around the Project Area is not used for potable water and is most likely saline due to the close proximity of the tidally influenced Berry's Creek and the Hackensack River. It has also been verified that the Project is not located above any New Jersey Sole Source Aquifers." However, the EPA's Fact Sheet for the Universal Oil Superfund Site (U.S. Environmental Protection Agency, 2004) states, "Approximately 36,500 people within 3 miles of the site depend on groundwater for their source of drinking water. Groundwater also provides process cooling water to local industries." The FEIS should explain this discrepancy.*

FEIS Response: "The NJSEA maintains that the groundwater in and around the Project Area, and more specifically in the area of the UOP Superfund Site, is not potable water source currently serving the local population. The discrepancy is related to the EPA Fact Sheet for the Universal Oil Superfund Site (USEPA, 2004), which states that the groundwater in area serves the local population. This contradiction will be further examined in the ACOE DA permit application being prepared for the Project."

Additional Service Comments: The Service will review the project sponsors' explanation of the discrepancy during the federal permitting process.

SECTION 4.8 – FISH AND WILDLIFE HABITAT

Service Comment on PEIS: *Page 4-46: The Service supports the proposed seasonal restriction to protect anadromous fish.*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: None.

SECTION 4.10 - LISTED SPECIES

Service Comment on PEIS: *Federally Listed Species: In our May 5, 2005 letter, the Service stated that only occasional transient individuals of the federally listed (threatened) bald eagle (*Haliaeetus leucocephalus*) are known to occur in the vicinity of the project site. However, new eagle sightings in the Hackensack Meadowlands District (HMD) continue to be reported, particularly of wintering birds. Based on this new information, the Service recommends that the FEIS include a summary of available information regarding bald eagle use of habitats within the HMD, including the season and location of reported sightings. The FEIS should also include an assessment of the potential for the proposed project to impact eagles through increased exposure to environmental contaminants. Once project sponsors submit an application to the Corps for a DA permit, the Service will determine if consultation is required between the Corps and the Service pursuant to Section 7 of the ESA, based on all available information regarding eagles in the HMD.*

*Except for the above-mentioned species and an occasional transient 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 proposed project site. If additional information on federally listed species becomes available, or if project plans change, this determination may be reconsidered.*

FEIS Response: "The NJSEA will provide the necessary information in the Project's ACOE DA permit application concerning the minimization of exposure to contaminants to wildlife during the course of construction activities. The NJSEA will consider the May 5, 2005 letter from the Service in determining the potential impact to Federally Listed Species in the Project area. As offered by the Service, if consultation between the ACOE and the Service is required pursuant to Section 7 of Endangered Species Act (ESA), the NJSEA will address any requirements at that time."

Additional Service Comments: The Service notes that the text of the FEIS was not revised to include possible adverse effects to bald eagles. Pursuant to Section 7 of the ESA, the Service will work with the lead federal action agency (to be determined between the Corps and the USCG) during the review of federal permit applications to determine if the project is likely to adversely affect bald eagles. The previously requested information and assessment should be provided to the Corps, the USCG, and the Service as soon as possible to facilitate consultation, and to avoid delays in the federal permitting process.

Service Comment on PEIS: *Page 4-52: The second paragraph should be revised to clarify that the NJDEP lists plants as endangered under a separate State law, the New Jersey Endangered Plant Species List Act (N.J.S.A. 13:1B et seq.).*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: None.

Service Comment on PEIS: *Page 4-53: Updated information regarding State-listed species documented in the Hackensack Meadowlands District is enclosed.*

FEIS Response: The FEIS was revised to reflect the updated information provided by the Service.

Additional Service Comments: None.

Service Comment on PEIS: *Page 4-55: The PEIS includes a statement that: "Threatened or endangered species often have very specific niches and usually inhabit less developed areas with minimal human disturbance, unlike that of the Meadowlands Sports Complex." The Service recommends revising the FEIS to reflect that the Sports Complex includes Walden Marsh, which may provide foraging habitat to resident and/or migrating State-listed birds (despite the lack of documented occurrences to date).*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: Migratory birds are a federal trust resource. The Service will review and comment on any potential impacts to State-listed or other migratory birds during the federal permitting process.

