





A NEW PARADIGM FOR THE HUDSON RIVER WATERFRONT WALKWAY

A Technical Assistance Panel Report

Jersey City, New Jersey
September 27-28, 2017



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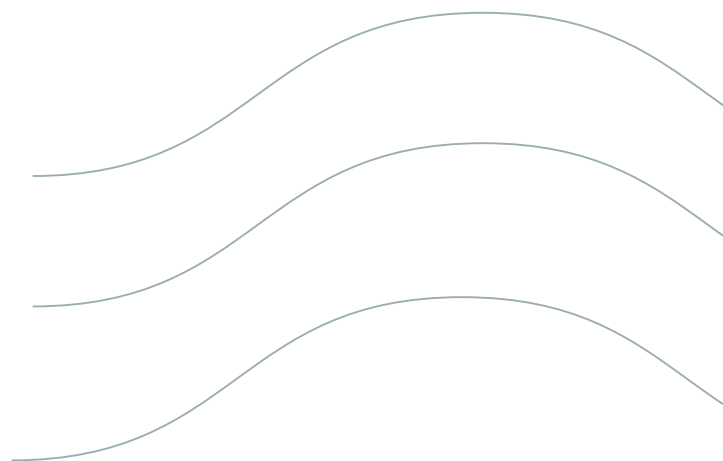
INTRODUCTION

The Hudson River Waterfront Walkway (the “Walkway”) is a public path intended to run uninterrupted along New Jersey’s Hudson River waterfront from the George Washington Bridge as its northerly terminus to the Bayonne Bridge to the south. This 18.5-mile route traverses two counties – Bergen and Hudson, and nine municipalities – Fort Lee, Edgewater, North Bergen, Guttenberg, West New York, Weehawken, Hoboken, Jersey City and Bayonne. The property along this waterfront includes both publicly-owned lands and privately-owned lands, and involves a wide-array of land uses, including industrial, residential, office, transportation, retail, golf, power plants, parks and universities. This area includes some of the most valuable real estate in New Jersey but also includes areas impacted by contamination and areas susceptible to flooding and storm damage. Geologically, the waterfront sits at the base of the Palisades and is largely comprised of man-made land as years of filling and development moved the coastline further to the east and past the historic banks of the Hudson River. Implementation of the Walkway has been accomplished through rulemaking by the New Jersey Department of Environmental Protection (“DEP”) mandating dedication and construction of the Walkway as a permit requirement for development along the Hudson waterfront. As the shoreline was developed and DEP permits were issued, the Walkway was constructed, albeit in a piecemeal fashion.

After three decades under this regulatory structure, the Walkway is now nearly complete and largely serves to provide unimpeded and uninterrupted access along the riverfront. The Walkway offers tremendous views of the Hudson River and the Manhattan skyline. As a sidewalk, it connects residential neighborhoods to shopping area and office towers; it connects to train stations, light rail and ferry terminals. It is a linear green space, it serves as a jogging and biking trail, is incorporated into urban parks, and, in a few areas, provides access to fishermen. The Walkway promotes outdoor dining areas and public gathering. The Walkway appears to be well regarded by neighboring property owners but not all. The Walkway is many things to many people, and its uses, and intensity of use, and its accessibility vary across its length.

In part due to the fragmentary nature in which the Walkway was assembled and constructed, and as a function of changing regulations, negotiated permit conditions, differing construction materials and techniques, site-specific physical constraints, inconsistent signage and maintenance, disparate treatment by property owners (and municipal officials), threats imposed by sea level rise, among many other factors, the Walkway is a complicated piece of apparatus. Applying consistent standards to the Walkway is difficult, and perhaps misguided. Completing the last few links to render it continuous and unimpeded is also proving difficult. The management of the Walkway falls on DEP through its role as the permitting and enforcement agency. The regulatory scheme that was successful in getting the Walkway to its present condition is insufficient for the next phase of the Walkway. Further, the DEP resources based in Trenton are remote, its personnel are stretched thin, and are ill-equipped and underfunded to manage the day-to-day issues and plan for the long-term progression of this 18.5-mile infrastructure project.

DEP asked ULI-NNJ to convene a Technical Assistance Panel (TAP or Panel) to examine the current state of the Walkway and to recommend a management structure for the Walkway’s continued success for public access to and along the Hudson River shoreline. The following report is a summary of the observations of the Panel concerning the current condition of the Walkway, the short-term and longer-term issues confronting the Walkway, and the Panel’s recommendations for an improved management structure.

