

Civic Engagement on the Lower Passaic River

**Sarah Lerman-Sinkoff, Ambassador, Lower Passaic
River Urban Waters Federal Partnership**



New York-New Jersey
Harbor Estuary Program

HUDSON RIVER FOUNDATION
for Science & Environmental Research, Inc.



About the Urban Waters Federal Partnership

- Ambassador role: identifying community needs with respect to urban waterways, finding appropriate partners in the interagency partnership
- Working to share some of the best practices developed through the Superfund community engagement process to other government agencies active on the Lower Passaic River.
- One of 19 pilot locations, the Lower Passaic River UWFP is a collaboration of federal and state agencies, municipalities, and community-based organizations advancing **cleanup, restoration, and stewardship** of the Lower Passaic River and **equitable, sustainable development** along its banks.



Agenda for Today

Intro (20 minutes) about the Lower Passaic River: environmental challenges and opportunities

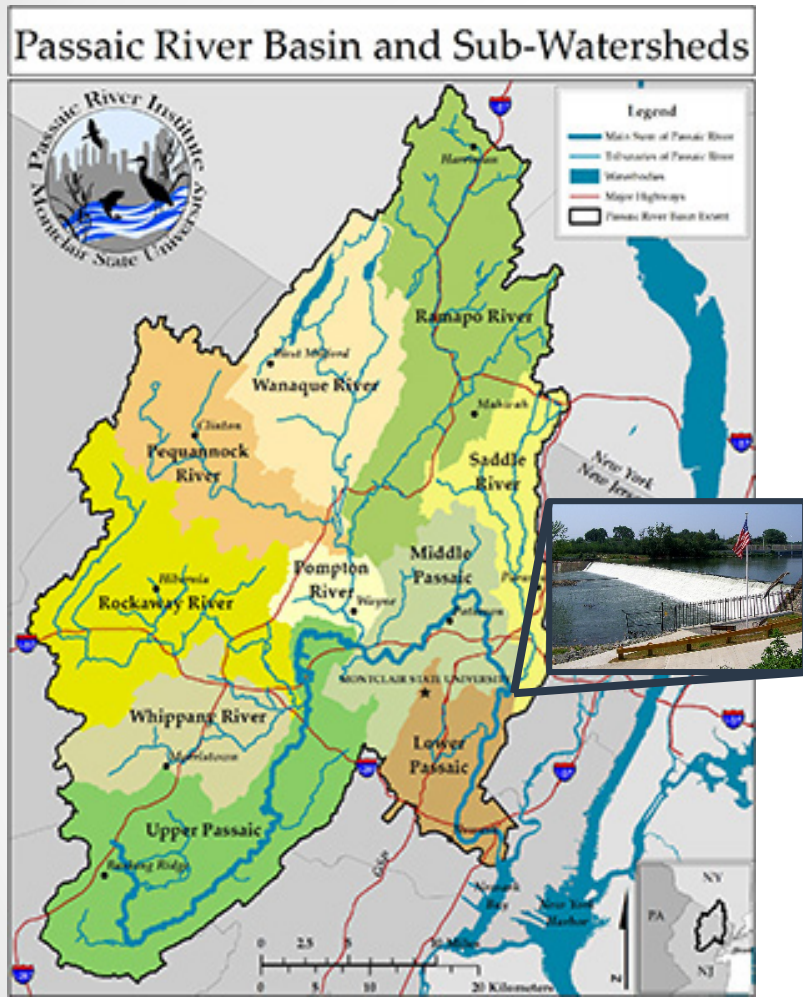
Presentation (15 minutes) about improving public involvement in federal flood risk and ecological restoration projects

Plenary discussion (20 minutes) to gather information about local communication tools and best practices

Wrap-up (5 minutes) with future directions for the Partnership and how to stay involved

