

STATE OF NEW JERSEY
JOINT MEETING
of the
SENATE ENVIRONMENT COMMITTEE
ASSEMBLY ENVIRONMENT AND SOLID WASTE COMMITTEE
Thursday, April 16, 2009
Trenton, New Jersey

MEMBERS PRESENT:

SENATOR BOB SMITH, Co-Chair
ASSEMBLYMAN McKEON, Co-Chair
SENATOR JEFF VAN DREW, Vice Chair
SENATOR JAMES BEACH
SENATOR ROBERT M. GORDON
ASSEMBLYMAN ALBERT COUTINHO
ASSEMBLYWOMAN LINDA R. GREENSTEIN
ASSEMBLYMAN MATTHEW W. MILAM
ASSEMBLYWOMAN VALERIE VAINIERI HUTTLE
ASSEMBLYMAN JOHN DiMAIO

ALSO PRESENT:

CARRIE ANNE CALVO-HAHN, *Committee Aide, Office of Legislative Services*
JUDITH L. HOROWITZ, *Committee Aide, Office of Legislative Services*
ALGIS P. MATIOSKA, *Committee Aide, Office of Legislative Services*

KEVIL DUHON, *Senate Majority Committee Aide*
KATE MCDONNELL, *Assembly Majority Committee Aide*
JOHN HUTCHISON, *Senate Republican Committee Aide*
THEA SHERIDAN, *Assembly Republican Committee Aide*
SARAH E. WOOTTON, *Assembly Republican Committee Aide*

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1 (Whereupon, the proceedings commenced at
2 approximately 10:32 a.m.)

3 **ASSEMBLYMAN JOHN F. McKEON (Co-Chair):** Welcome
4 to-- Everyone, if they could take their seats. I appreciate everyone being
5 here.

6 If we could have the respective staff for
7 this joint Committee call roll, please?

8 **MS. CALVO-HAHN:** For the Assembly
9 Environmental and Waste Committee; Assemblyman DiMaio?

10 **ASSEMBLYMAN DiMAIO:** Here.

11 **MS. CALVO-HAHN:** Assemblywoman
12 Vainieri Huttler?

13 **ASSEMBLYWOMAN VAINIERI HUTTLE:** Here.

14 **MS. CALVO-HAHN:** Assemblyman Milam?

15 **ASSEMBLYMAN MILAM:** Here.

16 **MS. CALVO-HAHN:** Assemblyman Coutinho?

17 **ASSEMBLYMAN COUTINHO:** Here.

18 **MS. CALVO-HAHN:** Assemblywoman Greenstein?

19 **ASSEMBLYWOMAN GREENSTEIN:** Here.

20 **MS. CALVO-HAHN:** Assemblyman McKeon?

21 **ASSEMBLYMAN McKEON:** Present.

22 **SENATOR BOB SMITH (Co-Chair):** Now we'll do the
23 same on the Senate side.

24 **MS. HOROWITZ:** For the Senate Environmental
25 Committee; Senator Gordon?

1 SENATOR GORDON: Here.

2 MS. HOROWITZ: Senator Beach?

3 SENATOR BEACH: Here.

4 MS. HOROWITZ: Senator Smith?

5 SENATOR SMITH: Here.

6 The purpose of today's hearing, as everyone
7 knows -- we've come very close to Earth Day -- is to put
8 on the public table, for discussion, a very great moment
9 in New Jersey's history. We have had, over the last 20
10 years, very focused efforts to provide open space,
11 preserve farmland, and do historic preservation -- the
12 Garden State Preservation Trust being the primary tool.
13 That being said, we're broke, there is no more money
14 left in the Garden State Preservation Trust. We're at
15 that critical moment where I think we need to engender
16 public support. The citizens of New Jersey have always
17 supported this effort. The purpose of today's hearing
18 is to remind you to put on the table the issue, in as
19 factual a method as possible, to explain how critical
20 the moment is, and hopefully generate the public
21 support.

22 Chairman McKeon?

23 ASSEMBLYMAN McKEON: Thank you very much, Mr.

24 Chairman.

25 I just want to, first of all, start by

1 thanking the members of my Committee, particularly those
2 who came as substitutes today. Thank you so much for
3 giving your time and effort to this really vital issue
4 in our state.

5 I'd like everybody to keep in mind during
6 the hearing that we often bring ourselves and put
7 ourselves in different categories of environmentalists
8 versus builders, or whatever it might be. We can't think
9 of it that way, that's the old way of thinking. It's
10 about all of us together, we're -- the economy and the
11 environment are so intertwined in the best interest of
12 all of our survival. I think the gist of what you'll
13 hear today is bringing that message forward.

14 With that, it is our honor and privilege to
15 ask the newly sworn in Secretary of Agriculture, former
16 Assemblyman and our colleague, Doug Fisher, to come
17 forward. I know, parenthetically, that the last bond
18 referendum that was successful on the ballot, Doug was
19 the primary co-sponsor and the driving force, as
20 Chairperson of the Committee on Agriculture, in moving
21 that forward. Mr. Secretary, if you would join us?
22 **SECRETARY DOUGLAS H. FISHER:** Thank you,
23 Chairman Smith, Chairman McKeon. I appreciate you
24 having me come in today, and hope you won't give me a hard
25 time now that I'm on this side of the table. And I do know

1 how to operate the red and green light, so I thought
2 that was a plus. I'm delighted that you're having this
3 hearing. I think it's just a great opportunity for the
4 public to hear about GSPT and the programs, so I'll
5 start by giving my testimony today. I want to thank
6 you for this opportunity as it relates to the GSPT and
7 our need for the renewed funding source.

8 The GSPT has had a profound effect on New
9 Jersey's farmland preservation efforts and our ability
10 to maintain a thriving agriculture industry here in the
11 Garden State. It was established in 1999, as you all
12 know, and five years prior an average of 45 farms
13 entered the Farmland Preservation Program annually.
14 Now, over the last five years, more than three times
15 that number, 160 farms, have been preserved. All told,
16 177,000 acres of farmland have been permanently
17 preserved under the program since its inception in 1983.
18 By the time we actually spend the last GSPT dollars --
19 which already have been allocated to us for existing
20 projects -- we expect the total to be 200,000 acres.
21 This is extraordinary progress considering that prior to
22 GSPT, only 55,000 acres of farmland had been preserved
23 over 15 years of program acquisitions.

24 Now, 200,000 acres is an impressive
25 accomplishment, but we are nowhere near that finish

1 line. The Department of Agriculture has projected that
2 New Jersey will need a stable land base of approximately
3 600,000 acres to support a strong and viable agriculture
4 industry into the future. While innovative approaches
5 -- including the aggressive pursuit of transfer of
6 development rights -- can assist in reaching that goal,
7 it is clear that we will need to preserve at least
8 200,000 additional acres through the purchase of
9 development rights under the Farmland Preservation
10 Program. Achieving that goal is dependent on continued
11 funding that will enable the program to meet a
12 continuing high demand from landowners and our county,
13 local, and non-profit partners.

14 Farmland preservation appropriations under
15 the Garden State Preservation Trust have ranged from a
16 low of \$78 million in Fiscal Year 2000, the first full
17 year of GSPT, to a high of \$142 million in FY 2006.
18 Over the past five years, an average of \$116 million has
19 been appropriated for farmland preservation, totals that
20 are still far short of the current demand for the
21 program. As an example, in '09 -- Fiscal Year '09 --
22 one-year acquisition projections under county and municipal
23 planning incentive grant programs, a record number of
24 applications under a non-profit grant program, and a long
25 list of farms applying to our State acquisition program

1 amounted to a total funding demand of \$270 million
2 versus the \$91 million that we have available. This
3 level of demand will continue. Seventeen counties and
4 42 towns have submitted farmland preservation plans to
5 the SADC, targeting the preservation of 210,000 acres
6 over the next 10 years at a cost of \$3 billion,
7 \$1.8 billion of that in State dollars. And I think
8 it's important to note that \$1.2 billion will be borne
9 by the counties and municipalities, representing a
10 strong financial commitment to achieve farmland
11 preservation goals they have established. The stable
12 source of funding provided by the creation of GSPT
13 has encouraged municipalities and counties to establish
14 their local farmland and Open Space Trust Funds,
15 and non-profits to also commit to funding farmland
16 preservation. These partners have contributed a full
17 one-third to the \$1.2 billion in total acquisition costs
18 to date. The point is, they depend on the leverage of
19 State dollars for preservation, with State grants
20 averaging 60 percent of the acquisition costs. If we
21 were to think of New Jersey's Farmland Preservation
22 Program as a tent, State funding functions as the center
23 pole; and landowners, and local and county governments,
24 and non-profit programs represent the supporting stakes.
25 If we take away the State funding, the center pole of

1 that tent, the tent collapses.