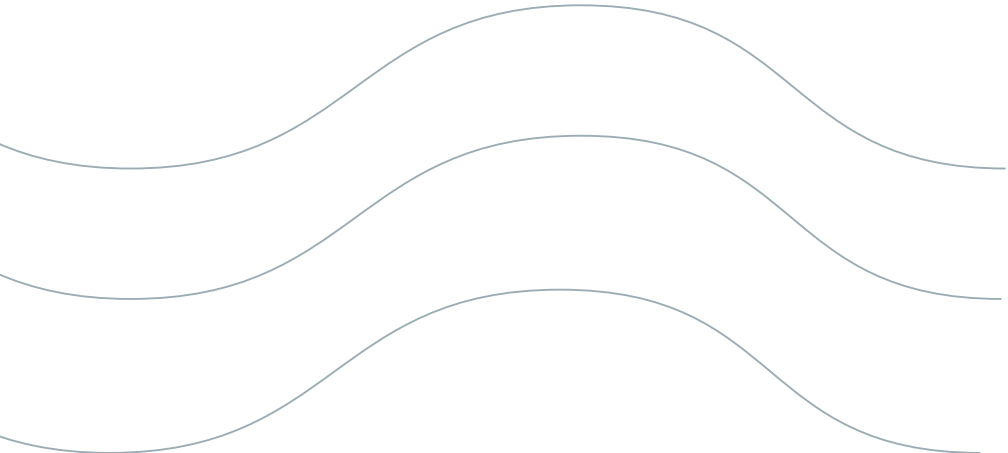


ORIGINS + HISTORY OF THE WALKWAY

In 1966, the **Regional Plan Association** published a report that recommended “a bicycle-hiking path and maximum public access to the River on the New Jersey side from the George Washington Bridge to the Morris Canal Basin in Jersey City.” No action was taken on this recommendation until 1977, when a local non-profit group known as the Waterfront Coalition of Hudson and Bergen began to convene a citizens’ plan for the waterfront. A year later, Gov. Brendan Byrne attempted to spur the redevelopment of the New Jersey side of the Hudson through the creation of the Hudson River Waterfront Planning and Development Commission. The competing political and local concerns of the individual municipalities and counties presented challenges to the Hudson River Waterfront Commission’s efforts; however, the Commission did produce a report containing a unanimous recommendation that a continuous public walkway be established along the Hudson River. The Commission submitted this report to Gov. Byrne in 1980. At that same time, the DEP was in the process of adopting regulations concerning development along the State’s urban waterfronts, including the Hudson River. With some cross-pollination between the Commission members and the DEP staff working on the new Waterfront Development Regulations, the new regulations included a requirement that any proposed development fronting on the Hudson River include dedication of a 30-foot wide easement for public use as a waterfront walkway.

The regulatory justifications compelling permittees to construct and dedicate the Walkway are based on: one, the public trust doctrine – providing that the State’s tidally-flowed waterways should be available for the public to access and enjoy; and, two, DEP’s Water-Dependent Use Rule – reserving New Jersey’s limited waterfront areas for water-dependent uses, such as marinas, ports, or other uses that require direct waterfront access. DEP rationalized that given the Hudson River’s strong currents and rocky banks, its waterfront is not entirely suitable for typical water-dependent uses like boating or marinas and that in this “special area” of the Hudson Waterfront that the Walkway itself is a sufficient “water-dependent use.” This rationale allows DEP to permit residential/ commercial projects along the waterfront because the dedication and construction of the Walkway satisfies the public trust doctrine and water-dependent use.







CHARGE TO THE
PANEL

DEP realizes that its institutional structure is not set up to manage and maintain the Walkway and it seeks a new management and organizational paradigm to ensure the Walkway's continued success. As directed by DEP as the TAP sponsor, the Panel was tasked to:

Design a new paradigm to more effectively and efficiently *ensure the long-term construction, operation and maintenance* of a resilient and safe public accessway along the Hudson River Waterfront.

The TAP formally convened September 27-28, 2017 in a second-floor conference room overlooking the Walkway and the Hudson River at New Jersey City University's School of Business in downtown Jersey City. In the months preceding the TAP, ULI-NNJ had a series of meetings with DEP staff to fine-tune the mission of the TAP, collected research on the Walkway and, conducted inspections of different sections of the Walkway to assess its condition. The September 27th TAP session started with a sponsor briefing from Randy Bearce, a 20-year veteran of DEP's Coastal Enforcement Division to provide a fuller understanding of the challenges associated with the Walkway's ownership, construction, maintenance, and use, and DEP's role in responding to those challenges.

Under the current regulatory permitting program, each section of the Walkway is constructed by the waterfront property owner (or developer) who obtains a Waterfront Development Permit. The property owner then dedicates that section of the Walkway to public access and use through a 30-foot wide easement granted to DEP. The easement charges the property owner with responsibility for continued maintenance of the Walkway. The current regulations require that the walkway be designed following guidelines and standards prepared in 1984 and 1989 which do not address the long-term stability issues associated with shoreline stability and sea level rise. In general, the physical area of the Walkway is to be a minimum of 16 feet wide within a 30-wide easement. Many developers include the too-steeply sloped rip-rap shoreline edge as part of the overall easement with the buildings set back 30 feet from the water's edge, which does not provide any room for making shoreline repairs without impacting the walkway.