About the Lower Passaic River: Environmental Challenges and Opportunities

Geography



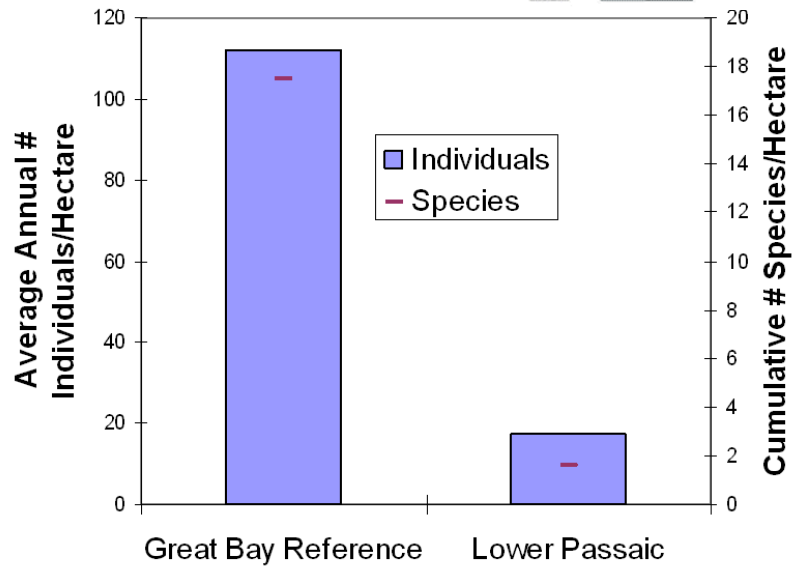
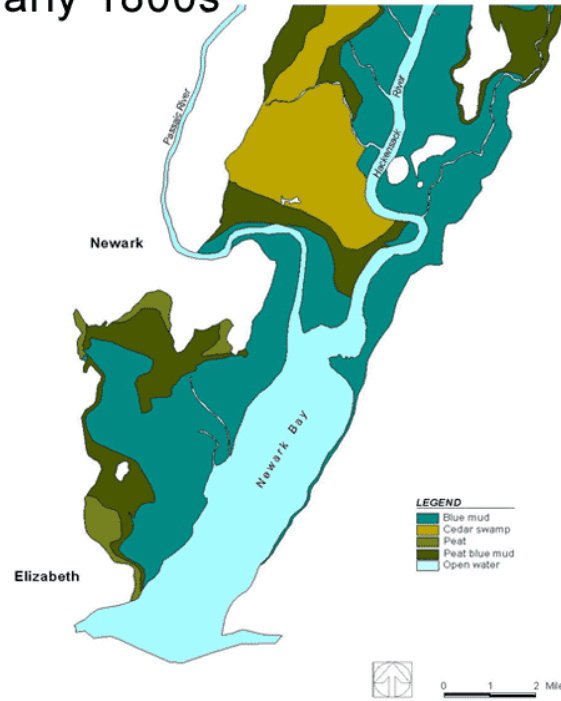
Headwater of the Passaic in Mendham Township



