

**Green Acres Program
State House Commission Pre-application
Local Parkland – Major Diversion
Hudson Tunnel Project
Appendix K**

GOVERNING BODY RESOLUTION

CD4

SPONSORED BY: *AL*
SECONDED BY: *ML*

**CITY OF HOBOKEN
RESOLUTION NO.:**

**RESOLUTION IN SUPPORT OF THE STATE HOUSE COMMISSION
PRE-APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR
THE MAJOR DIVERSION OF PARKLAND IN CONNECTION WITH
THE HUDSON TUNNEL PROJECT**

WHEREAS, 1600 Park, a public park with recreational facilities situated on Block 256 Lot 1.01 in the City of Hoboken (the "City") and Block 11 Lots 1 and 2 in the Township of Weehawken (1601 Willow Avenue) and Harborside Park, a public park with open space and recreational facilities situated on Block 265 Lot 1, Block 267 Lot 1, and Block 269.04 Lot 1 (1501 Park Avenue), all properties listed above being owned by the City, are encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, the proposed Hudson Tunnel Project is necessary to repair the existing Superstorm Sandy-damaged North River Tunnel and construct a new two-track Hudson River Tunnel to provide reliable, resilient, and redundant capability under the Hudson River for Amtrak and NJ TRANSIT trains between New Jersey and New York Penn Station; and

WHEREAS, the selected alignment of the new Hudson River Tunnel requires five subsurface easements under the above-listed properties and therefore will require the City, as property owner, to commence the process under Green Acres regulations for diverting the subsurface easements (referred to herein as the "Diversion"); and

WHEREAS, in conjunction with the proposed subsurface easements of the properties necessary for the construction and operation of the new Hudson River Tunnel, it is necessary to remove the Green Acres restrictions from approximately 0.426 acres of 1600 Park and approximately 2.986 acres of Harborside Park (collectively the "Diversion Properties"); and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26, et seq.; and

WHEREAS, the City desires to apply for approval of the Diversion Properties as major diversions of parkland pursuant to N.J.A.C. 7:36-26, et. seq.; and

WHEREAS, the City has met with Green Acres staff, as required by N.J.A.C. 7:36-26.8 and N.J.A.C. 7:36-26.9, as a prerequisite to submitting a pre-application and final application to Green Acres for the proposed Diversion; and

WHEREAS, as required by N.J.A.C. 7:36-26.8 the City held a scoping hearing on June 2, 2022, to solicit public comment on the diversion of parkland consisting of the Diversion Properties in connection with the Hudson Tunnel Project; and

WHEREAS, the next step in the application process for approval of a major diversion of parkland is the filing of a pre-application pursuant to N.J.A.C. 7:36-26.9; and

WHEREAS, in accordance with N.J.A.C. 7:36-26.9(d)11, it is necessary for the City to submit as part of the pre-application, a Resolution endorsing the proposed diversion of the Diversion Properties.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, in the County of Hudson, State of New Jersey as follows:

1. The City of Hoboken endorses the filing of a pre-application for the diversion of Green Acres restrictions from the Diversion Properties pursuant to N.J.A.C. 7:36-26.
2. The City of Hoboken finds that the Diversion Properties would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by yielding a significant public benefit for the provision of a new Hudson River Tunnel and a repaired North River Tunnel to provide reliable, resilient, and redundant rail transit between New York and New Jersey.
3. The City of Hoboken acknowledges that in order to obtain the approval of the Diversion Properties, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.
4. The Mayor of the City of Hoboken and staff and consultants to the City are hereby authorized and directed to take all other administrative actions and execute such related documents to implement this Resolution as are necessary and appropriate to accomplish its goals and intent.
5. This Resolution shall be effective immediately.

Meeting Date: June 15, 2022

APPROVED:

**JASON FREEMAN
BUSINESS ADMINISTRATOR**



APPROVED AS TO FORM:

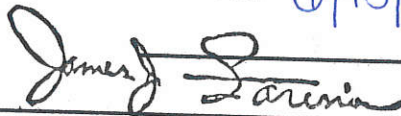
**BRIAN ALOIA, ESQ.
CORPORATION COUNSEL**



✓ Vote Record - CC - Resolution					
☐ Adopted ☐ Denied ☐ Carried		Yes/Aye	No/Nay	Abstain/Alternate	Absent
	Phil Cohen	☒	☐	☐	☐
	Mike DeFusco	☒	☐	☐	☐
	James Doyle	☒	☐	☐	☐

	Tiffanie Fisher	☒	☐	☐	☐
	Jennifer Giattino	☒	☐	☐	☐
	Emily Jabbour	☒	☐	☐	☐
	Joe Quintero	☒	☐	☐	☐
	Ruben Ramos	☐	☐	☐	☒
	Michael Russo	☒	☐	☐	☐

A TRUE COPY OF A RESOLUTION ADOPTED BY
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.
AT A MEETING HELD ON: 6/15/2022

A handwritten signature in black ink, reading "James J. Sarena", is written over a horizontal line.

CITY CLERK