Mr. Bearce noted that, in his experience, the Walkway was constructed over a period of years, through a series of separate individual waterfront development permits, often containing different conditions, requirements, specifications, and

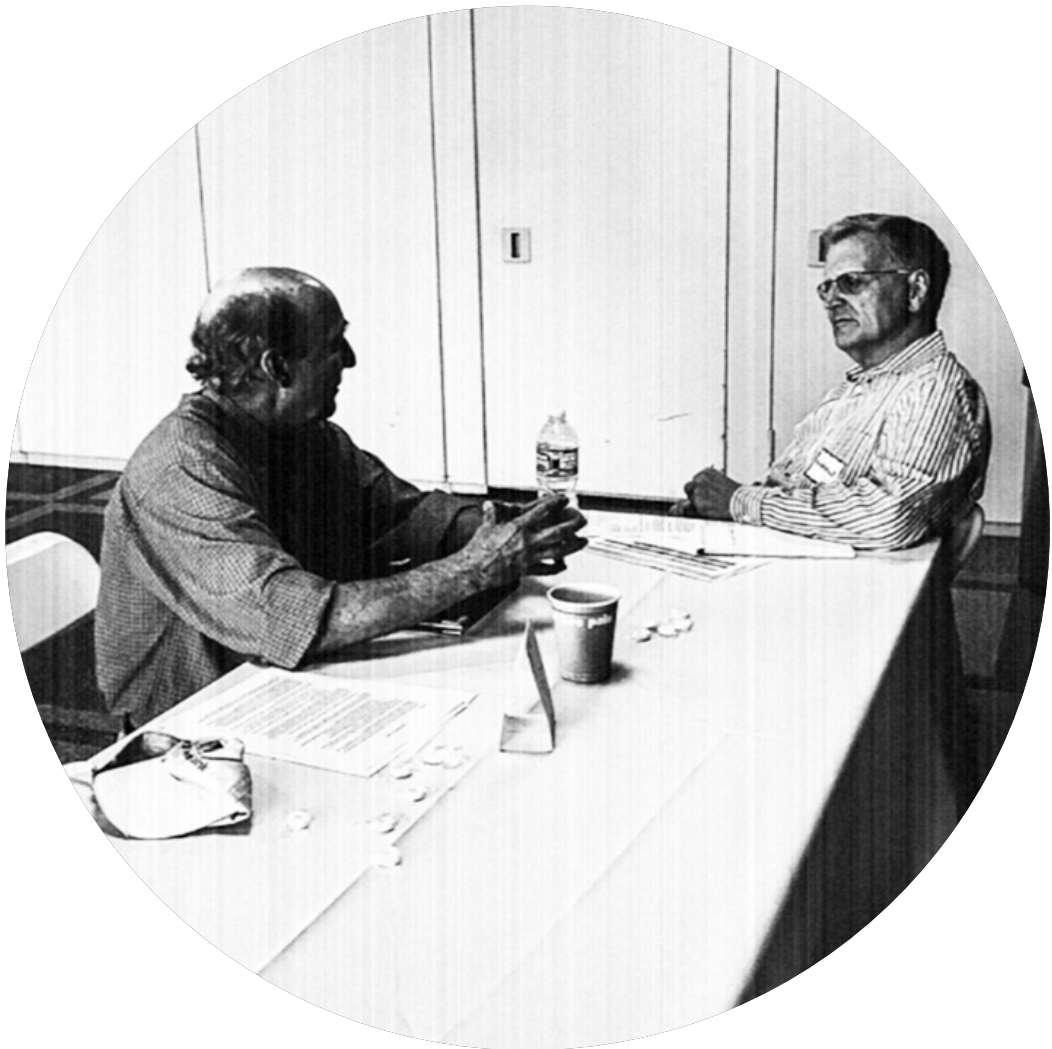
easement terms. While the regulations and permit conditions for the Walkway evolved since the 1980's, the newer conditions are not retroactive and do not apply to previously-approved projects. Mr. Bearce noted that as a practical matter there is no applicable universal, uniform standard for the design and construction of the Walkway and that the requirements for one section of the Walkway could vary significantly from a neighboring section. Mr. Bearce also noted that permit conditions are often subject to intense negotiations and the details for construction of the Walkway can vary on a site-specific basis and be subject to the discretion of the individual DEP permit reviewer. Mr. Bearce referred to multiple instances where the construction of the Walkway was undertaken without any detailed engineering plans, drawings, or specifications first submitted to DEP for review or approval. Mr. Bearce said in those situations it is difficult to assess whether a section of the Walkway was constructed in compliance with applicable standards, since there is no baseline document to establish a standard for enforcement.

Mr. Bearce identified several locations where the Walkway has fallen into disrepair – some instances due to poor maintenance by the property owners and other areas where the Walkway is falling prey to the inevitabilities of erosion, subsidence and scouring, requiring costly repairs. Mr. Bearce indicated that the condition of the Walkway often depends on the individual property owner's affection to the Walkway – for example, a condominium association that views the Walkway as an amenity is more likely to invest in maintenance, while another condominium association that views the Walkway as an inconvenience and a security threat is not likely to spend its resources on maintenance and repair. Mr. Bearce also indicated that the local municipalities often avoid getting involved in complaints over the condition of the Walkway since the municipalities are not involved in its design or construction and they view the Walkway as a DEP issue and not an issue for municipal enforcement.