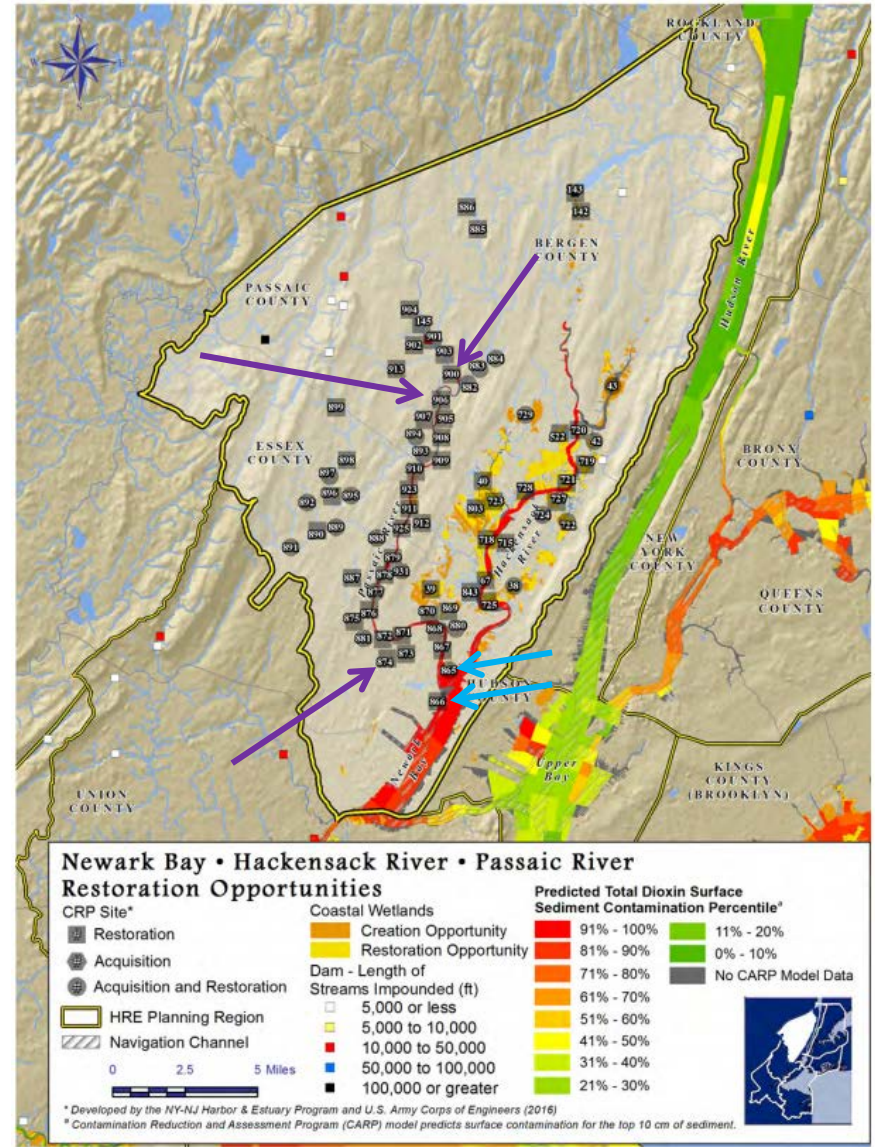
The tidal stretch in Newark, NJ

Habitat

Early 1800s



(Iannuzzi et al., 2004)



Near-Term Sites

Deferred Sites

Public Access

3.5% of the Lower Passaic River is accessible in comparison to a harbor-wide average of **37.4%**

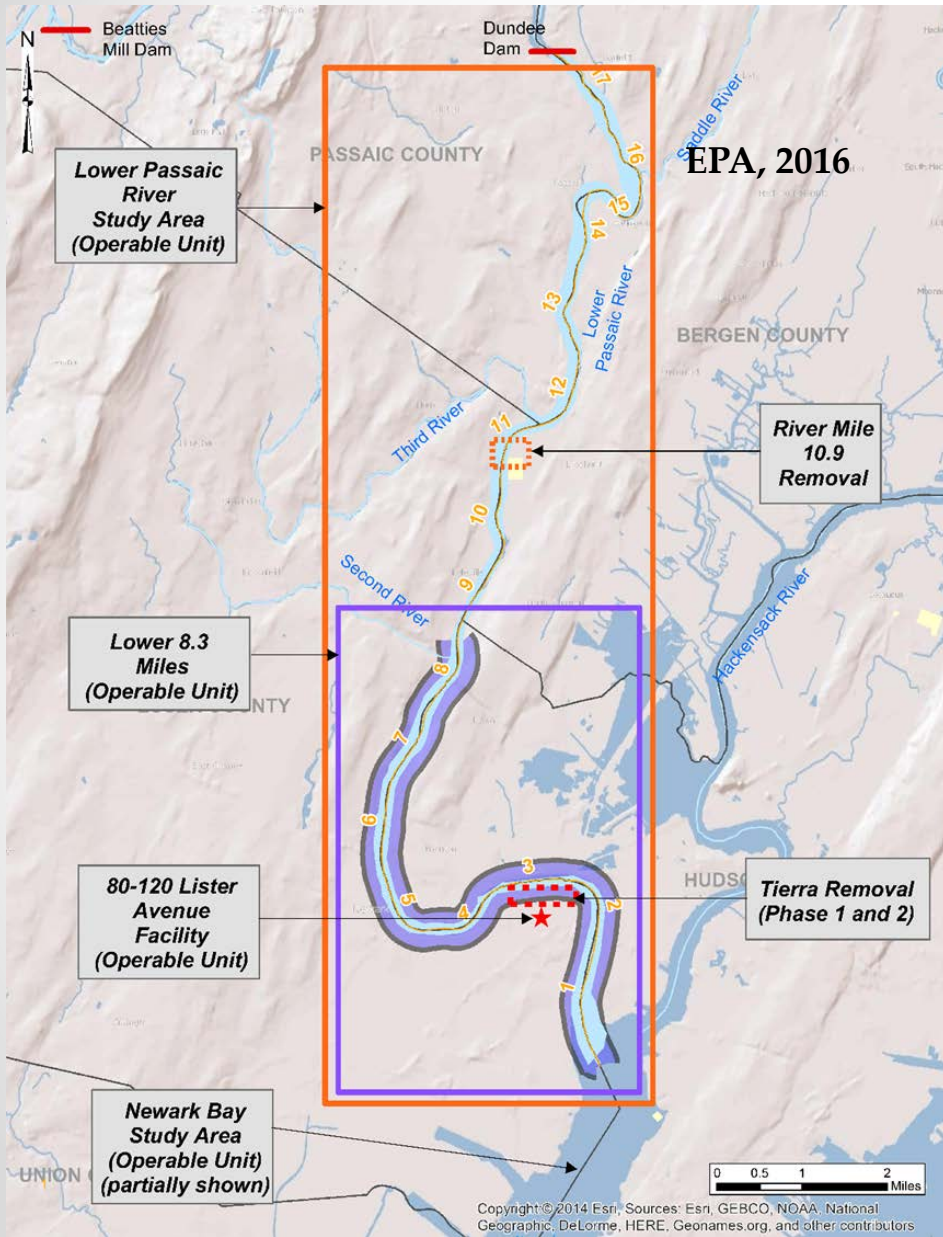
--NY-NJ Harbor & Estuary Program
Public Access Report (2017)