2 Landowners, of course, are an essential part
3 in preservation. Whether they decide to preserve their
4 farms or not, the Farmland Preservation Program offers
5 them that opportunity and it is important for them to
6 know that preservation is still an option. Frankly,
7 I've heard that over and over from landowners -- they just
8 want to know that it's there, that they have that
9 opportunity. In the Highlands Region, preservation for
10 many landowners is the only option -- I stress, the only
11 option -- to recapture the equity in their land in the
12 Highlands Region. Particularly in areas of the state
13 where we have made investments in preserving farmland,
14 farmers realize that agriculture is still a viable and
15 worthwhile pursuit. If the State falters in its
16 commitment to preservation, to ensuring a permanent
17 agricultural land base to support future farming, it is
18 not unreasonable to assume that farmers will question
19 their commitment to agriculture; and that county and
20 local governments faced with fiscal constraints of their
21 own, and without a State funding match, could suspend or
22 eliminate their own farmland and open space preservation
23 cost-share. Here in New Jersey, it has taken many years
24 to establish this very strong farmland preservation
25 partnership and to build up the momentum of farmland

1 preservation. Certainly, we are considered to be the
2 first state to achieve build-out, and we cannot afford to
3 lose that momentum.

4 We all recognize the challenging fiscal
5 climate we face, but we should also recognize that
6 presents us with unique opportunities for State and
7 local governments to protect, in some cases, enormous
8 swaths of land, which we have only been able to do, for
9 once -- because once the developers come knocking at the
10 door, that time runs out. Just a recent case: In
11 December, 1,900 acres of farmland were preserved in
12 Mannington Township in Salem County through a
13 partnership between the SADC, Green Aces, the township,
14 and the county. We are working now with Green Acres on
15 another cooperative acquisition of the same magnitude.
16 But the extraordinary preservation projects will
17 evaporate as soon as the development market, frankly,
18 regains its economic footing. It's a critical time
19 right now. A lack of funding now will cause us to lose
20 this once-in-a-lifetime preservation opportunity.

21 We must also remember that farmland
22 preservation itself has positive financial impacts. It
23 is an enormously important tool for towns across the
24 state looking for ways to hold the line on property
25 taxes. By preserving farmland, they keep privately

1 owned, taxpaying farmland on the local rolls. Farmland
2 contributes far more in property taxes than it does --
3 than it requires of public services. By paying for
4 farmland preservation today, we are saving on property
5 taxes in the long run.

6 The most common use of former farmland sold
7 for development is housing, which brings with it
8 increased costs to local school systems, increased costs
9 for fire and police, trash disposal, road maintenance
10 and so on -- and most of all, increased taxes. Numerous
11 fiscal impact studies across the country reinforce this
12 conclusion and typically show that farmland, unlike
13 residential development, pays substantially more in
14 taxes than it requires in services. One such study done
15 by the American Farmland Trust in 2001 found that for
16 every dollar paid in taxes, farmland only required 36
17 cents in services, unlike residential development that
18 required \$1.15 for every dollar paid.

19 Preserved farmland also contributes to the
20 economy by supporting a \$1.5 billion agriculture
21 industry. That's just the value of the farm gate.
22 Obviously there's billions of dollars in New Jersey,
23 aggregate dollars that are spent amounting to tens of
24 billions of dollars.

25 Maintaining our rural and open landscapes;

1 providing access to fresh, local produce and farm
2 products; and protecting wildlife habitat, air and water
3 quality are all factors that contribute to the quality
4 of life we enjoy in the Garden State. Perhaps most
5 importantly, what we do today to sustain our commitment
6 to farmland preservation will have lasting effects on
7 our -- the lives of our children and our grandchildren,
8 and many future generations who will call New Jersey
9 home. The GSPT provided New Jersey with a tremendous
10 opportunity to protect the farmland that is so important
11 to maintaining our quality of life and strong
12 agriculture industry. We have made a great deal of
13 progress, but there is certainly much more left to do.

14 I also wanted to mention that even today, as
15 we talk about food safety, we realize how much more
16 we're going to rely on our local farms to be in
17 existence and productive, and farming families in New
18 Jersey. Not only -- there's so many other factors
19 that we could discuss -- homeland security and access,
20 frankly, to local food products in the local market. It
21 all points to our hope and desire that GSPT is
22 continuing to be funded.

23 We look forward to this Committee's interaction.

24 Thank you, Chairmen.

25 SENATOR SMITH: Thank you, Mr. Secretary.

1 Good luck with your new position.

2 The second witness today is Jay Watson, the
3 Deputy Commissioner of the Department of Environmental
4 Protection.

5 ASSEMBLYMAN McKEON: Thank you, Mr. Secretary.

6 And when Jay comes up, I'll call everybody's attention
7 to that beautiful mural in the back. It was a great
8 backdrop to your testimony, Mr. Secretary.

9 JOHN S. WATSON JR.: Good morning, Chairman Smith
10 and Chairman McKeon, and members of the joint Committees.
11 Thank you very much for having this important hearing
12 today, and thank you so much for just inviting us all to
13 say a few words in support of the work that has been so
14 important.

15 As you know, the Garden State Preservation
16 Trust approved the final round of open space projects on
17 March 11, and those approvals are on their way to you
18 for consideration for the final appropriation of open
19 space in the state. We are here today because even in
20 these challenging fiscal times, we cannot overlook our
21 long-term responsibility to protect our natural
22 resources and our historic heritage, and to protect and
23 enhance the quality of life in New Jersey. New Jersey
24 provides quality recreation for everyone. Whether you're
25 enjoying an unspoiled view along the Appalachian Trail

1 in Sussex County, or playing tennis in Cadwalader Park
2 right here in the City of Trenton, or standing on the
3 sandy beaches in South Jersey trying to hook a Striper,
4 New Jersey has something for everyone; and our open space
5 funding has made those opportunities possible. We want
6 to continue to protect habitat for New Jersey's remarkable
7 array of species, some globally rare. And they all rely
8 on forested lands and grasslands, and those same lands
9 play a major role in our efforts to address climate
10 change through sequestration.

11 Our open space also helps protect the
12 quality and quantity of our precious water resources.
13 We must continue to preserve lands for groundwater
14 recharge and provide a buffer to our drinking water
15 resources. New Jerseyans must recognize fresh water for
16 the valuable resource that it actually is. What we do
17 now is going to serve to protect it for many
18 generations. And at your direction, Mr. Chairmen, we
19 placed the highest priority on preserving those lands
20 which protect our state's water future, and we thank you
21 for your leadership in that realm.

22 As you know, the Green Acres Land
23 Preservation Program is recognized as one of the most
24 successful and popular in the nation. For almost 50
25 years, Green Acres has been protecting land in New

1 Jersey, and we cannot slow our pace of preservation when we
2 know so much more needs to be done. Open space funding
3 preserves our productive farmland, as the Secretary said,
4 providing fresh, healthy produce to our communities and
5 reducing the amount of food that is otherwise shipped long
6 distances to reach our markets. I can't even imagine
7 what a New Jersey summer would be without Jersey
8 tomatoes, and Jersey corn and blueberries. We must renew
9 our funding to make sure that we keep the garden in the
10 Garden State.

11 We must also protect our state's great
12 heritage. New Jersey has more historic sites per
13 square mile than any other in the nation. Some of the
14 most important events in American history happened on
15 our soil, events that are widely recognized as the
16 turning point of the American Revolution. Places like
17 Trenton, Washington Crossing, Princeton and Monmouth
18 Battlefield, and Rockingham resonate nationally. We
19 recently received, as you all know, the high honor of
20 the designation of the Crossroads of the American
21 Revolution National Heritage Area in recognition of
22 those facts. We must continue to protect our historic
23 landscapes. We must continue to make sure that our
24 historic structures don't crumble.

25 We must also continue to protect lands that

1 provide storm protection for communities, and we must
2 help move out of harm's way those people who live in
3 areas prone to reoccurring flooding. This open space
4 funding has enabled us to do that as well.

5 Two hundred thirty-three municipalities in
6 every county in the state have passed their own local
7 taxes. These towns and counties need to be able to
8 count on the State and Federal shares to leverage those
9 local sources.

10 I want to just say that this is a true
11 investment in New Jersey. We not only invest in the
12 preservation of land for future generations, but this
13 open space funding supports many industries in the state
14 as well. Our parks are designed by architects --
15 landscape architects and engineers, and they're built by
16 construction contractors. Just since the Garden State
17 Preservation Trust was approved in 1998, nearly \$320
18 million has made its way into every community, in the
19 form of construction projects for developing and
20 redeveloping parks. There's over \$50 million in the
21 appropriation that will be coming before you very
22 shortly, and that's local stimulus if I've ever heard of
23 it.

24 The land that is acquired is acquired with
25 the help of appraisers, surveyors, title searchers,

1 and insurers. Jobs are created as a result of
2 acquisitions of park development programs in New Jersey.
3 And as Governor Corzine routinely reminds us, getting
4 New Jerseyans back to work is one of our most important
5 objectives right now. Everything we do today will shape
6 New Jersey as a quality place to work, live, play, and
7 raise a family for many, many generations. The choices
8 we make will be lasting.

9 I thank you for your time this morning. I
10 thank you for all that you've done and continue to do
11 for open space preservation and environmental protection
12 in the State of New Jersey, and the protection of land.
13 The preservation of land and acquisition of land is the
14 epitome of environmental protection, so thank you very
15 much.