Mr. Bearce also referred to instances where municipal officials have sought to protect the property owner's interests by enacting ordinances that restrict public access on the Walkway from dusk until dawn, which is in direct contravention of the easement requirement for unrestricted 24-hour access. Mr. Bearce also identified complaints routinely received by DEP regarding conflicts between property owners and public interest groups over commercial uses on or along the Walkway (he cited the example of a pizzeria placing tables and seating on or adjacent to the Walkway, complaints involving uses of the Walkway by fisherman or bicyclists, and complaints regarding trash pick-up, the placement of benches (too few), lighting (too much/not enough), inadequacy of bathrooms, and poorly marked signage of the Walkway and limited access to get to the Walkway from the main streets and adjacent parking areas (which properties are often not subject to any Walkway requirements). Mr. Bearce also referred to the complaints about the remaining gaps in the Walkway and the pressure on DEP to compel property owners to construct the Walkway even when those property owners do not intend on participating in any permit process that would trigger the requirement for the Walkway.

STAKEHOLDER **INTERVIEW RESULTS**

On the first day of the TAP, the panel conducted interviews with a diverse group of stakeholders from various public and private-sector Hudson River waterfront owners, local government officials, representatives from non-profit groups, and land trust and resiliency experts familiar with the challenges involved with both the development of waterfront property and the long-term maintenance and management of public lands. During the stakeholder interviews, it became clear to the Panel that there are numerous complicating – and at times, conflicting – factors that any potential solution would need to address.



1.

There are *wide disparities in local conditions* along and adjacent to the Walkway:

- Land uses along the northern sections are primarily private residential, mostly multi-family condominiums, with some retail and office uses. As the Walkway moves south into Hoboken and Jersey City and the streetscape becomes more urban, the adjacent land uses are increasingly either publicly-owned or more accessible to the public. The southernmost portions are adjacent to industrial port uses, and the Walkway has not yet been extended along most of the Bayonne frontage.
- The Walkway is situated on filled land. In many locations, this landfill is unstable, and the land is sinking causing the walkway to buckle. This condition is also creating problems for adjacent buildings. Sea-level rise and increasingly robust storm surges have resulted in erosion along the walkway, which contributes to the vulnerability of the underlying fill. The impacts of subsidence are, to a large extent, addressed where the Walkway is protected by a stable bulkhead and supported by deep piles. Where the Walkway is protected by riprap, it is clearly a challenge to maintain a state of good repair.
- The public perception of the Walkway's value, as well as the intensity of use by local residents also varies – as might be expected, the completed sections of the Walkway located in the more publicly-accessible areas in Jersey City and Hoboken are subject to more intense public use, and are generally perceived to provide a greater public value to local residents than the sections along the northern frontage, which tend to be less accessible and the upland owners more hostile to public access on their properties.
- Corporate owners and tenants see the Walkway as a valuable amenity.
- The construction and condition of the Walkway itself is inconsistent, and not all sections are complete and/or continuous. This disparity is due to the lack of uniform design and construction standards as described in the Sponsor briefing, but also to differences in the quality of upland development. The Panel noted that construction quality, maintenance and condition was generally reflective of the upland owner's perceived value of the Walkway.

2.

Maintenance is essentially voluntary by the adjacent owner and an enforcement mechanism is lacking.

- Some of the adjacent municipalities are willing to enforce maintenance obligations against the abutting owners, while others are not, and the legal basis for a local municipality's enforcement jurisdiction is not wholly clear.
- Many stakeholders were ambivalent about the fairness of transferring the entire financial burden for maintenance and repair to the upland property owner.
- It is difficult, if not impossible, for DEP to oversee compliance with maintenance obligations due to lack of resources and distance from the Walkway.



3.

The Walkway presents ***significant opportunities for resiliency planning*** and protection of adjacent properties, but long-range planning and, in some cases, ***expensive repairs may be required to maximize this potential.***

- While improving the Walkway poses an immediate concern for the communities along the waterfront, a more significant long-term challenge is the risk of flooding, particularly as a result of storm surges and subsiding landfill. Local governments have taken steps to protect their assets, but as with the Walkway, protecting against the incursion of water is a larger regional problem that does not lend itself to a local solution or a property-by-property solution. An organized, multi-jurisdiction effort to improve the Walkway could also be the vehicle for a more comprehensive and effective approach to making this stretch of the waterfront more resilient.
- The City of Hoboken, which owns much of the Hudson Waterfront within its borders, is a strong advocate of utilizing the Walkway as a resiliency planning tool to counter sea level rise.
- Consistent construction specifications for seawall and/or bulkhead work would be needed in furtherance of this effort.



4.

There's a need to get *additional buy-in* from some Stakeholders.

- Condominiums along the northern sections (particularly Edgewater) tend to see the Walkway as an imposed cost and invasion of privacy, without an attendant benefit.
- Some Condominium associations will do anything to avoid having to implement the Walkway, even avoiding improvements that would trigger the need for DEP permits and attendant dedication of easement.
- Fort Lee and Bayonne appears to be less engaged on Walkway issues due to lack of connectivity and gaps in these areas.