Location and Amount	Description
Newark CEDC \$17m	Expansion of Riverfront Park
Essex County \$5m	Boathouse at Newark RP
Town of Harrison \$1.8m	Create Passaic River Waterfront
City of Garfield \$1.73m	Create Riverwalk
Passaic County & City \$5m	Dundee Island Waterfront Park



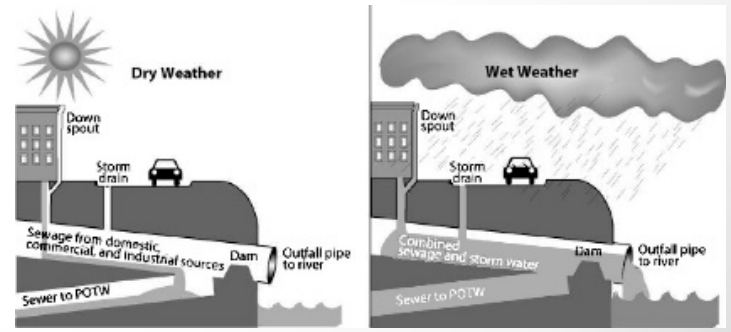
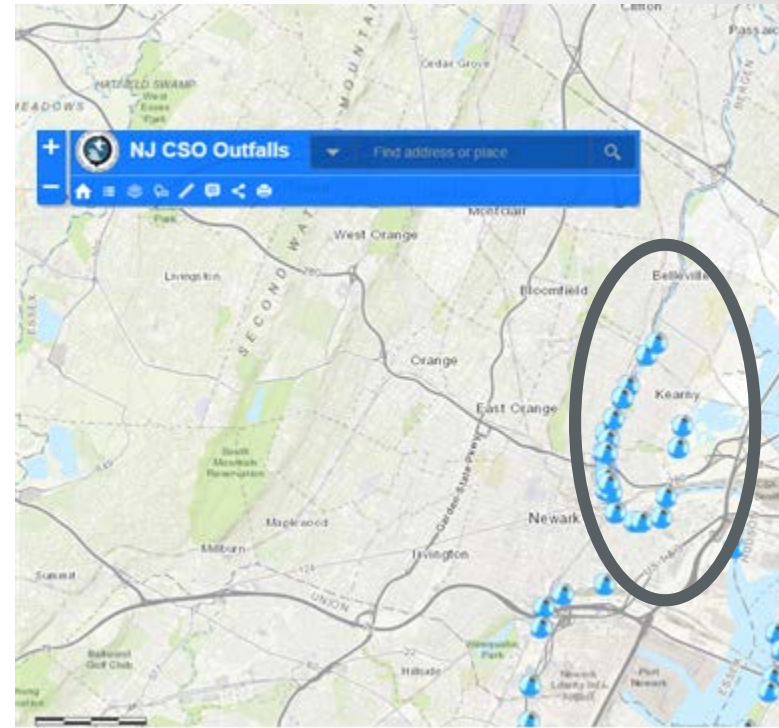
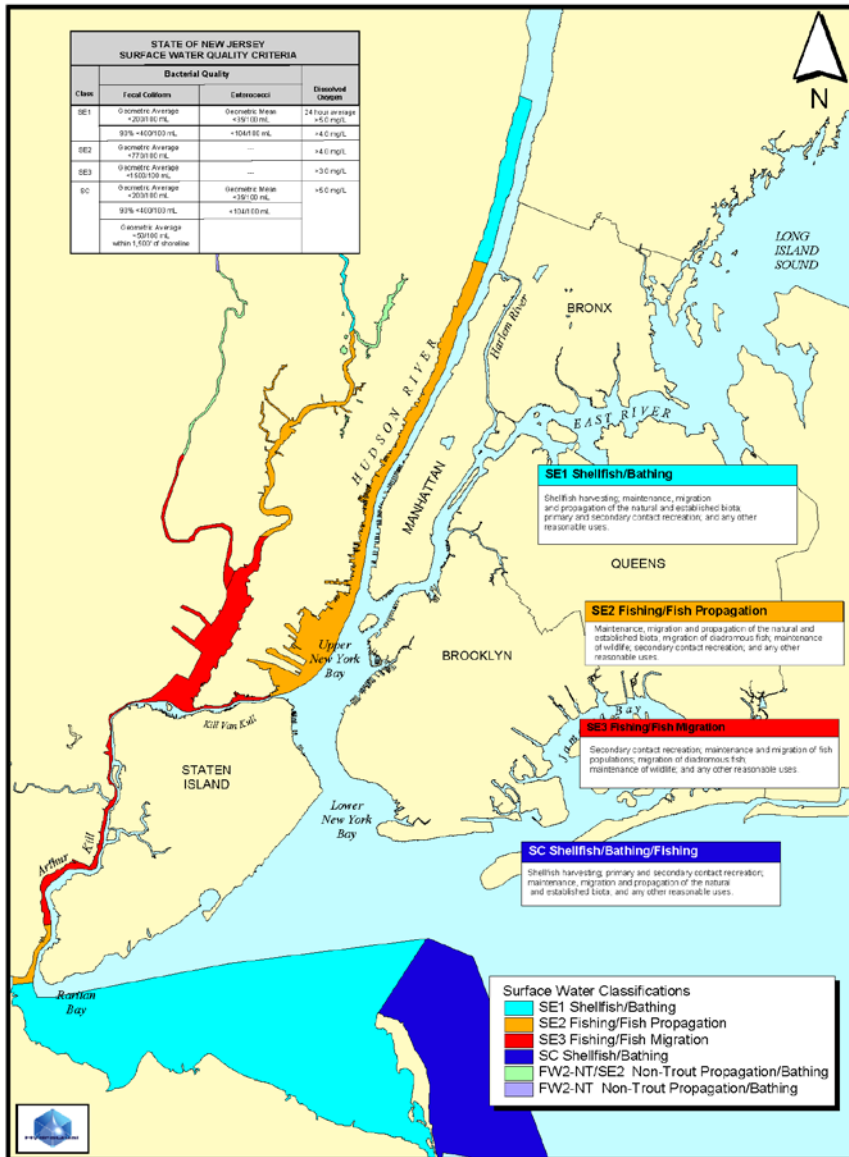
Contaminated Sites



