



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
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DEC 13 2007

Mr. Gary Kassof  
Bridge Program Manager  
First Coast Guard District  
U.S. Department of Homeland Security  
One South Street  
Battery Park Building  
New York, NY 10004-1466

Dear Mr. Kassof:

The Environmental Protection Agency (EPA) has reviewed the U.S. Coast Guard's Draft Environmental Assessment (DEA) to permit the construction of a new county-owned and maintained four-lane, predominantly pile-supported, approximately 1.1 mile long roadway/bridge called the Tremley Point Connector Road (TPCR). The proposed TPCR will intersect with Industrial Highway in Carteret, Middlesex County, traverse the Rahway River and connect at Tremley Point Road in the City of Linden, Union County, New Jersey. The purpose of the TPCR is to provide a better alternative than the existing local roads for vehicle traffic to access a proposed large scale development called the Tremley Point Redevelopment area, which is a 400 acre brownfield parcel.

EPA is concerned that the document has not accounted for the impacts that will result from the Tremley Point Redevelopment. The project summary states that the TPCR would provide an alternative route (as compared to residential roadways) for traffic generated by the Tremley Point Redevelopment. Section 2.2 states that the purpose of the project is to "facilitate and enable the rehabilitation and redevelopment of approximately 400 acres of brownfields at Tremley Point." If the TPCR is necessary to promote brownfield development, or if it is reasonable to say that without the TPCR there will be less or no development, then the development and TPCR are connected actions that should be evaluated in the same National Environmental Policy Act (NEPA) document (given that the redevelopment will require federal permits). The DEA even describes the Port of New York and New Jersey's evaluation criteria for brownfields, citing that "The Tremley Point brownfield areas in Linden meet all these criteria, with the exception of having easy access to a major highway."

Further on, in Section 4.1.6.1, the DEA states, "As the TPCR will not be constructed without improvements to Interchange 12..." This statement begs the question as to whether the TPCR is connected to the Interchange 12 improvements.

Regardless of the specific purpose and need for the TPCR, the DEA must assess the cumulative environmental impacts of the TPCR with the Tremley Point Redevelopment area, the International Trade and Logistics Center Roadway Improvements at Exit 12, and the proposed Exit 12 improvements. While the traffic modeling appears to include the vehicles generated by the Exit 12 improvements and the Tremley Point Redevelopment (but not the International Roadway Improvements), there is no discussion of cumulative impacts to air quality, wetlands, water quality and wildlife from these closely related projects. In fact, the DEA does not assess any other regional projects with regard to cumulative impacts.

Specifically, EPA has the following comments on the DEA:

**Wetlands:**

With respect to Section 404 of the Clean Water Act, a broader analysis is also required. Given the purpose and need for the road is to accommodate warehouse/port expansion facilities on a 400 acre brownfield site in Linden, the EA must characterize the wetlands and other waters currently on the brownfield site; or the potential of the proposed facilities to impact these wetlands. Without this information, we cannot adequately assess the wetland impacts associated with the road project, and EPA would object to the project on that basis.

The DEA indicates that the preferred alternative would impact 4.3 acres of wetlands and other waters, predominantly through shading. The DEA should have addressed the acreage amounts attributed to both shading and fill impacts and the design considerations which necessitate fill impacts. This information is necessary for EPA to assess whether the impacts associated with the road have been minimized to the greatest extent practicable.

The DEA states that the Turnpike Authority is proposing to provide five acres of wetlands mitigation from uplands at the mitigation site located adjacent to Piles Creek and adjacent to an existing wetlands mitigation site constructed by the Turnpike Authority. The mitigation plan should be included in the final EA. Pending review of the mitigation plan, and an assessment of the existing mitigation site at Piles Creek, our preliminary view is that the proposed mitigation site would be adequate to compensate for unavoidable wetland losses associated with the project, providing that sufficient capacity exists at this location. However, we cannot currently address the acreage amount necessary to compensate for the project until additional information regarding wetland impacts within the brownfield site and the degree of shading/fill impacts for the road crossing become available.

The preferred alternative would cause the permanent loss of up to 1.4 acres of aquatic habitat in the Rahway River. A mitigation plan for this loss of habitat should also be included in the final EA.

Locations for stormwater management basins should be identified in the final EA. All environmental impacts from the construction and location of the basin need also be evaluated.

**Air Quality:**

Both Union and Middlesex County are classified as non-attainment for the 8-hour ozone standard and the PM 2.5 standard. As part of its permit process, the U.S. Coast Guard must perform a general conformity applicability analysis (40 CFR Part 51) of air emission estimates from the construction of the TPCR. If the applicability analysis finds that emissions exceed de minimis thresholds established in EPA's General Conformity regulation, it will be necessary for the Coast Guard to make a general conformity determination for the appropriate element or elements of the project. The conformity determination should be included in the final EA.

Section 5.1.6.4 discusses the expected warehousing and forecasted traffic. Did the traffic modeling include the tolls that would be collected by the New Jersey Turnpike Authority at Exit 12, and whether that would influence vehicle routes?

Section 5.1.8 discusses residents' concerns regarding truck traffic and impacts to health. A mobile source air toxics analysis should be completed for the project. The analysis should be done for both Industrial Avenue and South Woods Avenue.

We appreciate the opportunity to comment on the Tremley Point Connector Road Draft EA. If you have any questions on our comments, please call Lingard Knutson of my staff at (212) 637-3747.

Sincerely yours,



Grace Musumeci, Chief  
Environmental Review Section

cc: K. Green, NOAA  
S. Mars, FWS