5.

In Jersey City and Hoboken, there appears to be consensus for activating the Walkway by allowing for *some commercial uses and/or public events to make it a destination.*

- There were complaints from some stakeholders that there's "nothing to do" once you get down to the water.
- The newly-formed Exchange Place Special Improvement District (SID) in Jersey City is enthusiastic about programming events and uses to take advantage of the access to the Walkway.
- The Hoboken waterfront is the most activated, likely because it has the highest percentage of municipally-owned adjacent land, including a municipal park and good accessibility through its streetscape.
- There are tourism opportunities – numerous hotels are located on the waterfront, but tourists are sent to NYC for entertainment and dining, even though the best views of NYC are from the Walkway.

6.

Uniform branding, wayfinding signage, and public amenities, such as ***bike racks, bathrooms, and benches are needed*** to promote the Walkway and incentivize recreational use.

- Uniform branding and wayfinding signage is necessary to cultivate a sense that the Walkway is a destination intended for use by all members of the public, not just those who happen to live along its frontage.
- Amenities such as bike racks, bathrooms, and benches may be appropriate for the centrally-located portions of the Walkway, particularly along the more urban frontages in Hoboken and Jersey City, to make the Walkway itself a recreational destination and public gathering space.

7.

There are ***no existing entities*** that can take on the role of planning for and managing the Walkway.

- Due to a complex array of institutional, legal, and political forces, there is no single municipal or County governmental authority with the capacity or jurisdictional authority to oversee and manage the entire Walkway.
- Sources of funding for maintenance, repair, management, and long-range capital planning and resiliency are needed.
- There's a need for long-range planning and visioning to maximize connectivity and increase resource value.
- There are already several SIDs¹ that are active along different sections of the Walkway, and consensus has been built for the creation of SIDs in other areas.
- There is a recognition among stakeholders that the current system of DEP oversight is no longer effective and changes need to be made.

¹ A Special (or Business) Improvement District (SID or BID) is a defined area, created by local government ordinance, which is empowered to collect a special assessment on the commercial properties and businesses within its borders. Proceeds from the assessment are then granted to a municipally-assigned District Management Corporation (DMC), a non-profit organization, separate and distinct from the municipality itself. The DMC, which is typically governed by a board comprised of stakeholders from the businesses and property owners within the SID, sets the agenda, priority, and initiatives of the organization, in addition to hiring and supervising staff, and determining the annual budget and assessment amount.

PANEL ASSESSMENT AND ANALYSIS OF STAKEHOLDER/SPONSOR OBJECTIVES AND SOLUTIONS

The Panel began its analysis first by assessing the various objectives that the new Management Paradigm would need to effectively address to meet the stated concerns of the various stakeholders and the TAP Sponsor. In no particular order, the Panel identified those objectives as follows:



Access to capital and funding

It was clear to the Panel that a dedicated funding source would be essential to the success of any entity created to oversee and manage the Walkway, since none of the objectives articulated by the Sponsor or Stakeholders can be achieved without a dedicated staff and continuing access to capital for daily operations and maintenance and long-term planning.



Capacity to handle daily management and maintenance of the walkway

The entity would also need to have the institutional ability to oversee and attend to the daily management and maintenance tasks essential to the Walkway's effective functioning, such as garbage collection, bathroom maintenance, and sidewalk repair. Thus, the entity should be locally situated to perform the functions of overseeing daily operations.



Capacity to undertake and organize long-term planning for capital improvements and for future land acquisition and development of the as-yet undeveloped sections of the Walkway

In addition to daily management, the entity would also be required to undertake the long-term planning for future capital improvements to the Walkway itself. In a similar vein, it would also need to plan for future land acquisition and development of the various existing gaps in the Walkway and the undeveloped southern sections of the Walkway along the Bayonne industrial waterfront. This would require some level of land use planning, real estate, construction, and fundraising expertise.



Capacity to implement strategies for future resiliency against climate change and sea level rise

Numerous stakeholders described the untapped potential of the Walkway to provide flood protection and mitigation functions for Waterfront property owners. To advance these goals, the Panel observed that a high level of planning and engineering sophistication, as well as access to significant funding, would be critical.



Ability to activate increased public use of the Walkway through cohesive branding, community event planning and programming

The stakeholders also spoke of a need to “bring more life” to the Waterfront, and representatives of Hoboken described that they have already had success in activating the Walkway with community events and programming. The Panel noted that this model could be extended along the Jersey City frontage as well, since those sections of the Walkway are equally well-suited for similar programming and even experimental “pop-up” commercial uses such as retail or food trucks. The Panel determined that activating the Walkway through a cohesive branding and community event planning campaign would increase connectivity throughout both Hudson and Bergen Counties, and would encourage people to utilize the Walkway to an even greater degree. Insofar as there are already some local actors working on at least small-scale programming along the Walkway, the Panel observed that it may be more appropriate for the management entity not to supplant those efforts, but simply to oversee and coordinate those local efforts to ensure cohesive branding and publicity.