Barth Smelting Site

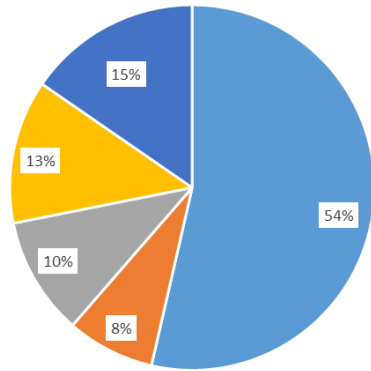


Surface Water Quality



Floatables and Plastics

Comparitive Abundance of Plastic Categories - The Passaic River



■ Fragment ■ Pellet ■ Line ■ Film ■ Foam



NY/NJ Baykeeper (2014)



Berths and Navigation

Berths Available for Commercial Navigation (1997-2006)



Dredging locations	Most recent dredge
Kearny Point (RM 0-1.2)	1983 (30 feet)
Point-No-Point (1.2-2.5)	1983 (30 feet)
Harrison Reach (2.5-4.6)	1937 (20 feet)
Newark Reach (4.6-6.1)	1950 (16 feet)
Kearny Reach (6.1-7.1)	1950 (16 feet)
Arlington Reach (7.1-8.1)	1930 (10 feet)
Belleville Reach (8.1-8.3)	1932 (10 feet)
Montclair Greenwood Lake Railroad Bridge (8.3-15.4)	1976 (10 feet)

Flooding and Resiliency

"The Passaic River Basin has a land-use problem, not a flooding problem"