16 ASSEMBLYMAN McKEON: Thank you very much.

17 So our Committee members-- As the Senator
18 and I spoke about, what we're going to try to do is
19 get through the testimony, and then open it up to discussion
20 among us -- as that's what we think is the best approach -- and any
21 comments that we have. So I appreciate that. We're also
22 going to try to be finished here by 12:00 or 12:30 today,
23 so once we get through the first five or six invited
24 witnesses, we'll then to try to put some reasonable
25 time limit as people go forward.

1 Jay, thank you very much for your testimony
2 and we appreciate all your thoughts.

3 MR. WATSON: Thank you, Mr. Chairman.

4 ASSEMBLYMAN McKEON: The next witness is the
5 Chairman of the Garden State Preservation Trust Fund,
6 Michael Murphy, who gives his time as -- has a busy,
7 busy life, has volunteered to be in charge of that very
8 critical and important organization.

9 Mr. Murphy, welcome.

10 MICHAEL MURPHY: Thank you, Mr. Chairman; and
11 thank you, Mr. Chairman; and distinguished members of the
12 panel.

13 First, I'd like to note that the mural behind
14 the Chairs reminds me in part of the South Mountain
15 Reservation or, perhaps, the Greenway in Piscataway. I
16 can't say that the Garden State Preservation Trust is
17 responsible for those projects, but as the Commissioner
18 and the distinguished Mr. Watson pointed out, there are
19 thousands -- hundreds of thousands of acres that have
20 been preserved.

21 I was appointed Chairman of the Commission
22 by Governor Codey -- the Assembly Chair is familiar --
23 several years ago, and it's been an honor to serve.

24 My history -- personal history with this
25 organization goes really back to the early 1960s, when I

1 was a pre-teen -- perhaps before the Chairman was born
2 -- when my late father was just elected Governor of New
3 Jersey. And I specifically recall a time, when he was
4 Governor-elect, we were going down to look at the Island
5 Beach house -- which is really the best part of the job, by the
6 way. As we drove through Hamilton Township, and out past
7 there through farmland and through the northern reaches of
8 the Pine Barrens, my father told myself and the other
9 however many other kids we gathered up that day in the
10 car, that some day if we don't do something, this land
11 will be developed. It won't be the beautiful farmland
12 and open space that we saw. As a result, in part, of that
13 conversation and his commitment to open space, we
14 started the Green Acres Program in New Jersey. The
15 enormous part of Jackson Township was one of the first
16 places preserved, and that was the seminal event and
17 probably the most ambitious and the most necessary open
18 space preservation program in the country.

19 In this difficult economic environment --
20 and I would just like to use this opportunity to use
21 this panel -- this distinguished panel -- as an amplification
22 resource for what needs to be done here in the State of
23 New Jersey and continues to need to be done. This time
24 -- this difficult economic environment has members of
25 the Committee, regardless of political strife, talking

1 about budget cuts and furloughs and belt tightening.
2 The knee-jerk reaction might be, "Well, maybe we can't
3 afford to fund the Garden State Preservation Trust and
4 the open space programs, but the agriculture--" And
5 actually, nothing could be further from the truth. It's
6 counter-intuitive, but what we really need to be doing
7 is focusing on this great opportunity. While the
8 developers, for the first time in probably a generation,
9 are standing down and rethinking their development
10 strategies in the northern and western parts of the state,
11 and the southern parts and all over the state, this is an
12 opportunity for us to be able to compete with a great
13 advantage for the open space that continues to remain in
14 New Jersey. Because once we lose that opportunity -- the
15 McMansions will pop up, and roads and other services, as the
16 Commissioner and the Deputy Commissioner pointed out --
17 it will be lost forever.

18 My brief period of time before this
19 Committee is just to, again, amplify and echo the
20 sentiments of the previous speakers and several that
21 will be following me in asking this Committee to take
22 whatever steps are necessary to see to it that our great
23 Garden State Preservation Trust and the open space
24 programs of New Jersey continue, and continue
25 successfully, especially at this time.

1 Thank you.

2 SENATOR SMITH: Thank you, Mike.

3 Let me -- Senator Van Drew has now joined
4 the Committee.

5 And our next witness is Dorothy Guzzo, the
6 Executive Director of the New Jersey Historic Trust.

7 **DOROTHY GUZZO:** Good morning, I'm Dorothy Guzzo,
8 Executive Director for the New Jersey Historic Trust. And
9 thank you, Misters Chairmen, for allowing me this
10 opportunity to testify before the Environment Committees
11 this morning.

12 The Historic Trust is governed by a
13 volunteer Board of 15, appointed by the Governor, and is
14 the agency charged with administering the bricks and
15 mortar funding for New Jersey's historic resources.
16 While the Trust was created in 1967, its role as a
17 granting agency began in 1987 with the passage of the
18 first bond that included funding for historic
19 preservation projects.

20 I would like to provide a brief summary of
21 our program and will be happy to answer any questions
22 you might have.

23 Since its first round in 1990, the Historic
24 Trust has funded 596 projects, awarding over \$122.5
25 million; and, conservatively speaking, leveraged more

1 than \$150 million in private investments in all 21
2 counties of New Jersey. Under our current regulations,
3 non-profit organizations and agencies of government who
4 own or lease historic properties are eligible to apply
5 for our funding. Sites must be eligible for or listed
6 in the New Jersey Register of Historic Places. In the
7 past 20 years, the Historic Trust has funded historic
8 house museums, lighthouses, gristmills, farms and
9 outbuildings, theaters, churches, city halls, county
10 courthouses, schools, offices, factories, utilities,
11 waterworks, a battleship and schooner. With the
12 creation of the Garden State Preservation Trust, the
13 Historic Trust was allocated \$6 million per year
14 for 10 years for historic preservation projects. We
15 received an additional \$6 million from the 2007
16 ballot initiative.

17 While our recommendations for the 2008
18 round of capital projects is currently awaiting the
19 appropriations process, we will be accepting
20 applications on May 14 for what may be our final
21 planning grant round. It has been the practice to offer
22 funding for capital projects every other year, and to
23 hold a smaller round for planning initiatives in the off
24 year. As you can see from the chart, the request for
25 capital funding has steadily increased over the past 10

1 years, to the point where we are now receiving requests
2 for three times the amount of available funding; or put
3 another way, we are only meeting 39 percent of the
4 documented need. In the 2008 round we just held, we
5 received requests for \$38 million and, unfortunately,
6 turned away \$23 million in deserving projects, most of
7 which met the criteria and fulfilled the program
8 requirements.

9 In our upcoming planning round, we have
10 already received letters of intent from potential
11 applicants requesting twice the amount of funding
12 that we have available. In short, the \$6 million
13 per year allocation hasn't even begun to scratch the
14 surface of the actual need that exists. Out of the 60
15 projects recommended for funding in this past round, 20
16 projects were submitted by non-profit organizations.
17 Because we are a matching grant program, our State
18 investment acts as a catalyst for developing private
19 philanthropy. Often, we see our grantees matching our
20 grants with private foundation support funding from the
21 Federal Save America's Treasures Program, directly
22 through municipal and county budgets, and competitively
23 from grant programs offered through county open space
24 and historic preservation funds, as well as from other
25 sources.

1 It should also be noted that a large
2 percentage of historic property is in public ownership.
3 In this last round, 25 of the 60 projects we recommended
4 for funding were projects submitted by county or
5 municipal applicants. Without trust funding, the cost
6 of rehabilitation and stewardship would become the sole
7 burden of the county or municipality. Past recipients
8 such as the Hereford Inlet Light Station, Louis Kahn
9 Bathhouses, the bat houses in Ewing, and the Tenaflly
10 Railroad Station are a few examples of publicly owned
11 historic sites that have been transformed and are once
12 again functioning as community assets, attracting
13 visitors, bathers, and diners.

14 In summary, the bricks and mortar funding
15 allocated to the New Jersey Historic Trust has created a
16 model program that has been copied elsewhere in the
17 nation. The past 20 years of State investment in
18 preserving New Jersey's treasured historic resources has
19 resulted in economic benefits to the communities where
20 they reside, and has helped to create and sustain skilled
21 laborers and craftspeople within our state.

22 Thank you for inviting me this morning. And
23 I would like to point out that that's a historic
24 vernacular farmstead in the mural behind me, since we're
25 all commenting on the murals in this room this morning.

1 I would be pleased to answer any questions you might
2 have.

3 ASSEMBLYMAN McKEON: Thank you for your
4 testimony. Editorial comment is-- The component of
5 open space that you addressed is just essential.
6 I appreciate it.

7 We have our good friend and former Mayor,
8 Eileen Swan, who has done nothing less than taken on the
9 gargantuan task of sharing with all of the various
10 interests in putting together a group master plan in the
11 Highlands. So with no further ado, Eileen Swan, the
12 Executive Director of the Highlands Council, welcome.

13 EILEEN SWAN: Good morning, thank you for that
14 very nice introduction. Chairman Smith and members of
15 the Senate Environment Committee, and Chairman McKeon and
16 members of the Assembly and Solid Waste Committee, I
17 thank you for the opportunity to address this joint
18 session on the future of the Garden State Preservation
19 Trust.