Flexibility to adapt and be responsive to a wide variety of local conditions

Finally, the Panel observed that one of the most critical elements to the success of any future management entity would be its ability to respond to the wide array of disparate local conditions affecting the numerous municipalities and neighborhoods along the Walkway. Due to unique local conditions and needs, it was apparent that the current “one-size fits all” approach does not work and will not work. New management would need to understand these differences, and be able to tailor its planning and organizational functions accordingly.

POTENTIAL SOLUTIONS

After fully considering the range of objectives that a potential management entity for the Walkway would be required to address, the Panel then reviewed the various entity models and considered which among them would have the authority and institutional ability to most effectively address the stated objectives. The Panel also compared those models to the existing management structure, whereby all management, maintenance, and supervisory functions are housed within DEP.

While it is beyond the scope of the Panel’s review and this report to make a formal determination or recommendation in favor of one particular solution or entity, the Panel reviewed a sampling of potential entities based on the feedback and input provided by the Stakeholders, and evaluated the institutional capacity of these entities to achieve the stated objectives, as follows.

The following chart provides a matrix to evaluate the potential suitability and institutional capacity of each of these potential stewardship models considered by the Panel against the objectives cited by the Sponsor and Stakeholders interviewed:

OBJECTIVES	DEP	SID	LAND TRUST	PUBLIC COMM'N	GDC
Access to Funding		✓	✓	✓	✓
Daily Management and Maintenance		✓	✓	✓	✓
Long Term Planning and Capital Improvements			✓	✓	✓
Implementation of Future Resiliency Strategies	✓		✓	✓	✓
Events/Programming/Branding - Public activation		✓		✓	✓
Future Land Acquisition & Development Oversight	✓		✓	✓	☹️
Flexibility to adapt to local conditions		✓		✓	✓

Special Improvement District (“SID”) and District Management Corporation (“DMC”)

New Jersey’s Pedestrian Mall and Special Improvement District Act, N.J.S.A. 40:56-65, et seq.) authorizes municipalities to create a Special (or Business or Downtown) Improvement District in a defined area, along with a non-profit District Management Corporation (DMC). An automatic funding mechanism is built into the statute and enabling ordinance, which authorizes the SID to collect a special assessment on the commercial properties and businesses within its bounds. The proceeds from this assessment are assigned to the DMC, which then functions as a public non-profit corporation and organizing entity to promote the businesses within the SID and to supplement municipal services. The SID provides a mechanism by which its commercial stakeholders can manage and promote themselves to become a more effective shopping/dining/commercial destination. The built-in funding mechanism allows the business community within the SID to become self-governing and the DMC functions as an umbrella organization to utilize the assessment proceeds as it sees fit. One limitation of the SID model is that it must be created by the local municipal governing body, so its geographic reach cannot extend beyond the municipal borders.

Land Trust

A land trust is a charitable organization that holds or acquires land or conservation easements to achieve various conservation and stewardship purposes. Although programming and priorities vary depending on the land trust’s mission and organizational purpose, a trust may run education and science programs, maintain trails and other outdoor recreational facilities, assist in municipal land use planning, manage historic sites, or engage in any number of other activities. Most land trusts are completely independent, private charitable corporations that are tax exempt under section 501(c)(3) of the Internal Revenue Code, making them eligible for various grants and/or government funding, as well as from private individuals and philanthropic sources. Typically, a land trust also requires an endowment or donation from a landowner at the time it accepts a conservation easement or title to property. A land trust is typically governed by a board of directors or trustees comprised of individuals drawn from the communities served.

Public Commission

A public commission is created by the State Legislature and, as such, can be endowed with any powers and/or authority that the Legislature deems appropriate. While the Panel felt that a large regional planning commission like the now-defunct Hudson River Waterfront Commission or Pinelands Preservation Commission could become overly political and would not be effective or necessary for the management and oversight of the Walkway, consideration was given to the idea of a smaller “Commission Lite,” similar to the Dismal Swamp Preservation Commission, which oversees the Dismal Swamp Conservation Area in Middlesex County. Because the Dismal Swamp encompasses parts of three different municipalities, the legislature created the Preservation Commission to “provide comprehensive regulatory authority and regional planning for the area with a primary focus on protecting and preserving the ecological, historical, and recreational values of the area.” (N.J.S.A. 40:55D-88.2g). The Panel observed, however, that without a dedicated funding source, a public commission is unlikely to be able to effectively perform any of its delegated duties. Furthermore, given the past failure of the Hudson River Waterfront Commission, there may be local political considerations at play in the region that could hinder the successful implementation of this option.

Community Development Corporation

A Community Development Corporation (CDC) is a nonprofit, community-based organization, created to revitalize a specific area. Typically, CDCs work in low-income, underserved neighborhoods that have experienced significant disinvestment. While they are most commonly involved with the development of affordable housing, CDCs often engage in a variety of community initiatives, such as economic development, sanitation, streetscaping, and neighborhood planning projects, and may even provide education and social services to neighborhood residents. Although the customary functions and purpose of CDCs are not directly on point, the Panel considered the CDC as a model for a private non-profit corporation that could be created and organized for the specific purpose of overseeing and managing the Walkway.