SECTION 4.11 – HAZARDOUS WASTE

Service Comment on PEIS: *The Service requests that the project proponent provide to all BTAG and MIMAC members copies of the 2005 document entitled Site Investigation Report and Appendices for the Meadowlands Railroad and Railway Improvement Project (as referenced in the PEIS); distribution of electronic files may be appropriate if the document is lengthy.*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: The Service reiterates its request for the document.

Service Comment on PEIS: *The Service recommends that project proponents: (1) revise the sediment sampling plan as recommended in our . . . June 22, 2005 letter; (2) carry out any additional sediment, soil, or water sampling recommended by the EPA and/or the BTAG; (3) provide all sampling results to the BTAG; and (4) make a summary report of the sampling effort available for MIMAC and public review. In particular, testing is needed in the vicinity of each proposed pile location, including characterization of any contaminants of concern identified by EPA/BTAG at all depths potentially disturbed during (pile driving) or following (scouring) construction.*

FEIS Response: "The NJSEA is working closely with the USEPA and the NJDEP Site Remediation Program to produce a soil sampling plan which will indicate the type and level of contamination with the railroad alignment right of way to ensure that all areas will be accessible for future remedial efforts."

Additional Service Comments: The Service will request an opportunity to review the sampling plan during the federal permitting process. The Service reiterates its previous recommendations for the content of the plan.

Service Comment on PEIS: *According to the PEIS (page 4-58), sediment contaminant residue data were compared to the NJDEP Soil Cleanup Criteria (SSC). This is an inappropriate use of the SSC; the residue data should be compared to the NJDEP Guidance for Sediment Quality Evaluations in accordance with State regulations (N.J.A.C. 7-26E). Note that the criteria contained within the NJDEP Guidance were established for the protection of benthic organisms, and have no direct relevance to the health of fish, wildlife, or humans.*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: The Service reiterates its recommendation to use sediment rather than soil guidelines in aquatic settings.

Service Comment on PEIS: *The Service recommends that the FEIS include analysis of the extent to which the proposed rail facilities may interfere with or preclude remediation of environmental contaminants in the project area to levels that are protective of fish and wildlife, including a determination from the EPA Superfund Program regarding this issue. The Service recommends that project sponsors work with EPA's Superfund Program to locate, design, construct, and operate the project in ways that will not preclude future remedial options.*

FEIS Response: "The NJSEA is working closely with the USEPA and the NJDEP Site remediation Program to produce a soil sampling plan which will indicate the type and level of contamination with the railroad alignment right of way to ensure that all areas will be accessible for future remedial efforts."

Additional Service Comments: The Service will request an opportunity to review the input of EPA's Superfund Program during the federal permitting process.

Service Comment on PEIS: *As stated in our . . . June 22, 2005 letter, any selected Interim Remedial Measure must constitute the final remedy, with approval of EPA,[1] as removal of additional sediment following rail line construction will not be practical.*

FEIS Response: This Service comment was not addressed in the FEIS.

Additional Service Comments: The Service reiterates its comment.

Service Comment on PEIS: *Following construction, piles supporting the proposed rail line may induce scouring and erosion, potentially increasing exposure of fish and wildlife to contaminated sediments. The FEIS should include an evaluation of anticipated rates of erosion around the piles, and associated impacts to fish and wildlife from contaminant exposure. The*

[1] Section 122(e)(6) of the CERLA requires EPA authorization for any remedial action proposed for designated Superfund sites for which a remedial investigation and feasibility study have been initiated.

Service recommends periodic monitoring of erosion rates around the piles and associated redistribution of contaminated sediments for at least 3 to 5 years following construction, and possibly as long as 10 years to coincide with the timeframe of EPA's Superfund Program study of the Berry's Creek watershed. Contaminants testing would not necessarily need to occur every year over the monitoring period, but should span enough years to detect any potential long-term adverse impacts.

FEIS Response: "The NJSEA is currently producing a scour analysis for the specific pier locations proposed in the Berry's Creek. The design of these pier locations will ensure that there will be no increase in the suspension of contaminated sediments within Berry's Creek. The scour analysis will be forwarded to appropriate regulatory agencies for review and comment."

Additional Service Comments: The Service will review the scour analysis during the federal permitting process.