20 My name is Eileen Swan, I am the Executive
21 Director of the Highlands Water Protection and Planning
22 Council. I'm here today to represent Chairman John
23 Weingart and the members of the Highlands Council. They
24 wish me to express, on their behalf, their strong
25 support for the renewal of the Garden State Preservation

1 Trust in order to provide dedicated funding for the
2 Highlands Region.

3 As mentioned by Chairman McKeon, just this
4 past year, July 2008, the Highlands Council completed
5 its extensive work on the Highlands Regional Master
6 Plan, adopting that plan. It then went into a Governor
7 review period, and Governor Corzine met with Highlands
8 Mayors, advocacy groups, and affected landowners. He
9 then took decisive action and issued Executive Order 114
10 to both approve the Highlands Regional Master Plan and
11 to order strengthened State agency implementation of
12 that plan. A major competent of that Executive Order is
13 the Governor's declaration of the vital need to
14 reauthorize the Garden State Preservation Trust to meet
15 the open space and agricultural preservation needs of
16 the Highlands Region and the state, and in part to
17 address landowner equity issues in the Highlands.

18 The Executive Order acknowledged first and
19 foremost that safeguarding the clean drinking water
20 supply for New Jersey's residents and preserving the
21 quality of our environment are among the most important
22 responsibilities of State government.

23 In addition, the Executive Order recognized
24 that landowner equity issues should be addressed through
25 extension of the dual-appraisal methodology created in

1 the Garden State Preservation Trust through the
2 Highlands Act. And here, I echo the comments that you
3 heard from Secretary Fisher. The Legislature designed
4 the dual-appraisal approach in the Highlands Act to
5 ensure that willing landowners participating in the
6 State's open space and farmlands preservation programs
7 obtain an appraisal based upon pre-Highlands Act values.
8 In adopting the Highlands Regional Master Plan, the
9 Highlands Council supported that need for dedicated and
10 stable sources of funding for the purpose of land
11 acquisition and conservation, with funds specifically
12 dedicated to the Highlands Region to protect the state's
13 drinking water supplies, to preserve ecosystem
14 integrity, and to promote the agricultural industry of
15 the Highlands Region and the State of New Jersey.

16 Preservation in the Highlands Region is of
17 statewide importance, and all too often what we find is
18 that throughout the State of New Jersey people ask,
19 "Well, why is the Highlands Region important to me if I
20 don't live there? Why do I care about preservation of
21 that area? It's pretty sparsely populated as it is,
22 it's an incredibly beautiful area, but why should I care?"
23 This is critical to what we're talking about here today.
24 The residents of the State of New Jersey outside of the
25 region need to understand the relationship between them

1 and the Highlands Region. The Highlands Region is about
2 17 percent of the land base of the State of New Jersey;
3 however, it provides water for over half the population.
4 Some 5.4 million residents across the State of New
5 Jersey unknowingly rely on the Highlands Region for
6 their water supply. A few examples of some of the towns
7 outside of our region that, in the morning, wake up, turn
8 their faucets on, and hope that the water comes out --
9 expect it to come out, but don't realize there is a
10 risk. And if the Garden State Preservation Trust Funds
11 aren't in place, that risk is even greater -- towns like
12 Piscataway Township rely on 38 percent of their water
13 from the Highlands Region; Hillsborough Township, 41
14 percent; Elmwood Park Borough, 58 percent; Newark City,
15 practically all of their water comes from the Highlands
16 Region, 99 percent; Princeton Township, 44 percent.
17 Those are some of the examples of towns that rely on
18 their water from the region. Education, I think, is a
19 pretty important and critical component of the
20 reauthorization of these funds so that these people
21 understand that there is a relationship between them and
22 the open space preservation in the Highlands Region.

23 The implementation of the Highlands Regional
24 Master Plan is beginning just as the original funding
25 for the GSPT fund is running out. It is vitally

1 important that a steady source of funding be made
2 available for land acquisition and conservation
3 easements in the Highlands Region, so that the state can
4 achieve its preservation objectives and so that
5 landowners of the Highlands Region have viable options
6 afforded to them that are in that Highlands Act. The
7 legislature made a commitment in these words in the
8 Highlands Act, "A strong and significant commitment by
9 the State to fund the acquisition of exceptional natural
10 resource value lands." This is a central thing we hear
11 as we go throughout the Highlands Region. Landowners,
12 business owners, municipalities, counties -- they have
13 been asked to scale back on development potential in
14 order to protect resources for the rest of the state.
15 This is a question of fundamental fairness. The
16 question they ask is, "Is the State willing to help us
17 help them, and will the legislation" -- "the Legislature
18 keep its word? Will those that reap the benefit
19 share the burden?"

20 Another common thread, as proposed in the
21 Highlands Regional Master Plan and supported throughout
22 much of the Highlands Region, is the enactment of a
23 source of funding through a water user fee. I know
24 there's a concern over this. I know we're in fiscal
25 strife here and economics are bad at the moment;

1 however, it is again a question of fundamental fairness.
2 It's sharing the burden of protection of those water
3 resources, that necessary interrelationship between
4 those residents outside of the Highlands Region that
5 rely on the region as their source for water.

6 The GSPT has served as a critical funding
7 mechanism to preserve New Jersey's open spaces, farmland
8 and historic sites; and to provide funds for park
9 construction and renovation, particularly in urban
10 areas. Reauthorization of the GSPT is critical to
11 maintain the quality of life for New Jersey's residents.
12 Funding for operations and maintenance, stewardship and
13 capital in the renewal of GSPT can play an integral role
14 in our efforts to stimulate the economy of our state and
15 to help control increasing property taxes. The combined
16 economic contributions of tourism to natural areas,
17 historic sites, and working farms; as well as New
18 Jersey's farms providing a local food source, clearly
19 suggests that a stable source of funding for
20 preservation of land and cultural resources, including
21 the renewal of GSPT, should remain a top priority for
22 New Jersey.

23 The Highlands Council has identified
24 priority lands for both open space and agricultural
25 preservation, and the shortfall in funding is especially

1 severe regarding agricultural preservation. There's a
2 region within the Highlands Region known as a special
3 environmental zone that's in the Highlands Regional
4 Master Plan, an area of critical importance to protect
5 its 19,000 acres. But further than that, there is
6 another 162,000 acres at the top of our list for priority
7 agricultural and open space funding. We have shared
8 those with Green Acres and the State Agricultural
9 Department as priorities for acquisition, but that's
10 only the beginning of the work that must be done.

11 Even in difficult fiscal times, New Jersey
12 residents have demonstrated widespread, popular support
13 for conservation finance measures for land acquisition.
14 I add to that the need for education so that they do
15 understand the particular needs of the Highlands Region
16 and why the entire state should be behind protection of
17 the resources that area provides for the State of New
18 Jersey.

19 Because the Highlands Region is of such
20 statewide significance, and our preservation and
21 conservation goals are substantial, the Highlands
22 Council is seeking legislative action. The Highlands
23 Council urges the Committees to support reauthorization
24 of the Garden State Preservation Trust Fund with
25 dedicated funds for the Highlands Region, along with a

1 reasonable extension of the dual valuation deadline.

2 Thank you for your consideration today and
3 the opportunity to speak before you. We so much
4 appreciate your work, and hope that we can count on you
5 to support the reauthorization. Thank you.

6 SENATOR SMITH: Thank you, Eileen.

7 ASSEMBLYMAN McKEON: Director, thank you for
8 reminding us of our moral commitment that we made. And
9 what a pleasure it is to have Assemblyman DiMaio, who is
10 the Mayor of Hackettstown, so his community sits right
11 in the middle of the planning area.

12 MS. SWAN: I'm very well aware of that sir,
13 thank you.

14 SENATOR SMITH: Our next witness is Rich
15 Nieuwenhuis, President of the New Jersey Farm Bureau.

16 **RICHARD NIEUWENHUIS:** Good morning, Chairman
17 McKeon and Chairman Smith, thanks for the invitation to
18 be here today.

19 Since everybody has pretty much commented on
20 murals, I'll comment on the farmer's standpoint; it's a
21 beautiful mural, but let's take the deer out of there.
22 They're eating us out of house and home.

23 ASSEMBLYMAN McKEON: We know some people that
24 will accommodate you.

25 MR. NIEUWENHUIS: I always take an

1 opportunity to remind everyone that we need to control
2 wildlife in New Jersey -- totally off the subject.

3 But a lot of what's been said here already
4 this morning is what I had on my paper. There's an
5 advantage of being down on the list a ways, you don't
6 have to talk as much.

7 There are a few points that I would like to
8 make that are very, very important to the farmland
9 preservation aspects of the GSPT. And first of all, I
10 always refer to it as the infrastructure -- the
11 infrastructure that's in place with the SADC, the county
12 agriculture development boards, your county and
13 municipal cost-shares into these programs -- it would be
14 criminal to allow that to fall by the wayside.

15 This is so critical. And again, I'm not here
16 to propose any type of plan going forward. I can
17 guarantee you and assure you that the New Jersey Farm
18 Bureau will do all in its power to get behind whatever
19 gets put on the ballot here and whatever we do going
20 forward. We need to keep this in place, that's first
21 and foremost in my mind.

22 The other thing is -- Executive Director
23 Swan just mentioned it as well -- the dual appraisals
24 that are going forward, specifically in the Highlands
25 Region, that we need to keep in the legislation. That

1 is very, very much important to us, not only from a land
2 equity issue, which is huge, but it's also, as was
3 eluded to, a moral commitment and our reaffirmation to
4 the landowners across the state that there is a
5 mechanism where they will be able to get some equity out
6 of their land going forward.

