

# HUDSON RIVER WATERFRONT

Hudson River Waterfront Walkway

# The Hudson River Waterfront



- **Bayonne Bridge to the George Washington Bridge – 40 miles of waterfront land**

# Hudson River Waterfront Conservancy

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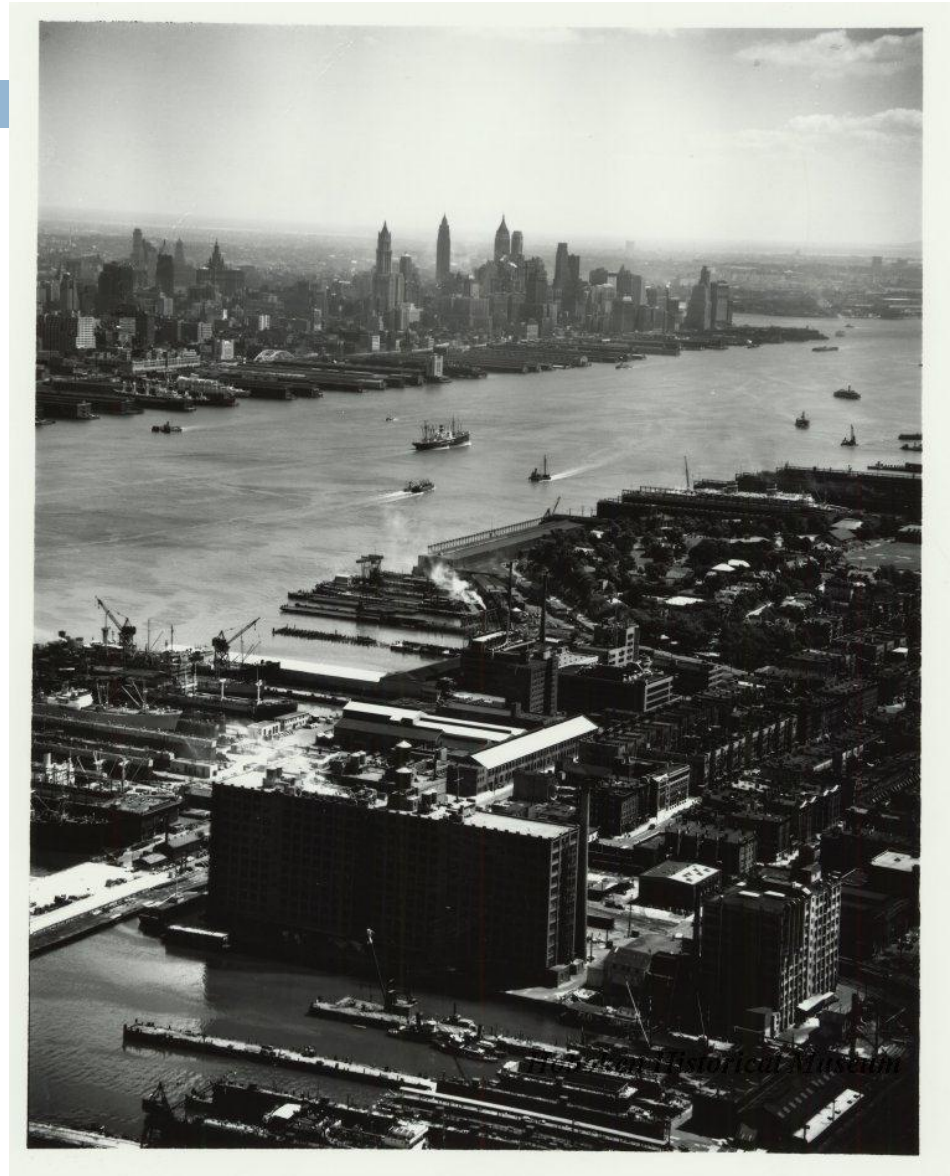
- **1988**
- **Stakeholder**
- **Partnering with NJ Department of Environmental Protection**
- **Hudson River Waterfront Walkway**