Service Comment on PEIS: *Pile driving and other work in open waters may resuspend contaminated sediments. The Service recommends that the PEIS include analysis of the duration and extent to which the proposed pile driving and other activities in wetlands and open waters will resuspend contaminated sediments, as well as the effects to fish and wildlife that would result from these activities. The Service recommends that the design and construction of the project include all available mitigative measures and best management practices (BMPs) to minimize resuspension of sediments, and that these measures and BMPs are identified and explained in the FEIS.*

FEIS Response: "The NJSEA will apply to the Bergen County Soil Conservation District (BCSCD) for a Soil Erosion and Sediment Control Certification for the entire alignment."

Additional Service Comments: The Service may request an opportunity to review the proposed BMPs and the Soil Erosion and Sediment Control Certification during the federal permitting process.

Service Comment on PEIS: *Work in wetlands including vegetation removal and placement of timber mats would disturb sediments, potentially increasing bioavailability of contaminants at and near the marsh surface. Therefore, the Service recommends an interim remedial measure for the 1.11-acre construction footprint. The interim remedial plan should include returning the entire area of disturbance to its original elevation, removing surface material as needed to place at least 1 foot of clean fill material on top. Removal of a full foot of native sediment may not be necessary due to subsidence and compaction from construction equipment. Proper disposal of the removed material should be assured. The Service recommends monitoring contaminant levels in the vicinity of the temporary impacts for at least 3 to 5 years following construction, and possibly as long as 10 years to coincide with the timeframe of EPA's Superfund Program study of the Berry's Creek watershed. Contaminants testing would not necessarily need to occur*

every year over the monitoring period, but should span a sufficient time frame to detect any potential long-term impacts. This interim remedial and monitoring effort, as well as any measures to minimize the release of contaminants during construction in wetlands, should be documented in the FEIS.

FEIS Response: "The NJSEA will work with the regulatory agencies having jurisdiction to ensure that all restoration activities are acceptable and effective in order to return disturbed areas to the pre-existing condition. Monitoring of the restoration will be reviewed with NJSEA and NJ TRANSIT to determine the available resources and personnel to conduct the monitoring activities for the proposed three (3) to five (5) year period. Specifics of the restoration to all disturbed areas will be discussed in detail in the ACOE DA Permit Application."

Additional Service Comments: The Service will review the restoration plan during the federal permitting process. The Service reiterates its previous recommendations for the content of the plan regarding environmental contaminants.

SECTION 4.18 – LAND USE, ZONING AND CONSISTENCY WITH LOCAL PLANS

Service Comment on PEIS: *The Service recommends adding a discussion of the proposed project's consistency with the Corps' Hackensack Meadowlands Environmental Restoration Study.*

FEIS Response: An assessment of the Project's consistency with the ACOE's Hackensack Meadowlands Environmental Restoration Study will be included in the ACOE DA Permit Application.

Additional Service Comments: The Service will review the consistency assessment during the federal permitting process.

SECTION 4.25 – INDIRECT AND CUMULATIVE IMPACTS

Service Comment on PEIS: *The Service recommends adding a discussion of the nature and extent of past cumulative impacts to Walden Marsh (e.g., filling, contamination, fragmentation,* Phragmites *invasion).*

The Service recommends adding a discussion of the proposed future connection of the subject rail facility to the NJT's Bergen County Line.

FEIS Response: "The EIS is being prepared in compliance with Executive Order No. 215 (EO 215) of the Governor of the State of New Jersey. It is not subject to the requirements of the National Environmental Policy Act (NEPA) or the regulations of the U.S. Army Corps of Engineers (ACOE) and the United States Environmental Protection Agency (EPA) thereunder. However, the NJSEA has voluntarily included extensive information beyond the scope of EO 215. A Department of the Army (DA) application will be made to the ACOE which will

consider the extent to which proceedings under NEPA should be required. . . . Subject to necessary funding, the second phase of the Project, which would entail a connection to the Bergen Line from the Sports Complex, will be considered in a manner comparable to this Project, including consultation with the New Jersey Meadowlands Commission and New Jersey Department of Environmental Protection, permitting with appropriate state and federal agencies, and presentation of an Environmental Impact Statement for consideration and comment by NJDEP and the public."

Additional Service Comments: The Service recognizes that the subject State-level FEIS was prepared pursuant to State regulations, and not pursuant to the federal NEPA. However, the proposed project requires federal authorization from the Corps and the USCG. Therefore, NEPA will apply.