7 The other thing is -- Secretary Fisher, he's
8 doing a good job. We educated him pretty good on this
9 side of the table, but the other thing is the tax
10 benefits. There are inherent tax benefits that are
11 there. They go -- the land remains as a taxpaying
12 base. Again, I'm going to differ a little bit, my
13 figures are one penny off from his. We say that it
14 requires 35 cents in services, so 65 cents goes back to
15 the municipalities, giving it a wonderful way to
16 stabilize the tax base in the towns.

17 The other thing that has not been mentioned,
18 and what is really very, very important to realize, is
19 that many, many of these transactions that are done
20 are done on family farms. The money of the development
21 rights that are purchased by the State is taken and
22 reinvested into the farm operation, new equipment,
23 better methods of farming.

24 And also, it's a huge tool for generational
25 transfers of the farm to a younger generation. I've

1 seen it time and time again -- probably the farm would
2 have gone for sale if it hadn't been for preservation
3 with the generational transfer. That is a huge issue
4 that I want you to realize as well.

5 If we were in a perfect world, I would be
6 here saying, "Let's go for a long-term funding source, a
7 dedicated funding source," but we're not in a perfect
8 world right now.

9 So again, I'm going to close my comments by
10 saying the New Jersey Farm Bureau will do all in its
11 power to get the voters to vote for whatever comes out
12 of this decision.

13 Thank you.

14 ASSEMBLYMAN McKEON: Thank you very much, sir.

15 SENATOR SMITH: We have a number of
16 individuals who are part of the Keep it Green Coalition
17 who would like to testify. Let's start with Mr. Tom
18 Gilbert, Trust For Public Lands. I'm sorry, Tom, we might
19 be out of order. I think Kelly -- and as Kelly is coming up,
20 let me remind everybody that the World Series of Birding is
21 coming up on Mother's Day weekend -- which is the only
22 problem. If you haven't done it, it is the premier ecotourism
23 event in New Jersey, and I'm sure Audubon would love to see
24 you in Cape May.

25 KELLY MOOIJ: We absolutely would, thank you

1 so much.

2 We had a wonderful time with the Chairmen
3 last year, and we would love to have anybody else that
4 would like to come see exactly what we have as far as
5 open space, and the important species that take advantage
6 of all of that in Cape May and throughout the state.

7 Good morning, Chairman Smith and Chairman
8 McKeon, and members of the Senate and Assembly
9 Environment Committees. My name is Kelly Mooij and I'm
10 the Director of Government Relations for the New Jersey
11 Audubon Society. I'm also the Coordinator for the New
12 Jersey Keep It Green Campaign.

13 The New Jersey Audubon Society was founded
14 in 1897. We have nearly 24,000 members. We are a
15 conservation organization that's interested in promoting
16 preservation of New Jersey's valuable natural habitats.

17 The New Jersey Keep It Green Campaign is a
18 coalition of over 115 organizations, ranging from
19 sportsmen's groups and environmental organizations to
20 affordable housing and urban park advocates, working to
21 secure a long-term stable funding source for the
22 acquisition of open space, farmland, and historic sites;
23 as well as the capital improvement, operation,
24 maintenance, and stewardship of State and local natural
25 areas, parks, and historic sites in New Jersey.

1 You are going to hear from a number of Keep
2 It Green Campaign members after I'm done speaking, and
3 they will address many of the impacts of the loss of
4 funding, the benefits of funding preservation efforts,
5 as well as the need to renew the Garden State
6 Preservation Trust now.

7 I'm going to provide you with written
8 testimony, but I just wanted to highlight a few
9 important issues. There is a great need for investment
10 in preservation right now. The last of the 2007
11 stop-gap bond money has been recommended for
12 appropriations, as Deputy Commissioner Watson said.
13 With the expenditure of that money, preservation in New
14 Jersey will rapidly grind to a halt. With any break in
15 State funding, land deals for the next few years will be
16 impacted, as many of the projects approved just this
17 March were brokered many years ago.

18 Additionally, sprawl development and the
19 continued loss of habitat has significantly impacted
20 many species. Purchase of those important critical
21 habitats helps to preserve those fish and wildlife
22 species which bring in close to \$4 billion a year
23 to the State of New Jersey from hunting, fishing,
24 and wildlife watching.

25 There is a significant economic benefit from

1 investing in open space preservation, including farmland
2 and historic preservation as well. Now is the time to
3 take advantage of lowered prices of land while reducing
4 the high amount of inventory in the real estate market.
5 Preservation of land critical to drinking water supplies
6 -- as was mentioned before -- such as that in the
7 Highlands is another clear example of investing in our
8 future. Purchase of this land and protection of our
9 water supply and recharge lands greatly reduces water
10 treatment and supply costs as well.

11 Additionally, there are job benefits from
12 many types of preservation -- that's also been noted --
13 from parks creation to preserving our working farms. We
14 can use this investment to grow jobs while investing in
15 the health of the citizens in providing access to
16 nature. Historic preservation and revitalizing our
17 downtown communities through the preservation and
18 rehabilitation of older buildings also creates more
19 jobs, in fact, than investing in new construction.

20 We're grateful for this opportunity to talk
21 to you about this significant issue. Open space is
22 important to the people of the State of New Jersey and
23 we ask that you give them a chance to fund open space
24 this year. The full weight of the Keep It Green
25 Campaign and its members, as well as the members of each

1 of the organizations which are part of the Keep It Green
2 Campaign, are prepared to launch an active campaign to
3 support a November initiative. We're confident that the
4 citizens of the State of New Jersey will support funding
5 as they have every other time for the past three
6 decades. In the most densely populated state in the
7 nation, this is the kind of reinvestment that we need, as
8 it provides immediate benefit to our citizens through
9 increased jobs, protecting water supply, preserving
10 critical habitat, reduction in backlogged real estate
11 inventory, tax stabilization, and much more; as well as
12 long-term value to the residents of the state. We ask
13 that you move quickly to put a measure on the November
14 ballot.

15 Thank you.

16 ASSEMBLYMAN McKEON: Thank you very, very much.
17 We appreciate all your hard work.

18 There are a total of about 14 additional
19 witnesses, all of whom are from the Keep It Green
20 Coalition, as well as several others who have signed up
21 independently. Although everybody has been quite
22 mindful of being succinct in the testimony, we're
23 going to ask that everybody, please, that comes forward
24 from this point on not be any longer than five minutes.

25 So with that, Tom Gilbert? Tom, of course,

1 is with the Trust for Public Lands.

2 **TOM A. GILBERT:** Good morning, my name is Tom
3 Gilbert. I'm with The Trust for Public Lands, and I also
4 serve as the Treasurer of the New Jersey Keep It Green
5 Campaign. I want to thank you for holding this joint
6 hearing on the need to replenish State funding for open
7 space, farmland, and historic preservation efforts.

8 The Trust for Public Lands is a national,
9 non-profit conservation organization that works to
10 conserve land for people to enjoy as parks, gardens, and
11 other natural places. And in New Jersey, we have helped
12 to create or expand more than 115 parks, totaling over
13 222,000 acres, from the Highlands to Barnegat Bay to
14 downtown Newark.

15 Through our Conservation Finance Program, we
16 have assisted state and local governments with over 400
17 successful ballot measures around the country,
18 generating \$32 billion in funding for parks and land
19 conservation. In our work across the country, we put
20 forward New Jersey as a national leader and model in
21 financing parks and land conservation, both for the
22 reliable and significant investment that the State has
23 made over many decades, as well as strong and steady
24 voter support for these investments over the years, in
25 good times and bad.

1 New Jersey voters have never rejected a
2 statewide ballot measure for land conservation,
3 approving 12 of 12 measures between 1961 and 2007. This
4 support continues despite the economic downturn. Last
5 November, voters approved 14 of 22 county and local open
6 space ballot measures in New Jersey, many with
7 overwhelming support, such as the 76 percent approval
8 for continuing the Hunterdon County Open Space Trust
9 Fund indefinitely. Voters demonstrated strong support
10 for conservation finance measures across the nation last
11 year, approving 62 of 89 measures on the November
12 ballot, generating a record \$7.3 billion. Successful
13 statewide measures included a 3/8-cent sales tax
14 increase and dedication for 25 years in the State of
15 Minnesota, and a \$400 million bond measure in Ohio.
16 These results suggest that voters view these as
17 investments worth making, even in tough economic times.

18 There is strong evidence to suggest that
19 investing in parks, land conservation, and historic
20 preservation has real economic benefits, as others have
21 testified. Through our work on park development
22 projects in downtown Newark and elsewhere, we know that
23 these projects can create construction and other jobs,
24 and play an important role in revitalizing distressed
25 communities. A 2008 study commissioned by the National

1 Parks Conservation Association found that every dollar
2 invested into National Park improvement projects
3 generates at least four dollars in economic value to the
4 public, and that 57,000 new jobs could be created through
5 park improvement projects in National Parks. I think
6 it's reasonable to assume that the same economic
7 benefits and job creation opportunities exist in State
8 and local parks in New Jersey.