# The Waterfront

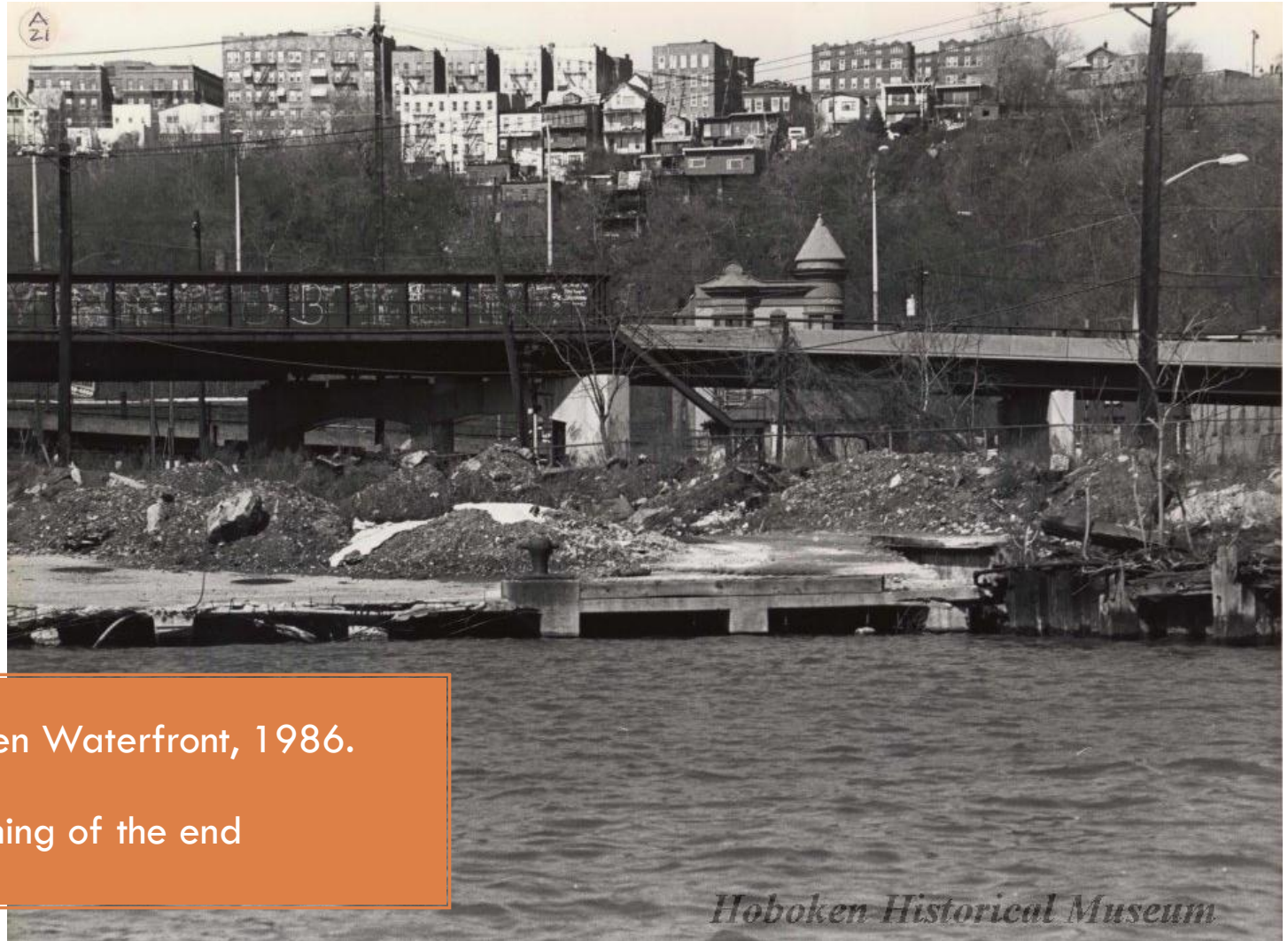
**Hudson River Waterfront -  
1960s, 1970s and 1980s**

# Hudson River Waterfront - 1960s, 1970s and 1980s

Hoboken Waterfront in  
the 1970's



# Hudson Waterfront in 1960s, 1970s and 1980s



Weehawken Waterfront, 1986.

