



State of New Jersey

Christine Todd Whitman  
Governor

Department of Environmental Protection

Robert C. Shinn, Jr.  
Commissioner

Division of Fish, Game and Wildlife  
2201 Route 631

Woodbine, NJ 08270

Robert McDowell, Director

Visit our website: [www.state.nj.us/dep/fgw](http://www.state.nj.us/dep/fgw)

29 January, 2001

Mr. Russel J. Wilson  
Sandy Hook Unit  
Gateway National Recreation Area  
PO Box 530  
Fort Hancock, NJ 07732

RE: Plan for Osprey nesting at Fort Hancock district

Dear Mr. Wilson:

I have reviewed your plan, dated December 20, 2000, to maintain osprey nesting during and after rehabilitation of buildings at Fort Hancock. I understand the specific terms to be these:

1. Repair of five existing (but unused) nest structures (P3, P6, P7, P9, P11);
2. Installation of four new nest structures, at locations sufficiently distant from regular human use;
3. Adaptation of utility poles where suitable, once the poles are abandoned for their current use;
4. Removal of existing nest materials from chimneys (C15, C16, C17) before April 1, 2001 *or* after August 15, 2001 (i.e., no nest removals or disturbance during the nesting season).

Your plan should be successful in accommodating and improving osprey nesting and nest success on Sandy Hook, and is acceptable to us.

The height of the nest relative to surrounding vegetation and distance from human use areas are the main factors influencing osprey use of new nests. If you like, you may consult with us when you select specific locations for new nests; my number is (609) 628-2103, and email is [KClark@nwip.net](mailto:KClark@nwip.net). I appreciate the opportunity to review this plan.

Sincerely,

Kathleen E. Clark  
Principal Zoologist  
Endangered and Nongame Species Program



State of New Jersey

James E. McGreevey  
Governor

Department of Environmental Protection  
Land Use Regulation Program  
P. O. Box 439, Trenton, NJ 08625-0439  
Fax # (609) 777-3656  
[www.state.nj.us/dep/landuse](http://www.state.nj.us/dep/landuse)

Bradley M. Campbell  
Commissioner

Russel J. Wilson  
Superintendent  
United States Department of the Interior  
National Park Service  
Gateway National Recreation Area  
Sandy Hook Unit  
PO Box 530  
Fort Hancock, New Jersey 07732

JUL 1 2003

JUN 25 2003

RE: Federal Consistency Determination  
LURP Program File No.: 1300-02-0004.1 (CDT 030001)  
Applicant: United States Department of the Interior, National Park Service  
Location: Fort Hancock and Sandy Hook Proving Ground  
Sandy Hook, Monmouth County, New Jersey

Dear Mr. Wilson:

The New Jersey Department of Environmental Protection, Land Use Regulation Program, acting under Section 307 of the Federal Coastal Zone Management Act (P.L. 92-583) as amended, and Water Quality Certification, as required by Section 401 of the Federal Clean Water Act (33 USC 1251 *et seq.*) has reviewed the information submitted for a Federal Consistency determination, dated March 31, 2003. Please be advised that the Program has determined that the proposed project is consistent with New Jersey's Rules on Coastal Zone Management N.J.A.C. 7:27E-1.1 *et seq.*, as amended to March 3, 2003, with the implementation of conditions listed below.

The applicant, the National Park Service (NPS), proposes the rehabilitation and reuse of 37 structures within existing footprints and the construction of approximately 665 additional parking spaces at the park. The NPS is offering the long-term lease of these buildings to private entities/organizations for use as office/conference space, educational facilities (i.e., classrooms, laboratories, etc.) and lodging (i.e., bed & breakfast facilities), in exchange for the building rehabilitation and fair market return. The 665 new parking spaces will be constructed through the redesign and expansion of six (6) existing parking lots and the construction of six (6) new lots on previously disturbed land dispersed around the perimeter of the fort. Additional improvements include the replanting of 150 trees, landscaping, new walkways, lighting and site furnishings.

The project is discussed in a report entitled "Environmental Assessment Adaptive Use of Fort Hancock and the Sandy Hook Proving Ground Historic District", prepared by the National Park Service, in association with Sandy Hook Partners, LLC, dated February 2002. Traffic information is discussed in another report entitled "Gateway Village Rehabilitation Project Fort Hancock and the Sandy Hook Proving Ground Monmouth County, NJ Traffic Impact Study", prepared by JE/Sverdruf & Parcel Consultants, Inc., dated March 24, 2003.

Pursuant to 15 CFR 930.44, the Program reserves the right to object and request remedial action if this proposal is conducted in a manner, or is having an effect on, the coastal zone that is substantially different than originally proposed.

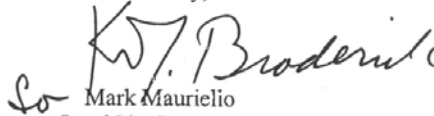
The issuance of this Federal Consistency Determination is contingent upon compliance with the conditions as they are listed below.