9 I wanted to mention that conservation
10 groups, local governments and businesses are holding a
11 forum on May 4 in Trenton to discuss the economic and
12 other benefits of State preservation programs, and we
13 invite your participation in that.

14 As FDR recognized in the Great Depression,
15 investing in parks and green infrastructure can be a
16 meaningful part of an economic recovery plan while also
17 enhancing our quality of life in our communities. For
18 all of these reasons, we urge you to place a measure on
19 the November ballot to replenish State preservation
20 programs on a multiyear basis. The voters should be
21 given an opportunity to decide and we are confident that
22 they will demonstrate their strong support once again.

23 Thank you very much.

24 ASSEMBLYMAN McKEON: Thank you, Tom.

25 SENATOR SMITH: The next witness is Alison

1 Mitchell of the New Jersey Conservation Foundation.

2 **ALISON MITCHELL:** Thank you for the opportunity
3 to speak to this important issue today, and also thank
4 you for your past work on open space funding.

5 My name is Alison Mitchell. I'm the Policy
6 Director for the New Jersey Conservation Foundation. We
7 are a non-profit land trust. We've preserved over
8 120,000 acres of land all throughout the State of New
9 Jersey over our nearly 50-year history. And we have
10 thousands of members around the state, and currently own
11 and manage about 20,000 acres of property. So clearly
12 it's -- we're very concerned about the fact that the
13 State Land Preservation Fund has been depleted.

14 As others have said already today, this is
15 really the best time to be buying land from the
16 perspective of stretching State dollars. We're really
17 going to be missing opportunities if we don't renew
18 funding this year. Obviously, we can also help people
19 who need or want to sell their land right now and are
20 having difficulty because of the real estate market. We
21 also need State funding to stretch and maximize Federal
22 dollars. For example, the Conservation Foundation right
23 now has millions of dollars of Federal farmland
24 protection money that needs to be matched or we need to
25 turn it back. We really do need State money in order to

1 keep those millions of dollars in New Jersey, preserving
2 land here instead of somewhere else in the country.

3 We also need to match local funds. The
4 local governments are raising those funds with the need
5 and the expectation that they'll be matched at the State
6 level. Those local funds, while significant in total,
7 when spread out across the state cannot preserve a lot
8 of land, and they certainly cannot protect the biggest
9 and most important parcels without the State's funding.

10 We all know that a green state is a healthy
11 state, both environmentally and economically. Secretary
12 Fisher already articulated the incredible benefits of
13 preserved land to the local tax base. Local taxes
14 continue to be one of the largest burdens felt by our
15 residents in New Jersey, so protecting land is a way to
16 help lift this burden.

17 New Jerseyans have what is really an
18 extraordinary willingness to fund the protection of land
19 for agriculture, for parks, and for wildlife habitat even
20 in difficult times, and they need to be given the
21 opportunity to renew State funds this year. If we do
22 that, then we can continue as a national leader in land
23 preservation and park creation, and we can protect land
24 and create parks to support the economic stability and
25 prosperity of our state.

1 Thank you very much, and we look forward to
2 working with this Committee, and with the other members
3 of the Legislature, and the Governor on renewing the
4 Garden State Preservation Trust this year.

5 ASSEMBLYMAN McKEON: Thank you so much for your
6 testimony, Ms. Mitchell.

7 Margaret O’Gorman with the Conservation
8 Wildlife Group?

9 **MARGARET O’GORMAN:** Sorry, I had a long walk.
10 Thank you, Chairmen and the members of the Committees, for
11 convening this joint session and hearing from us today.

12 My name is Margaret O’Gorman, I’m the
13 Executive Director of the Conserve Wildlife Foundation
14 of New Jersey. We work to preserve and recover
15 populations of rare and imperiled wildlife that live, and
16 breed in, and migrate through our state. I represent
17 about 8,000 members of my organization, but more
18 importantly, the over 70 species of wildlife that are
19 protected by State and Federal law; and the hundreds of
20 other species that are considered imperative to the
21 state. On behalf of these species, I would like to urge
22 you to reauthorize the Garden State Preservation Trust.
23 The Conserve Wildlife Foundation does not buy land, we
24 do not own land, but we depend on protected lands to
25 carry out our work and be successful.

1 I'm basically here today to talk to you
2 about the birds, and the bees, and the bats, and the
3 bobcats, and all the other wildlife species that depend
4 on protected open space in New Jersey. I want to let
5 you know how open space protection helps our species.
6 In the late 1980s when the last pair of bald eagles were
7 known to exist in our state, they were in a nest on
8 privately-owned land that was slated to be developed as
9 a quarry. This land was then protected, which provided a
10 great stepping-off point for the recovery of the bald
11 eagle, which we know is one of the great success stories
12 in New Jersey. This year, we're looking at over 80
13 nests.

14 Up in northern New Jersey, one of the largest
15 wintering homes for our bats, in the Hibernian Mine,
16 was on privately-owned land, and that land was about to
17 be -- the mine was about to be tampered with by the
18 landowner for security reasons, which would have killed
19 off 30,000 bats in New Jersey. That land was acquired
20 -- 30,000 acres and the mine -- was acquired through
21 Green Acres bond money. Two very, very important
22 wildlife protection efforts, that happened because of
23 open space preservation, really help maintain
24 biodiversity in our state.

25 Wildlife -- as was mentioned before,

1 wildlife recreation, wildlife watching is one of the
2 fastest growing activities in the country. It brings in
3 almost \$4 billion in economic activity in our
4 state, and we need to have open spaces to allow people to
5 participate in that activity. If you open any book
6 about birding, you will see New Jersey listed as a place
7 to go and a place to see, which is fantastic given our
8 reputation as an urbanized state and as a built-up state.

9 Globally, the most serious threat to
10 wildlife is habitat destruction and fragmentation. In
11 New Jersey, it's exactly the same. New Jersey has a
12 wonderfully rich biodiversity. We are home to over
13 2,000 native plant species and close to 900 species of
14 wildlife. Actually, New Jersey is ranked ahead of such
15 states as Maine, New Hampshire, Alaska and Hawaii
16 when it comes to species richness.

17 Biodiversity can exist on privately held land
18 -- it does -- but there's two weaknesses to that. One
19 is that when rare species exist on publicly protected
20 land -- privately protected land, we have more of an
21 adversity to manage it. Recently, two years ago, a bald
22 eagle nest was cut down on private land in New Jersey,
23 even though that is a Federal offense to do so. But
24 because it wasn't on publicly held land, we weren't able
25 to protect it as much as we could have. Also, when we

1 work with private landowners to do wildlife work, we can
2 only ask them to commit to 10 years down the line. When
3 we work with protected land, we can actually protect our
4 species forever.

5 I would like to conclude by thanking you
6 again for convening this session; and please support a
7 measure to continue investing in open space protection
8 for the immediate term of protecting our land, but for
9 the long-term goal of sustaining our rich biodiversity.

10 Thank you.

11 SENATOR SMITH: Thank you, Ms. O’Gorman.

12 Our next witness is Jaclyn Rhoads from the
13 Pinelands Preservation Alliance.

14 **JACLYN RHOADS:** Thank you, joint Committee
15 members.

16 My name is Jaclyn Rhoads, I’m the Policy
17 Director for the Pinelands Preservation Alliance. We
18 are a non-profit conservation advocacy group working to
19 protect the resources of the Pinelands, so we’re almost
20 like a watchdog organization for everything that goes on
21 within those boundaries.

22 Obviously, we reiterate a lot of comments
23 that were made this morning regarding the need for
24 renewal of the Garden State Preservation Trust. I would
25 say -- like to just highlight two specifics, as it

1 relates to the Pinelands, on the need for this.

2 Oftentimes, you hear that there are a lot of
3 things that local municipalities can do in order to
4 protect land, such as zoning. The problem with that,
5 obviously, is that those changes can be turned over
6 depending upon who is on the Board and the makeup of
7 those committees.

8 Right now, the Pinelands Commission just
9 finished an ecological integrity assessment, which was
10 unique and completed by the scientists of the Pinelands
11 Commission, that looked at the high ecological integrity
12 of lands within the Pinelands' boundaries. They looked
13 at wetlands, uplands, Pinelands' habitat, aquatic
14 integrity, threatened and endangered species locations,
15 things like that in order to suggest management area
16 changes to the big Pinelands' map. Right now, they're
17 looking at changing about 30,000 acres of land to
18 forest management area, which provides for less
19 development within those lands. That just represents a
20 small portion of the lands that are designated as high
21 ecological integrity.

22 Now, although this is pretty exciting in the
23 form of being able to change these management areas and
24 prevent less (*sic*) development, the problem is this can be
25 changed again. Without open space money in order to

1 protect these high ecological integrity areas, these
2 lands can still be lost to development.

3 Another example is the Limited Practical Use
4 Program -- which some of you may be familiar with --
5 which provides for purchasing land from landowners of
6 less than 50 acres that really can't do anything with
7 their land. It's limited by either wetlands or some
8 other issue, as designated by the Pinelands Comprehensive
9 Management Plan on the map, so they can't use their land
10 and they can't sell it for certain types of development,
11 so they're kind of stuck. With the Limited Practical
12 Use Program, money is provided to this program in order
13 to purchase that land from those landowners, so they're
14 not stuck with land that they can't develop and make
15 money off of or do whatever they would like to.