PANEL ***RECOMMENDATIONS***

1.

Create a new Entity to assume ownership and control of daily maintenance and management of the Walkway and to provide security and oversight.

- Some combination of the various entity models considered by the Panel may be the most appropriate solution, but a final determination on this issue will require additional investigation and research by DEP.
- The Entity should assume responsibility for repairs and capital improvements to take burdens off adjacent owners.
- A central organizing force to meet common needs of all stakeholders along the Hudson waterfront is necessary.
- The Entity should also assume long-range planning responsibility for resiliency, planning and visioning, and capital improvements.
- Ultimately the Entity should be responsive to local needs and conditions. In some areas, there are already a number of municipally-created SIDS, and the Entity should be empowered to work with them. In other areas, the Entity may need to take on a more localized role in daily operations and management, as well as programming/activation.

2.

Explore a Wide Range of ***Potential Funding Sources***

- Ultimately, the success of this transition depends on the Entity having a dedicated or regular source of funding. Otherwise, it will be unable to effectively accomplish any of the objectives articulated by the Sponsor and Stakeholders.
- The availability of potential funding depends in large part on the Entity's legal structure, so it should be a significant factor in evaluating the suitability of a particular model.

3.

Rebrand... it's so much more than just a Walkway

- The Panel was struck by the Walkway's untapped potential as a public gathering space, recreational destination, and community amenity. If this potential was realized, community support, including support from some of the currently ambivalent stakeholders, may be enhanced, and could lead to endorsement of a new management structure.
- To maximize this potential, it may be necessary to rebrand the "Walkway" to create a destination. Some ideas considered by the Panel were:
 - *Hudson Banks*
 - *Hudson West Shore*
 - *Hudson West*
- Activate the public space by allowing for community events and even some temporary commercial uses (pop-up retail or food trucks, for example) along the Walkway.
- Increase connectivity along the Waterfront by providing public amenities, such as bike racks, bathrooms, and benches, so that people can better utilize the Walkway as a biking or hiking trail.

4.

Cultivate Stakeholder buy-in along the northern sections of the Walkway

- Engage the local community in visioning and planning for the future to ensure that the undeveloped sections of the Walkway are subject to uniform standards.
- The most effective way to generate consensus among stakeholders who have widely varying views about the merits and function of the Walkway may highlight the Walkway as the best vehicle to address the resiliency concern that is shared by all property owners, businesses and residents along the waterfront (and extending far inland) – how to protect their assets from subsidence, flooding and erosion.
- To the extent possible, transfer burdens of ownership from landowners to the new Entity.



IMPLEMENTATION AND ACTION STEPS

- Create agency buy-in and consensus at DEP
- Open a dialogue with the affected municipalities, residents, local groups and existing SIDs/BIDs to generate support and participation, while remaining sensitive to local concerns
- Investigate and analyze potential business models for the new Entity. A clear funding source and mission are key to successful transition and effective implementation.
- Experiment with potential methods for activation of public space
- Ultimately, legislative sponsorship and action may be needed to effectuate the creation of and transfer of the Walkway easements to the new Entity.

PANELIST BIOGRAPHIES

Panel Chair: Lawrence F. Jacobs, Esq., Wilentz, Goldman & Spitzer, P.A.

Lawrence F. Jacobs is a shareholder of Wilentz, Goldman & Spitzer and is the Chair of the Environmental Department. He concentrates on advising clients in all phases of regulatory compliance with environmental laws, brownfields redevelopment and land use permitting. Larry has extensive negotiating experience with federal, state and local authorities on permit applications and enforcement proceedings. He has secured multimillion-dollar recoveries for environmental remediation, served as lead counsel on the redevelopment of one of New Jersey's most notorious Superfund sites, and has supervised the permitting and land acquisition for both conventional and renewable energy facilities.

Larry has served in many leadership positions for ULI-NNJ, including Chair of the Post-Sandy Task Force for New Jersey, Governance Chair, District Council Chair (2007-2010), Vice Chair and Programs Chair. In November 2012, Mr. Jacobs was elected to the Bedminster Township Committee and is now proudly serving his second three-year term as Committeeman. Mr. Jacobs has served on the Bedminster Township Land Use Board since 2011, and previously served on the Bedminster Township Environmental Commission from 2009 to 2011.

Robert P. Antonicello, Grid Real Estate, LLC

Robert P. Antonicello is the founder and principal of Grid Real Estate, LLC, a consulting firm specializing in urban and suburban redevelopment projects, including brokerage, acquisition, entitlement, consulting and development. He has 35 years of diverse experience in local government and the private sector, with a focus on redevelopment, entitlement, economic development, and public-private partnerships. He has served in various leadership positions in local government, ranging from Director of Neighborhood Planning to his eight years as Executive Director for the Jersey City Redevelopment Agency (JCRA).