The beginning of the end

*Hoboken Historical Museum*

# Hudson Waterfront in 1960s, 1970s and 1980s

The End circa  
1965-1986



# A New Era



- **Energy facilities try to fill the void**
- **Citizen activism erupts in Hudson County**
- **Environmental Committees**
- **Waterfront Coalition of Hudson & Bergen**



# A New Era



- **Role of US EPA; NJ DEP**
- **Stevens Institute of Technology**
- **Discovery of Regional Plan Association's "Lower Hudson" 1966**

# A New Era

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- **HRW Study, Planning and Development Commission 1979**
- **Pleas for connected pathway at river edge**
- **Lobbying worked**

# Hudson River Waterfront Walkway

- **30 feet wide – 16' unobstructed, 14' buffer/bike continuously connected pathway at river edge**
- **Rules and Regulations – 1982-1984 and 1988-1989**
- **N.J.A.C. 7:7E-3.48**



Walkway under George Washington Bridge



Edgewater Walkway at the Colony



Edgewater Crab House Pier



Weehawken Walkway and Marina



Jersey City, Newport Link to Hoboken





Jersey City, Hyatt Hotel Pier

Jersey City, Hyatt Hotel Pier





Jersey City, Walkway Boardwalk over Wetlands

# Public Trust Doctrine

By the law of nature these things are common to all mankind the air, running water, the sea and consequently shores of the sea.

*Book II Institutes of Justinian 550 AD*

# Public Trust Doctrine

This is 2000 year old law that is the guiding principle behind public access to the waterfront; the shores of the sea are to be preserved for public use and government is required to maintain that use. The doctrine passed into medieval English Common Law where it was held to be an “inalienable” right which prevented the transfer of waterside property by the crown to private ownership. (Urban Harbors Institute of University of Massachusetts).

The doctrine was accepted as common law by the 13 original U.S. colonies and entered United States common law in 1892.

The New Jersey laws were challenged and upheld by the NJ Supreme Court (Matthews v. Bay Head Improvement Association 1984) and most recently by the Federal District Court in a challenge from the National and New Jersey Associations of Homebuilders 1999. The Public Trust Doctrine was the basic rationale put forward in upholding these laws.

# Rules of the Walkway

- ❑ **Maritime uses required**
- ❑ **Walkway mandated**
- ❑ **Must be constructed and maintained by the property owner**
- ❑ **Free Public Access 24/7**

# New Rules: Opportunity or Peril

- **New Rules for Public Access to the waterfronts of the state**
- **Municipal Public Access Plans (MPAP) must retain established Waterfront Walkway**
- **Lower Hudson River waterfront – unique among tidal riverfronts in the state**
- **Public Trust Doctrine still standing**
- **New Rules do NOT supersede Hudson River Waterfront Walkway rules**

# Waiver Rule

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## Potential to override Rules and Regulations