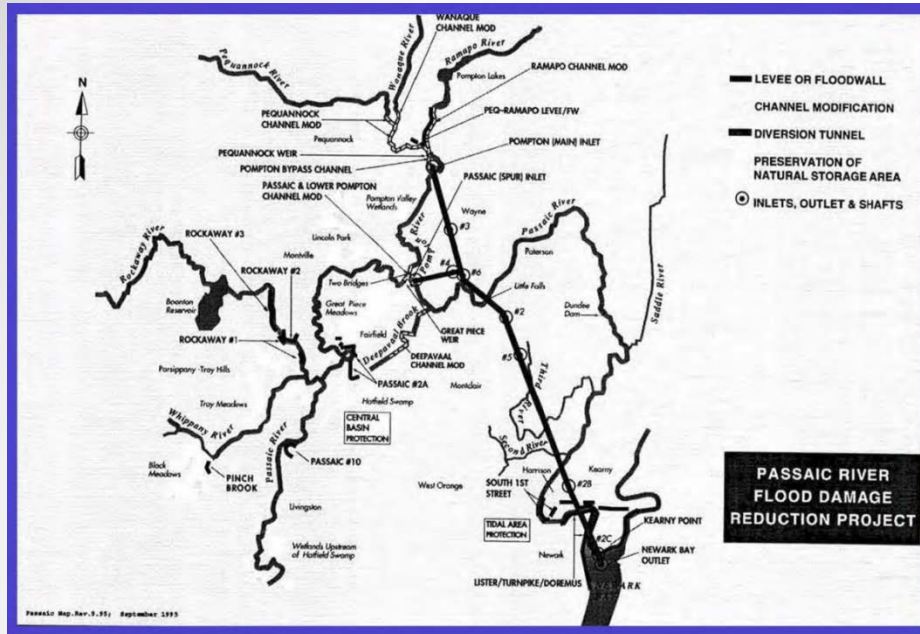
--John Miller (2014), New Jersey Association for Floodplain Management



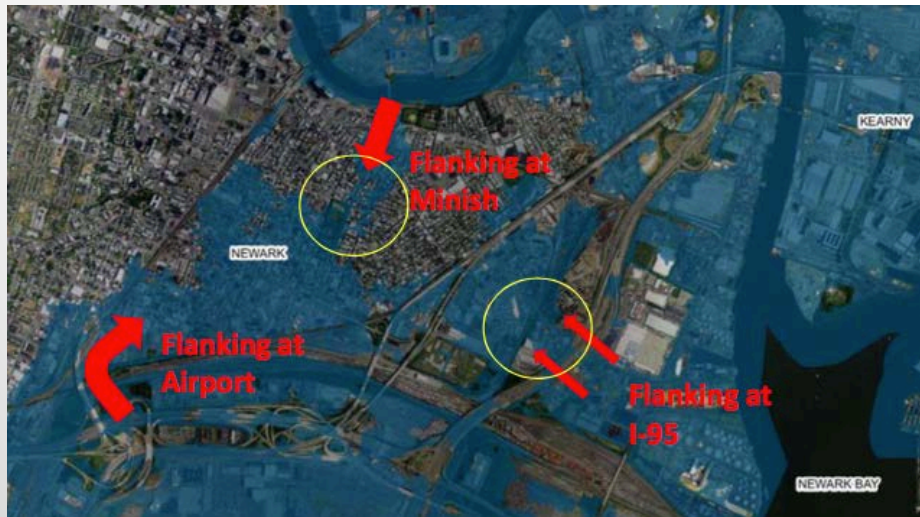
Total National Flood Insurance Program Payments in Lower Passaic Riverfront Cities Since 1978, by County

Bergen County	\$39,841,231.23
Essex County	\$26,705,886.10
Passaic County	\$15,303,506.84
Hudson County	\$29,460,571.67
Grand total	\$111,311,195.84

Flood Risk Management



- Historic Corps of Engineers study authorized in 1976 would have involved a 20-mile diversion tunnel, with floodwalls and levees along the southern reach in Newark, Harrison, and Kearny
- Tunnel project was halted in 1995 at the request of State of New Jersey, and Act of Congress
- Project was split into a Passaic “Mainstem” study, and a Passaic “Tidal” study, but construction was never funded by Congress



- Corps received influx of funds after Sandy to re-examine Passaic Tidal
- “Tidal” project was incorporated into the design of Newark Riverfront park,
- smaller “Newark Flanking” project near Newark Airport.
- “Mainstem” alternatives still under study

Passaic River Community Involvement Guide: Improving Public Involvement in Federal Projects

Case Study: Passaic Tidal and Newark

Riverfront Park

Lower Passaic UWFP Riverfront Park Mapping Pilot



NJDEP Site Remediation

◆ Known contaminated sites, see attachment for status dates and oversight.