The Council on Environmental Quality's regulations (40 CFR Parts 1500-1508) govern implementation of the procedural provisions of NEPA. Part 1508.7 defines "cumulative impact" as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time." Part 1508.8 states that the synonymous terms "effects" and "impacts" include "ecological . . . , aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative."

The Corps and the USCG must determine the lead federal action agency for satisfaction of NEPA requirements. Once designated, the lead federal agency will determine the required level of NEPA documentation for the proposed rail project. Whether the lead federal agency requires an Environmental Assessment or an Environmental Impact Statement, the NEPA document must address the environmental impacts of the proposed action and alternatives (40 CFR Parts 1508.9 and 1502.16, respectively), which are defined as direct, indirect, and cumulative (40 CFR 1508.25).

The Service will request an opportunity to review the NEPA document during the federal permitting process. The Service reiterates its previous recommendations for the content of the document, specifically an analysis of past and reasonably foreseeable future impacts to area wetlands, including the future Phase 2 rail connection.

CONCLUSION

Key Service concerns for the proposed project include: (1) consideration of additional alternatives to reduce environmental impacts; (2) impacts to Walden Marsh that may be prohibited by conditions included in a previous federal permit(s); (3) inappropriate compensatory mitigation; (4) impacts to contaminated sites in need of remediation; and (5) consideration of cumulative impacts, especially from the future Phase 2 connection to the Bergen County Line.

The Service appreciates the opportunity to provide comments early in project planning. We look forward to working cooperatively with the project sponsors and regulatory agencies to resolve the outstanding concerns discussed above during the review of the federal (DA and USCG) permit applications. Please contact John Staples or Wendy Walsh of my staff at (609) 646-9310, extensions 12 or 48, respectively, if you have any questions regarding the above Service comments.

Sincerely,

Clifford G. Day
Supervisor

REFERENCE

U.S. Environmental Protection Agency. 2004. Universal Oil Products, New Jersey, EPA ID# NJD002005106. NPL Site Fact Sheet. 2 pages. http://www.epa.gov/region02/superfund/npl/0200101c.pdf. Accessed July 14, 2005.

The 25 bird species most frequently killed by communication towers (from Shire *et al.*, 2000)[1]

	Common Name	Scientific Name	Meadowlands Abundance	Status
1.	Ovenbird	*Seiurus aurocapillus*	Common	+*
2.	Red-eyed vireo	*Vireo olivaceus*	Common	+*
3.	Tennessee warbler	*Vermivora peregrine*	Uncommon	-
4.	Common yellowthroat	*Geothlypis trichas*	Common	-*
5.	Bay-breasted warbler	*Dendroica castanea*	Uncommon	0
6.	American redstart	*Setophaga ruticilla*	Common	-
7.	Blackpoll warbler	*Dendroica striata*	Common	-*
8.	Black-and-white warbler	*Mniotilta varia*	Common	-
9.	Philadelphia vireo	*Vireo philadelphicus*	Does not occur	
10.	Swainson's thrush	*Catharus ustulatus*	Uncommon	0
11.	Palm warbler	*Dendroica palmarum*	Uncommon	0*
12.	Gray catbird	*Dumetella carolinensis*	Uncommon	-*
13.	Northern waterthrush	*Seiurus noveboracensis*	Uncommon	-
14.	Northern parula	*Parula americana*	Uncommon	+
15.	Magnolia warbler	*Dendroica magnolia*	Uncommon	+
16.	Connecticut warbler	*Oporornis agilis*	Rare	-*
17.	Blackburnian warbler	*Dendroica fusca*	Uncommon	0
18.	Ruby-crowned kinglet	*Regulus calendula*	Common	-
19.	Yellow-rumped warbler	*Dendroica coronata*	Common	+*
20.	White-eyed vireo	*Vireo griseus*	Uncommon	0
21.	Cape May warbler	*Dendroica tigrina*	Uncommon	0*
22.	Black-throated blue warbler	*Dendroica caerulescens*	Uncommon	0
23.	Indigo bunting	*Passerina cyanea*	Uncommon	-*
24.	Gray-cheeked thrush	*Catharus minimus*	Rare	No data
25.	Rose-breasted grosbeak	*Pheucticus ludovicianus*	Uncommon	-*

[1] This list was generated from a review of 47 studies identifying species and numbers of carcasses recovered at communication towers across the United States. Abundance of those birds in the Meadowlands is based on Kane *et al.* (1991), who reported birds as Common (usually seen), Uncommon (might be seen), or Rare (seldom seen). Status determinations of increasing (+), stable (0), or declining (-) populations are based on Sauer *et al.* (2004). Status is given for the northeastern U.S. (FWS Region 5) usually; however, status may be given for the eastern U.S. (indicated by *) when data and analyses for the northeastern U.S. are limited and unreliable.