**Administrative Conditions:**

- 1) The National Park Service shall coordinate with the NJDEP Division of Fish & Wildlife, Endangered Species Program in order to, if necessary, conduct appropriate site surveys of the building rehabilitation and parking lot reconfiguration/construction areas to determine what conditions are required in order to secure the Piping plover and Least tern species long-term utilization of the region. This includes the imposition of appropriate timing restrictions and other appropriate measures as stipulated by the above agency.
- 2) In order to protect the Piping plover species, any proposed grading or construction activities within Piping plover habitat are prohibited between April 1 and July 30 of each year, and a 1,000 foot buffer must be maintained from the nesting habitat where appropriate.
- 3) In order to protect the Least tern species, any proposed grading or construction activities within Least tern habitat are prohibited between April 15 and August 15 of each year, and a 100 yard buffer must be maintained from the nesting habitat where appropriate.
- 4) If the position of a survey marker or monument can not be protected, the applicant shall coordinate with the New Jersey Geodetic Control Survey (NJGCS) at least 60 days prior to disturbance to relocate the geodetic control marker to an appropriate location prior to construction.
- 5) The National Park Service shall continue to coordinate with the New Jersey Department of Transportation and local agencies to implement a Traffic Management and Agency Coordination Plan and to provide additional mitigation for anticipated and future traffic impacts resulting from development at the park.

Thank you for your attention to and cooperation with New Jersey's Coastal Zone Management Program. If you have any questions with regard to this determination, please do not hesitate to contact Colleen Keller, at the above address or at 609-984-0288.

Sincerely,

  
So Mark Maurielio  
Director, Land Use Regulation Program

c: Office of Coastal Planning and Program Coordination



State of New Jersey

Department of Environmental Protection  
Division of Parks & Forestry, Historic Preservation Office  
PO Box 404, Trenton, NJ 08625  
TEL: (609) 292-2023 FAX: (609) 984-0578  
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James E. McGreevey  
Governor

Bradley M. Campbell  
Commissioner

MAY 9 2003

May 6, 2003  
HPO-E2003-23 PROD  
03-1447

Billy G. Garrett  
Acting General Superintendent  
Gateway National Recreation Area  
Headquarters Building 69  
Floyd Bennett Field  
Brooklyn, NY 11234

Dear: Mr. Garrett:

In accordance with 36 CFR Part 800: Protection of Historic Properties, as published on December 12, 2000, in the *Federal Register* 65(239):77725-77739, I am providing **Consultation Comments** for the following proposed undertaking:

Monmouth County, Middletown Township  
Sandy Hook – Fort Hancock and the Sandy Hook Proving Ground Historic District  
Adaptive Use of Fort Hancock – Traffic Study  
National Park Service  
United States Department of the Interior

**800.4 Identifying Historic Properties**

Fort Hancock and Sandy Hook Proving Ground Historic District is listed on the National Register of Historic Places as a National Historic Landmark. The Route 36 Highlands Bridge was identified as eligible for listing on the National Register on 7/19/91.

**800.5 Applying the Criteria of Adverse Effect**

The Traffic Impact Study clearly shows that the traffic impacts from the Gateway Village Rehabilitation Project will have **no adverse effect** on Fort Hancock and Sandy Hook Proving Ground.

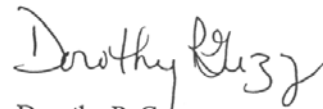
**Additional Comments**

The "no-build" option for the Gateway Village Rehabilitation Project, which implies the gradual loss of the historic buildings of Fort Hancock, would have an adverse effect on this National Historic Landmark.

The Section 106 Review process for the proposed replacement of the Route 36 Highlands Bridge has been initiated by FhWA. We anticipate a finding of adverse effect for a bridge replacement with Section 106 concluded through a Memorandum of Agreement that spells out measures to reduce and mitigate the adverse effects.

Thank you again for having provided this opportunity for consultation and comment. If you have any questions, please contact Dan Saunders at (609) 633-2397, staff reviewer for this project

Sincerely,



Dorothy P. Guzzo  
Deputy State Historic  
Preservation Officer

DPG/DS

C: Richard Wells  
Kathy Foppes  
Lou Venuto



## State of New Jersey

DEPARTMENT OF TRANSPORTATION  
1035 Parkway Avenue  
PO Box 600  
Trenton, New Jersey 08625-0600

James E. McGreevey  
*Governor*

February 27, 2003

Mr. Russel Wilson  
Superintendent  
National Park Service - Sandy Hook Unit  
P.O. Box 530  
Fort Hancock, New Jersey 07732

Re: Gateway Village Rehabilitation Project at  
Fort Hancock and the Sandy Hook Proving Ground  
Monmouth County  
Traffic Study for Draft Environmental Assessment

Dear Mr. Wilson:

This is in reference to the Traffic Study for the Draft Environmental Assessment (EA) submitted by your office for the New Jersey Department of Transportation's (NJDOT) review. As advised by our Bureau of Major Access Permit, the current NJDOT Access Code does not require the National Park Service to mitigate the problem on Route 36 at Broad Street based on the following reasons:

1. The access from Route 36 to Fort Hancock at Sandy Hook is via a **street**, not a **driveway**. While we might require traffic study and highway mitigation for increased volumes on a **driveway**, under the Access Code, there are no such requirements for **streets**. Accordingly, the NJDOT has no authority, under the Access Code, to regulate and require mitigation for increased traffic associated with **street** access to Fort Hancock.
2. The traffic impact is approximately 17 miles away from the site of the increased development, as practical matter, mitigation by the National Park Service is not required.

If you have any questions, please call Atul Shah at 530-2475.

Sincerely yours,

Steve Lavelle  
Program Manager  
NJDOT

AS:JP

Enclosure

cc: Atul Shah  
Howard Zahn

MAR 3 2003

## National Park Service

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The National Park Service is a bureau of the Department of the Interior. We preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. We also cooperate with partners to extend the benefits of the natural and cultural resource conservation and outdoor recreation throughout this country and the world.