- **National Security**
- **Results to date**





# Challenges for the Hudson River Waterfront

**How not to build the Walkway**

# Inadequate Design



# Nonconforming Construction



# Misleading Signage



HUDSON RIVER WATERFRONT  
WALKWAY

OPEN 6AM  
CLOSED 10PM

NO ALCOHOLIC BEVERAGES OR BOTTLES

# Pre-Sandy Warnings (eroding shoreline)



# Pre-Sandy Warnings (eroding shoreline)

Mariners Landing



# Pre-Sandy Warnings (subsidence)



Kingston 2009

# Pre-Sandy Warnings (subsidence)



Kingston 2009



# Pre-Sandy Warnings (rotted pilings/deck collapse)



Steven's Waterfront Park

# Pre-Sandy Warnings (sink hole)



Sinatra Drive

Katie Colaneri/The Jersey Journal



**Sandy: October 29, 2012**

# Sandy – October 29, 2012



# Sandy – October 29, 2012



# Sandy – October 29, 2012 Port Liberte



# Sandy – October 29, 2012 Port Liberte

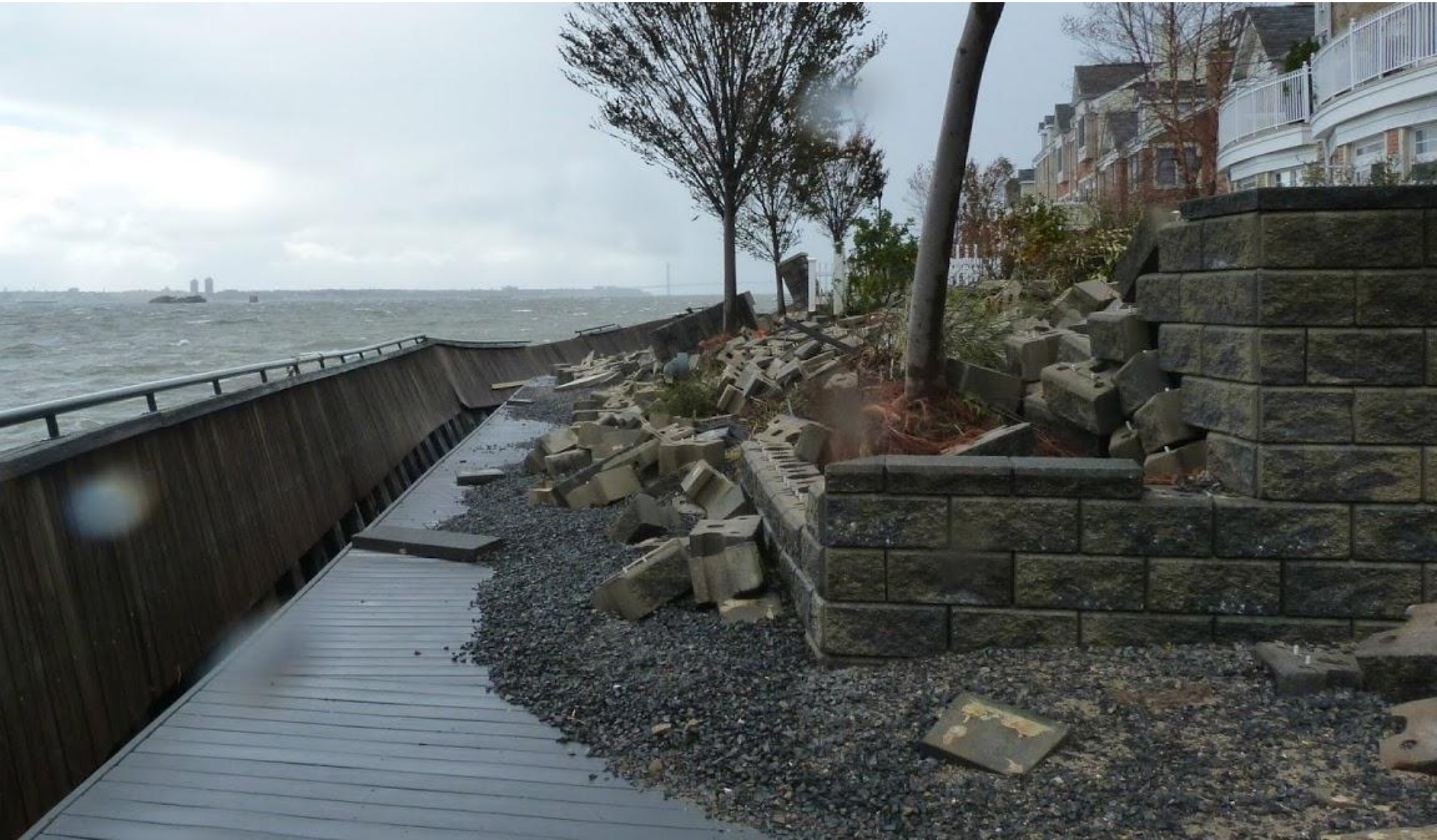


# Sandy – October 29, 2012 Port Liberte





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# **Sandy – A taste of the future: Just the beginning**

- ❑ Sea level rising**
- ❑ Nor'easters**
- ❑ Storm Surge**
- ❑ Living with Water - the new resilience**

# Living with Water – the new resilience

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## The Big Ticket Items

- **Dams, Walls, Gates,**
- **Bulkheads**
- **Regional needs**

# No longer just rebuild and replace

- **New requirements – green and blue roofs**
- **Pervious paving**
- **Wells and pumps**
- **Saved by a park**
- **Location of construction – FEMA map**

# The Role of Government

- ❑ **Federal**
- ❑ **State**
- ❑ **Local**

# Four Federal Programs

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- **FEMA**
- **Housing and Urban Development (HUD)**
- **Small Business Administration**
- **Army Corps of Engineers**



# State Programs

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- **Public Assistance Grant Program via NJ Office of Emergency Management, Public Assistance Unit - Loans**

# Local Government

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## **Local Planning Boards – not a place for sissies**

- Master Plan**
- New Zoning**
- Enforcement**

# Why we need funding

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- ❑ **Obligation of property owners to maintain Walkway**
- ❑ **No repairs, no Walkway**
- ❑ **Need access to disaster aids**

# Recommendations

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- **Seek funding to help sustain the Walkway**
- **Hudson Riverfront Stability District**
  - *(similar to a Business Improvement District)*
- **Bond Fund**

# Request

**The Hudson River Waterfront needs your support to retain what we have and to make certain that the Walkway will be here for use by the public for generations to come.**