Minish Park Status

- Completed bulkhead, railings and ladders forthcoming in 2017
- Proposed bulkhead, forthcoming in 2017
- Proposed shoreline stabilization, forthcoming after Winter 2017

Passaic Tidal Alignment

■ Current Alignment, draft feasibility report and EA due in August 2017

Park Construction

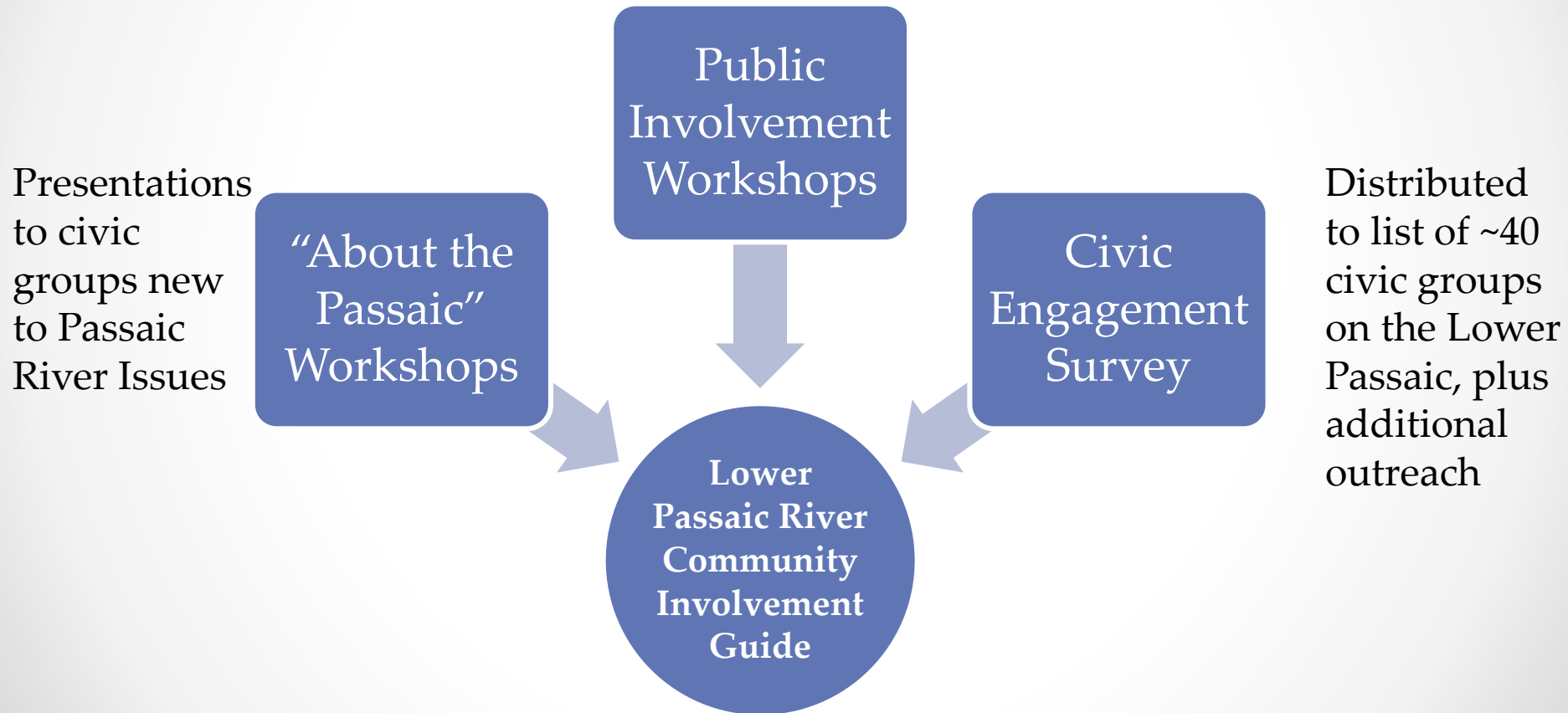
- NCEDC Planned Expansion
- Existing Park
- TPL Phase III

EPA Lower 8-Mile Cleanup

■ Bank-to-bank dredging and capping. Design will take 3-4 years following the legal process.
 ■ Dredging, dewatering and construction will follow, and is expected to be complete in six years.