As Executive Director for JCRA, New Jersey's largest and oldest municipal redevelopment agency, Bob was responsible for many high-profile projects in Jersey City's redevelopment, including the Powerhouse Project, the Journal Square Vision Plan

and its successful green workforce-housing program. Bob's broad expertise includes project facilitation, project entitlement, site assemblage, environmental remediation and developer selection. His vast and diverse background includes 25 years as owner/manager of a successful commercial real estate firm, responsible for the sale of many landmark building and large development sites in Jersey City and Hoboken. Early in his career, Bob served as both a City Planner and Executive Director of Neighborhood Housing Services for the City of Jersey City.

Previously named 2008's Public Official of the Year by ULI-NNJ, Bob is a full member and former Chair of ULI-NNJ. He now serves as the Governance Chair for the ULI District Council. Bob has a BA in Urban Affairs from Rutgers University and a Masters of Real Estate Development from New York University.

Jim Constantine, Principal, Looney Ricks Kiss

Jim Constantine is Principal of Planning at Looney Ricks Kiss (LRK), a planning and architectural firm with offices in Princeton, Memphis, Baton Rouge and Celebration, Florida. His 30 years of community planning span across 25 states, Canada and Latin America, working with land owners, developers, builders, government agencies and community groups. Jim has planned numerous Transit-Oriented Developments, station area plans and transit corridor projects in Toronto, Ottawa, Portland, Denver, Dallas, Houston, Nashville, Philadelphia, Long Island and Northern Virginia. These projects involve regional and commuter rail, Light Rail Transit, subway, Bus Rapid Transit, bus and local shuttle modes. In New Jersey, he has planned several Transit-Oriented Developments along the Northeast Corridor and leads LRK's Transit-Friendly Planning team for NJ Transit.

Jim is a regular speaker at regional and national conferences sponsored by the American Planning Association, Congress for the New Urbanism, Urban Land Institute, Rail-Volution and National Association of Home Builders. He has authored numerous articles on urban design and land development for professional publications and been quoted in the Wall Street Journal, New York Times and many other publications. Jim has lectured at Harvard, Princeton and taught graduate urban design studios and courses at the Bloustein School of Planning and Public Policy at Rutgers University. At home in Princeton, he served more than two decades on the Historic Preservation Review Committee and currently serves on the Council of Princeton Future, a volunteer group that builds community support for integrated planning solutions.

Andrew Lynn, Director of Planning and Regional Development, Port Authority of NY and NJ

Andrew S. Lynn is the Director of the Planning and Regional Development Department at the Port Authority of New York and New Jersey, where he has worked since 2009. He is leading the Port Authority's bus master planning effort and the design and construction of Moynihan Station. His prior professional experience is as follows:

- Vice President for Planning and Development at Madison Square Garden, where he was responsible for efforts to replace and renovate the Garden.

- Executive Director, New York City Department of City Planning.
- Deputy Commissioner, New York City Department of Sanitation
- Land Use Counsel to the New York City Council
- Counsel to the New York City Charter Revision Commission.
- Associate at the law firm of Webster & Sheffield.

He holds degrees from Harvard Law School and Harvard College.

Jee Mee Kim, Principal, HR & A Advisors, Inc.

Jee Mee specializes in managing complex urban development, transportation, and resiliency strategies for cities and private developers across the United States. At HR&A, she incorporates social and economic value creation strategies into long-term resilience and redevelopment plans.

Prior to joining HR&A, Jee Mee was a Principal and Director of Planning at Sam Schwartz Consulting – a transportation planning and traffic engineering firm – where she spearheaded transportation studies, environmental reviews, and land use approvals for major projects such as IKEA Brooklyn and Atlantic Yards.

Jee Mee earned a Master of Urban Planning from the Robert F. Wagner Graduate School of Public Service at New York University, as well as a Bachelor of Fine Arts from Parsons the New School for Design and a Bachelor of Arts in American Studies from Eugene Lang College. She is a member of the American Planning Association and Women Executives in Real Estate, NY.

Report Writer: Jessica L. Sweet, Esq., Sweet & Bennett, LLC

Jessica is an attorney and founding member of the law firm of Sweet & Bennett, LLC, located in New Brunswick, New Jersey. Her legal practice is concentrated on obtaining land use and environmental regulatory entitlements for real estate development, but extends to all types of real estate matters, including the representation of sellers and buyers in commercial and residential transactions, title, survey and boundary disputes, Tidelands conveyances and riparian rights, commercial leasing, and urban redevelopment.

Jessica has long been involved with ULI-NNJ, having served as District Council Chair, Programs Chair, and Young Leaders Group Chair, as well as both a TAP panelist and report writer. A contributing author of "Commercial Real Estate Transactions in New Jersey," (ICLE 2006, 2010), Jessica obtained her B.A. from Vanderbilt University and her J.D. from Rutgers School of Law – Newark. Jessica began her career as law clerk to the Honorable Arthur N. D'Italia, Assignment Judge of the Superior Court, Hudson County. She previously practiced law with the firm of Wilentz, Goldman and Spitzer, PA, located in Woodbridge, New Jersey.

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COMMUNITY STAKEHOLDERS

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