



Environment
Transition Policy Group
PREPARED FOR GOVERNOR-ELECT JON S. CORZINE

Final Report

January 10, 2006

Trembly Point section of Linden and also allow for more industrial development in this already pollution-saturated area.

Close Loophole That Allows Preserved Farms To Be Paved Over. The Policy Group recommends that the Governor close the loophole that allows preserved farms to be paved over with greenhouses, aquaculture structures, and so on, by requesting the State Agriculture Development Committee (SADC) to adopt a regulation limiting impervious cover on preserved farmland. Second, the Governor should require the SADC to enforce the existing rule that permits landowners to restrict impervious cover when preserving their land. Finally, the Governor should appoint SADC members who support impervious cover limits.

STRENGTHEN SCIENTIFIC-BASED PLANNING PRACTICES

Move The Office Of Smart Growth Back To The Department Of The Treasury. The Policy Group recommends that OSG is returned to the Department of the Treasury. The Department's independence is important, because its perspective must be considered on a level playing field to that of the infrastructure divisions of DEP, DCA and DOT. Subjugating OSG to the DCA has infringed on the Office's neutrality, which would be solved by moving it to Treasury.

Create A Process To Streamline Redevelopment And Growth In Urban Areas. The Policy Group recommends that the Governor develop a process to encourage redevelopment and growth in urban areas. Environmental protection regulations must be based on sound science, and be equally protective of urban and non-urban areas. The Policy Group also notes that such a process should have special considerations for environmental justice. The Policy Group believes that regulations cannot be driven by designations under the State Plan and Redevelopment Plan, which is neither regulatory nor sufficiently protective of natural resources because data about those resources is not incorporated into the Plan. Instead, the Department should engage in natural resource-based planning which would begin with careful mapping of a full range of natural resources and ecological features. Once the resources are mapped, incentives should be made available for development that respects critical areas. In addition, incentives should be made available for restoration and preservation of natural resources. Protection of New Jersey's natural resources is critical for ecological and economic reasons.

Prioritize The Highlands Master Plan. When the Highlands Master Plan is adopted in June, the Policy Group recommends that the DEP adjust its regulations to support the scientifically-based Plan; if changes are necessary, DEP regulations should be subjugated to the Plan. Furthermore, the Policy Group recommends that the Governor appoints a liaison to the Highlands Council from the DEP and SADC. There needs to be a mechanism to help protect municipalities until the plan is adopted.

Reexamine Pinelands Comprehensive Plan. The Governor should continue efforts to re-examine the Pinelands Comprehensive Plan for areas in which natural resources come into conflict with zoning, as done by the Jackson Township/Toms River Task Force. This will be especially important in the "Elwood Corridor" in the southern Pines. Furthermore, the new Pinelands Forestry standards, which allow for ecologically based management, should be implemented.

Close The CAFRA Loophole. The Policy Group recommends that the Governor introduce legislation to reform the Coastal Area Facilities Review Act (CAFRA), including closing the "CAFRA loophole," expanding the program's jurisdiction to a watershed basis, and strengthening the law's protection of sensitive areas and ability to manage growth to protect water quality.

Expand Trap/Neuter/Return Program To Control Animal Populations With Non-Lethal Methods. The Policy Group recommends that the Governor support legislation or develops regulations that require the mandatory sterilization of animals prior to release from shelters. The Policy Group recommends a heavy emphasis on those that are designed to address the interest of both feral cats and wildlife, taking into account the protection of rare wildlife and public open spaces areas. 50,000 animals were euthanized last year in New Jersey, costing the State approximately \$2.5 million.²

PROTECT ENDANGERED SPECIES URBAN AND RURAL HABITATS

Adopt Critical Habitat Modification Rules To Protect Endangered Species' Habitat.

The Policy Group recommends that the Governor adopt critical habitat modification rules pursuant to the Endangered and Nongame Species Conservation Act ("ENSCA"). These rules would regulate activities that harass threatened or endangered species by modifying the habitat of those species. Species occurrence data and information system mapping would be used to delineate areas presumed to be habitat for threatened or endangered species. The habitat presumption could be rebutted by showing that the area was incorrectly mapped or is not in fact habitat for the species.

Convene A Task Force To Address Urban Habitats Of Endangered Species. We recommend that the Governor convene a NJDEP task force on preserving urban habitats be established with public representatives as partners. The protection of endangered species needs to be applied equally throughout the State, whether rural, suburban or urban. There is a need for better mapping and identification of endangered species and their habitat in urban areas. Changes will have to occur in the ways that Green Acres funds are allocated, endangered species habitats are determined, and that land use permit decisions are made.

PRIORITIZE ECO-TOURISM AND HERITAGE TOURISM

Create A "New Jersey Natural Heritage And Cultural Treasures" Designation. Create a "NJ Natural Heritage and Cultural Treasures" designation, applying to areas with unique and threatened environmental resources. These "treasures" should be based on the DEP's rich, extant spatial data sets including mapping in the Wildlife Action Plan, the Landscape Project, Important Bird and Birding Areas, Garden State Greenways, Heritage Priority Sites, critical fish and shellfish areas and nurseries, land cover (e.g. large estuarine marshes) and existing federal and international designations. These designations should be used to focus acquisition, stewardship, access, landowner incentives and natural resource based planning. Furthermore, the Governor should dedicate particular parcels of open space as "Forever Wild," for land so valuable in its natural state that it should never be diverted.

Institute A Moratorium On Horseshoe Crab Harvest To Protect The Red Knot. Protection of the Red Knot requires the immediate institution of a moratorium on the 2006 horseshoe crab harvest. The moratorium should persist until a management plan is developed and approved by a peer-review panel including shorebird ornithologists and horseshoe crab ecologists. The State should explore economic compensation for those who can document that they have been adversely impacted while continuing its leadership in the research and management of these economically important species.

² Governor's Animal Welfare Task Force, November 2004. www.state.nj.us/animalwelfare/taskforcereport.pdf

Members of the Environmental Policy Group Who Have Signed on to the Above Report

Valorie Caffee (Co-Chair)	Organizing Director, NJ WEC
Tom Gilmore (Co-Chair)	President, NJ Audubon Society
Eileen Swan (Co-Chair)	Member of Highlands Commission/Former Mayor,Lebanon Twp
Wyatt Earp	IBEW
Mort Goldfein	Attorney, Saiber Schlesinger Satz & Goldstein
Dr. Sunil K. Garg	President, EcoShelf Group
Bob Medina	Engineering Consultant, Medina Consultants
Joe Morris	Interfaith Community Organization
Rev. Willie Anderson	Chairman, Camden Churches Organized for People
Rick Engler	Director, Work Environment Council
Andy Willner	Executive Director, NY/NJ Baykeeper
Cate Litvack	Executive Director, Crossroads of the American Revolution Association, Inc.
Jeff Tittel	Chapter Director, Sierra Club of New Jersey
Sherry Ramsey	Humane Society of the U.S.
Tom Fote	Legislative Director, Jersey Coast Anglers Association
Bill Sheehan	Hackensack Riverkeeper
Dr. Stephen J. Souza	President, Princeton Hydro, LLC
Ella Filippone	Executive Director, Passaic River Coalition
Tim Dillingham	Executive Director, American Littoral Society
Sharon Finlayson	Chair, New Jersey Environmental Federation
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Stewart Abrahams	Practice Director for Remediation at Shaw Environmental and Infrastructure Inc.

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