Moving Forward

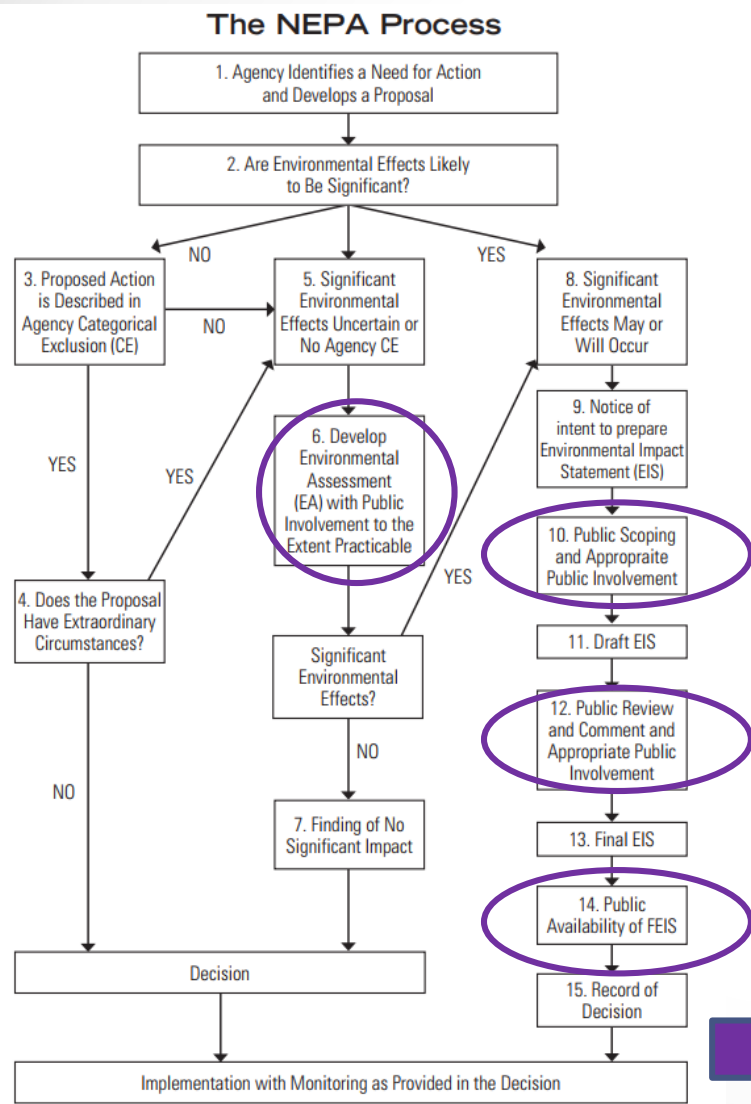
Events at environmental commissions
and stakeholder groups in Fall 2017



- “How-To Guide” for Corps and Federal Agencies
- Open-Source Civic Engagement Map

Formal Public Input in Federal

Environmental Projects: The NEPA Process



“NEPA requires Federal agencies to consider environmental effects that include, among others, impacts on social, cultural, and economic resources, as well as natural resources” – Citizen’s Guide to NEPA (2007)





Opportunities for public involvement



About the USACE Feasibility Study

Process

- Operates in parallel to the NEPA process
 - Phases separated by key decision milestones, increasing level of detail
 - Some of these have formal outreach requirements
 - Others may involve outreach, depending on the type of project and the demand coming from communities
 - All projects have a local sponsor, which splits the cost of design, shares 35% of the cost of construction, and has responsibility for maintenance
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Increasing impact on the decision



Inform

Consult

Involve

Collaborate

Empower

In an effort to make the Corps of Engineers projects more accessible, our local Urban Waters Partnership has annotated the Corps' feasibility study process diagram to highlight the **purpose of each phase**, the **decision-makers** at each phase, and **how public involvement can be incorporated** at each phase.

Hold onto your hats...



Phase

Activities and Milestones

Public Involvement

Scoping
3-6 months

Corps and local sponsor sign the feasibility cost share agreement

Using existing data, forecast future conditions, review risks (e.g. cultural resources, recreation, and endangered species), and lay out potential projects

Public scoping meeting

Alternatives Analysis and Evaluation
3-10 months

Alternatives Milestone: Set of plans identified and screened

Review and collect data to distinguish between alternatives in terms of economic damages reduced, cost, environmental impacts and required mitigation

The PDT, especially the sponsor, may do targeted outreach

Draft feasibility report
6-12 months

Tentatively Selected Plan milestone: Corps Recommends "Best Buy" plan, local sponsor may prefer another

The Tentatively Selected Plan is developed to feasibility-level detail, the EA or draft EIS is prepared

Draft report and NEPA open for public comment

Feasibility level analysis
8-24 months

Release of Draft Report and EA/EIS. Reviewed by the public, internal and external technical experts

Recommended Plan and final NEPA documents brought to a level of design, cost estimate, and schedule appropriate for Congress

All USACE projects require Congress' authorization

Final Feasibility Report, NEPA document, Civil Works Review Board, Chief's Report

**Help us create the Lower Passaic
River Community Involvement
Guide!**

Discussion Questions:

Challenges with public involvement on the Passaic?

How do you find out about public meetings? (Local community organizations, emails lists, public events, etc.)

Best practices for agencies? Local successes?

Best ways to report back to attendees about how their feedback was used?