16 We get Federal money that matches any State
17 money to go towards this program. Right now, we have
18 met with several congressional representatives and asked
19 for more money to come from the Federal Government for
20 this. But even with that Federal money that comes in,
21 unless we have State money, we won't be able to do
22 anything with it.

23 A perspective that is presented to you today is not
24 only the benefits from the environmental standpoint of
25 protecting open space, but also the landowner's perspective,

1 as far as designating these critical areas throughout the
2 state that are obviously very important. But these
3 landowners, they expect to be reimbursed. And these
4 programs that have been set up -- they can't be reimbursed
5 unless there's money coming from the State. And so we
6 do have an obligation to them as well.

7 Thank you for taking my testimony. I'd be
8 happy to answer any questions.

9 ASSEMBLYMAN McKEON: Thank you very, very much.

10 Mr. John Hatch of Preservation New Jersey?

11 **JOHN D. S. HATCH:** Good morning and thank you for
12 inviting us to testify today.

13 My name is John Hatch. I'm President of the
14 Board of Preservation New Jersey. I'm also an architect
15 and resident here in Trenton.

16 Preservation New Jersey was founded in 1978,
17 and advocates for and promotes historic preservation to
18 protect and enhance the vitality and heritage of New
19 Jersey's richly diverse communities. We have thousands
20 of individual and group members from all corners of the
21 state.

22 I also serve on the Board of the New Jersey
23 Historic Trust.

24 As we have seen for more than 20 years,
25 there is a profound connection between protecting the

1 environment, preserving open space, and revitalizing our
2 historic cities and town centers. In a densely
3 populated state like New Jersey, these crucial goals are
4 inextricably intertwined. Sustainable communities and
5 preserved open space go hand-in-hand. With
6 extraordinary foresight and vision, the Garden State
7 Preservation Trust, through Green Acres, Farmland
8 Preservation, and the New Jersey Historic Trust saw this
9 vital interconnection and funded both open space and
10 historic preservation.

11 Now, as we all know, this effective and
12 crucial program is in danger as funding for the Garden
13 State Preservation Trust and the New Jersey Historic
14 Trust runs out. This puts the quality of life in New
15 Jersey at risk. Without clear, stable funding for GSPT,
16 thousands of acres of crucial open space will be lost to
17 unsustainable sprawl development. Hundreds of historic
18 places important to people across the state will
19 continue to deteriorate. The environmental and economic
20 costs to communities when this open space is lost and
21 when landmarks are lost -- when they're torn down and
22 carted to the landfill -- are enormous.

23 This has hopefully becoming a cliché, but the
24 greenest building is the one that's already built. By
25 reusing our historic buildings, we save construction

1 materials, landfill space and embodied carbon. The New
2 Jersey Historic Trust not only saves some of our most
3 important buildings, it spurs redevelopment that saves
4 and revitalizes neighborhoods and downtowns.

5 The Trust Grant Program, funded through the
6 GSPT, has leveraged hundreds of millions in private
7 reinvestment, job creation, and community revitalization.
8 This is the time to restart all of those -- all of that
9 revitalization. Now is the time to purchase open space
10 and now is the time to spur economic activity that
11 creates jobs. During this economic downturn, we need
12 immediate investment in community revitalization to help
13 reduce sprawl and strengthen our cities and town centers
14 while protecting our cultural heritage.

15 The New Jersey Historic Trust provides funds
16 for construction projects in our historic towns and
17 cities. These projects create construction and heritage
18 tourism jobs. Dollar for dollar, historic preservation
19 projects create almost twice as many high-paying jobs as
20 new construction. Those projects strengthen our
21 neighborhoods and improve the tax base in our
22 communities. A great example just up the street here
23 is 222 West State Street, the Roebling Mansion. Through
24 a major grant from the Historic Trust, this spurred
25 major private investment to save the building, provided

1 room for the expansion of the New Jersey League of
2 Municipalities, and also provided room for a number of
3 other private companies that have moved into the rest of
4 the space.

5 Community and economic revitalization,
6 historic preservation, open space preservation, and
7 protection of the environment -- not only do these all
8 fit perfectly together, they're crucial for the future
9 of a livable and vibrant New Jersey. The Board and
10 members of Preservation New Jersey urge you to support
11 the November ballot initiative that will fund the Garden
12 State Preservation Trust.

13 Thank you.

14 SENATOR SMITH: Thank you, Mr. Hatch.

15 Our next witness is David Epstein from the
16 Land Conservancy of New Jersey. Mr. Epstein?
17 **DAVID EPSTEIN:** Good morning, my name is Dave
18 Epstein. I'm with the Land Conservancy of New Jersey,
19 and we are a non-profit land conservation organization.
20 We have 1,400 members that have helped to preserve
21 more than 15,000 acres of open space throughout the
22 state using a lot of our State Preservation Trust funding.
23 I'm here today to urge you to renew funding for the
24 Garden State Preservation Trust, to put something on the
25 ballot this November. We support and would urge you to

1 consider a stable, long-term source of funding, like the
2 1998 ballot question, so that we can have a continuous
3 flow of funding to all of these very important programs.

4 I want to give you a couple of very quick
5 reasons to renew funding for the Garden State
6 Preservation Trust. Number one is it's a real bargain
7 for the taxpayers. The funding for this is the
8 equivalent of less than taking a family of four to the
9 movies -- to renew this funding each year. In terms of
10 what it costs the taxpayers, a small amount for the
11 great benefit that we get. We need these funds to
12 supplement the local funds that we have, because local
13 funds are now running out. Many of the towns and
14 counties have been cutting back their open space funds,
15 and we need the Garden State Preservation Trust to renew
16 its leadership position to help supplement those local
17 funds. It's also a great bargain for the taxpayers
18 because land is now a lot less expensive than it was in
19 the last couple of years. By buying land right now as
20 open space in this economic downturn, we take land and
21 real estate out of the supply side. We can help
22 stabilize the real estate market.

23 The final point I want to make is that this
24 is a State program that benefits every single resident
25 of New Jersey. And whether you drink water from the

1 Highlands. or you use historic buildings, eat food from
2 the farms that we preserve, go down to the shore, every
3 single resident of New Jersey benefits from this
4 program.

5 We urge you to put something back on the
6 ballot this year. We believe that the voters will
7 support it. And we thank you very much for holding this
8 hearing.

9 ASSEMBLYMAN McKEON: Thank you very much, Mr.
10 Epstein, for your testimony.

11 Robin Doherty of Greater Newark Conservancy?

12 **ROBIN L. DOHERTY:** Good morning. I'd like to
13 thank you, Chairman Smith and Chairman McKeon, and
14 members of the Senate and Assembly Environment Committee,
15 for holding this hearing today.

16 I'm Robin Doherty, Executive Director of
17 Greater Newark Conservancy, and I'm here representing the
18 over 300,000 residents of Newark, both children and
19 adults, who belong to the Conservancy's education
20 community, gardening, urban agricultural, job training,
21 and environmental justice programs who are not able to
22 be here today. Obviously, we would need a much larger
23 room.

24 I'd also like to, at this time, just let you
25 know that the Conservancy itself has received over

1 \$1.5 million from the Garden State Preservation
2 Trust Fund, and that has all been matched by
3 private dollars to create the state's first urban
4 environmental center in downtown Newark. And for those
5 of you who haven't been to visit, I will invite you to
6 come over to Newark and see what we're doing in terms of
7 the environment there.

8 Urban legend has it that people in cities
9 don't care about parks, trees, open space or green
10 space. I can tell you from my personal experience that,
11 at every community meeting I attend, the environment,
12 parks, playgrounds are at the very top of the quality-of-
13 life issues that our residents are concerned about. They
14 understand the connection between open space, green
15 space and healthy neighborhood revitalization and
16 stabilization. They also understand how these issues
17 not only make our neighborhoods safer places to be, but
18 they bring down the crime rates, they create jobs, and
19 they improve property values. In fact, there was such
20 an outcry from the people of Newark about the lack of
21 parks and recreation that our Mayor, the Honorable Cory
22 A. Booker, was forced to add these issues as a major
23 priority to his first years of his administration.

24 Oftentimes when we think of the Garden State
25 Preservation Trust Fund, we think of farmland and

1 historic buildings. We don't always remember the value
2 of urban open space, so I would just like to ask you to
3 imagine a few things. Imagine children growing up in a
4 place where they'll never enjoy kicking a soccer ball on
5 a soccer field. They'll never feed ducks in a pond.
6 They'll never lay in the grass and look at four-leaf
7 clovers like we've all done. They'll never play
8 baseball on a field. They won't get the opportunity to
9 climb a tree, and they won't have the opportunity to
10 breath fresh air. Imagine children attending
11 playgrounds where the play space is in between parked
12 cars which used to be their playground, but is now the
13 teachers' parking lot, or they play in the street.
14 Imagine the same children on high school sports teams
15 that don't have the opportunity to practice more often
16 than once or twice a week because they share practice
17 fields and are in competition with five or six other
18 schools for those valuable spaces. Those same children
19 then go back to their neighborhoods where there is no
20 green space there either. Often, no streets -- excuse
21 me -- no trees along the streets, no backyards; and parks
22 are a long ride away, if you have the funding to
23 purchase a bus ticket. Children can spend their entire
24 lives in their neighborhoods without access to green
25 places to play. One of our issues is to focus on

1 building parks within a 10-minute walk of all residents
2 of Newark.