United States Department of the Interior

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In Reply Refer to:
SP-06/38

OCT 27 2006

Colonel Aniello L. Tortora, District Commander
New York District
U.S. Army Corps of Engineers
26 Federal Plaza
New York, New York 10278-0090
(Attn: Mr. Richard Tomer)

Re: Department of the Army Permit No. 72-009 (the Meadowlands Sports Complex, including the original Giants Stadium) and the proposed Meadowlands Stadium Project, East Rutherford, Bergen County, New Jersey

Dear Colonel Tortora:

The U.S. Fish and Wildlife Service (Service) requested, by copy of the enclosed August 11, 2006 letter to the New Jersey Meadowlands Commission and the New Jersey Department of Environmental Protection, that the U.S. Army Corps of Engineers, New York District (Corps) review the consistency of the original Meadowlands Sports Complex (MSC) project with the conditions of Department of the Army Permit No. 72-009 and the 1972 State Hearing Officers' Report and Recommendations regarding the MSC. The Service has not yet received a response from the Corps regarding our request for review of the above-mentioned authorizations.

The Service remains concerned about the consistency of the original MSC project with conditions of the subject federal and State authorizations. The permit conditions of the original MSC project may apply to, and thus affect, the recently proposed Meadowlands Stadium project as well as other currently proposed projects (*e.g.*, the Meadowlands Roadway and Railroad Improvement project). Moreover, inconsistency with, and any modifications to, the permit conditions for the original MSC project may also affect the ongoing commitments of our respective agencies to restore the Hackensack Meadowlands ecosystem. Additional Service concerns are identified in the enclosed letter.

The above concerns are pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401; 16 U.S.C. 661 *et seq.*) and the Congressional directive both to the Corps and the Service (H.R. 109-80) to collaborate on the restoration and protection of the Hackensack Meadowlands ecosystem. The Service reiterates its request for: (1) a review of the consistency of the existing MSC project with existing permit conditions, and (2) identification of any previous modifications to the

original federal or State authorizations for the MSC. The Service also requests that review of the authorizations be included on the agenda of the next meeting of the Meadowlands Interagency Mitigation Advisory Committee.

We are available to meet with you at your convenience for further discussion regarding this matter. Thank you for your timely attention to this matter.

Sincerely,

Clifford G. Day
Supervisor

Enclosure: August 11, 2006 letter to the New Jersey Meadowlands Commission and the New Jersey Department of Environmental Protection

ROBERT CEBERIO
EXECUTIVE DIRECTOR
N.J. MEADOWLANDS COMMISSION

Re: Meadowlands Stadium Project

I am voicing my concerns in response to your request for comments by the public. As a concerned citizen, I am looking forward to your responses to everyone who helps in this process, before the final EIS is completed by February 2007.

My concerns are several. First, is the extra traffic. What new roadways? Where will they be? Also, what regional system are you talking about?

The major highways are well known to everyone, We all know that Giant's Stadium or anything around it anywhere in the South Bergen area already is terrible at best under the best circumstances. To add any more traffic on existing local highways is not welcomed by anyone! owners

Fans Community

|||

also in addition There are track goers, flea market people, and those headed to NYC, and the outlets for example in Secaucus. There are environmental issues including so called smells from the meadowlands swamp area that need to be addressed, who's looking into this? Who will be monitoring this problem?

(over)

RE. TRAFFIC

One suggestion during the week might be to have businesses with a substantial number of employees stagger their starting & leaving times to reduce traffic in their regional area. How many regional areas & how far would need to be determined.

Please respond with more than vague guesses and some solid guidelines that are truely realistic not just futuristic theories.

I await your response preferably first in writing.

I took that time to respond to your request for comments in The LEADER dated Thursday Dec. 28, 2006, at P6

Sincerely
Tom Schak
TOM SCHAK
158 WOODRIDGE STREET
WOOD-RIDGE N.J. 07075