3 Thinking of the fact that we have a lack of
4 access to open space in our cities, it's no wonder that
5 we have very high rates of asthma and obesity. Asthma
6 is the number one reason that children miss school in
7 the City of Newark, and nationally it's an epidemic,
8 it's affecting children everywhere.

9 In closing, I'd like to say that these open
10 space acquisitions and park improvement projects take
11 years and years to put together and come to fruition. I
12 know that was the case with my project. We had to deal
13 with brownfield remediation and all sorts of municipal
14 issues. If we lose the primary mechanism for making
15 those projects happen -- in the Garden State Preservation
16 Trust Fund -- then we may never be able to create these
17 spaces in our communities to make these communities
18 livable.

19 Thank you so much for your time.

20 ASSEMBLYMAN McKEON: Thank you very much.

21 Just one quick comment to make: Although we
22 don't see one of these lovely murals that comes in an
23 urban setting, a park no bigger than the size of this
24 room is much appreciated by all of us as meaning a lot
25 in cities. I know Assemblyman Coutinho came here

1 specifically to substitute in because of that very, very
2 strong feeling, so thank you.

3 SENATOR SMITH: Thank you, Ms. Doherty.

4 Our next witness is Tom Wells from the
5 Nature Conservancy.

6 TOM WELLS: Good morning, Chairmen and
7 members of the Committee. Thank you for the opportunity
8 to testify here before the Committees -- the joint
9 Committees.

10 My name is Tom Wells. I'm the Director
11 of Government Relations for the Nature Conservancy in
12 New Jersey. And in the interest of time, I've handed in
13 some written testimony. I'm going to try to hit some
14 highlights here.

15 I'm speaking today on behalf of the Nature
16 Conservancy, which is an international conservation
17 organization with nearly 30,000 members in New Jersey,
18 which owns and manages a network of 37 nature preserves
19 in the state, covering over 22,000 acres -- the
20 preservation of which was made possible in large part by
21 Green Acres non-profit matching funds. These areas
22 harbor unique plants and animals, and are open to the
23 public at no cost for hiking, nature study, and
24 wildlife observation.

25 It's very ironic, I think, that we're

1 celebrating the 20th anniversary of the creation of this
2 very successful Green Acres non-profit matching grants
3 program precisely at the time when it's essentially
4 becoming bankrupt, as we have heard from previous
5 speakers.

6 The Nature Conservancy has already committed
7 to specific projects. The funding has been awarded, but
8 not actually appropriated from the 2007 stop-gap bond
9 act. And so going forward, our preservation efforts are
10 destined to slow to a trickle unless Green Acres funding
11 is approved soon. I'm sure that our situation is
12 similar to many non-profit conservation organizations,
13 and county and municipal governments around the state.

14 Unless new funding to support the Garden
15 State Preservation Trust programs, including the Green
16 Acres Farmland and Historic Preservation programs, is
17 renewed this year, New Jersey's land preservation
18 pipeline will dry up precisely at a time when landowners
19 are more motivated to sell their land for preservation
20 than they have been in many years.

21 In my written testimony, I've detailed some
22 issues that point to the intense need to renew this
23 funding. But I'd just like to continue by saying areas
24 like the Highlands, that supply clean water to millions
25 of residents and hundreds of industries around the

1 state; flood plains along our rivers; and areas that
2 protect our wildlife and provide recreational
3 opportunities are the state's green infrastructure. And as
4 with other types of infrastructure, like roads and
5 bridges, they need to be protected to ensure our quality
6 of life and sound statewide economy.

7 Renewing the Garden State Preservation Trust
8 at this time will also provide a market for landowners
9 who wish to sell their properties, but with limited
10 options in this depressed real estate market.

11 In addition, as some other speakers have
12 pointed out, trust fund and park improvement projects,
13 and also historic preservation projects, particularly in
14 urban areas, will provide construction jobs as part of
15 an overall infrastructure funding strategy to fuel
16 economic recovery in New Jersey.

17 Finally, land acquisition funds are
18 desperately needed now to take advantage of land prices
19 that are the lowest they have been in many years,
20 thereby maximizing the amount of preserved land for the
21 State -- for the people of the State of New Jersey.
22 Through the Green Acres Program, New Jersey has been a
23 leader in funding and preserving open space and funding
24 park improvement projects.

25 Over the last two generations, in good times

1 and bad, New Jersey voters have approved every one of
2 the dozen open space ballot measures presented to them.
3 New Jersey is beginning to lose its status as a state
4 that others seek to emulate when it comes to preserving
5 open space. We urge you to restore Green Acres' status
6 as an open space leader by moving legislature to renew
7 funding for the Garden State Preservation Trust fund
8 programs this year.

9 Just a short commercial: We and other
10 organizations are planning an open space forum on May
11 4. I think it's the first day that the Legislature will
12 be coming back in. Members of Legislature-- We're
13 inviting a broad cross section of public members as
14 well, but members of the Legislature are invited to come
15 to that forum where we can continue to discuss some of
16 these issues and get to a point where we can move
17 forward.

18 Thank you very much.

19 ASSEMBLYMAN McKEON: Tom, thank you very much.

20 Jen Coffey of the Stony Brook Millstone Watershed
21 Group?

22 JENNIFER COFFEY: It looks like I might be the
23 last one to be able to say good morning.

24 My name is Jennifer Coffey, and I'm going to
25 take a deep breath and say our name: Stony Brook

1 Millstone Watershed Association. I'm the Policy
2 Director there, and Stony Brook is a member of the Keep
3 It Green Coalition. We're also one of the nation's
4 oldest watershed associations. We support clean water
5 and healthy lands for those who live, work, and play in
6 central New Jersey. I want to thank you for holding
7 this hearing this morning, and I too will keep my
8 comments brief in the interest of time.

9 I primarily want to urge you to move forward
10 today with putting a question on the November ballot to
11 fund the Garden State Preservation Trust, for all of the
12 reasons that you have heard this morning. Just to
13 reiterate a few: Renewing the Garden State Preservation
14 Trust is an economic investment in New Jersey's future.
15 As you've heard, it protects clean water and healthy
16 habitats though land preservation. It preserves
17 farmland and keeps the garden in the Garden State. It
18 provides recreation for New Jersey's families and it
19 protects the high quality of life that we enjoy here in
20 New Jersey; therefore, it also protects our property
21 values.

22 Again, in the interest of time, just to say
23 that I support all the testimony that's been spoken here
24 already this morning.

25 I thank you for holding this hearing, and I

1 urge you again to move forward with a question for this
2 November's ballot, so that the people of New Jersey can
3 once again choose to protect their lands and support a
4 prosperous future for New Jersey.

5 Thank you.

6 SENATOR SMITH: Thank you, Ms. Coffey.

7 The next witness is Mike Pisauro from the
8 New Jersey Environmental Lobby.

9 **MICHAEL L. PISAURO JR., Esq.:** Thank you very much.

10 My name is Mike Pisauro. I'm the Government
11 Affairs agent for the New Jersey Environmental Lobby.
12 It is a non-partisan organization going back to 1969,
13 dedicated to New Jersey environmental issues and
14 comprised of individuals, businesses, and other
15 environmental organizations.

16 We urge you to fund the Green Acres Program
17 in these economic times especially. But for the last few
18 years, we've been constantly told to do more with less,
19 to multifunction, to multitask. The Green Acres
20 Program is one of the ultimate multitasking,
21 multifunctional tools. It protects the environment, it
22 protects our human health, it protects our economy, and
23 it protects our property values.

24 In 2007, the DEP did an economic study
25 looking at the economic benefits we receive from our

1 natural resources. For example, wetlands provided
2 approximately \$10.6 billion dollars in benefits by
3 protecting properties from flood by mitigating and
4 slowing down storm surges, pollution filtering so our
5 water is clean. It's one of the reasons the Highlands
6 Act was passed, to protect our water resources. As
7 global warming increases, those storms are going to
8 increase. The necessity of protecting the wetlands is
9 going to be even more important. In New Jersey, we are
10 number three in repeat claims for Federal assistance
11 because of flooding. We're above many other states that
12 you would expect us to be. So again, open space helps
13 reduce congestion.

14 I won't go into all the other benefits from
15 economics.

16 As Commissioner Fisher said, agriculture
17 provides benefits not only for jobs, but we are seeing a
18 movement towards buying locally. If we don't protect
19 our farmlands, we won't be able to protect our local
20 economy.

21 Open space also is a resource that is
22 running out. Someone said land is a zero sum game. If
23 you increase development, you decrease something else.
24 Between 1995 and 2000, we lost approximately 16,000
25 acres of land a year. In the next 30 years, if we

1 continue to let development runs its course, we will run
2 out of land to develop. Before I turn 70, there would
3 be no more land to develop. Before my kids get old
4 enough to collect Social Security, there would be no
5 land to develop. That's a scary thought.

6 Our coastal areas are extremely important.
7 They're important because that's where we're looking to
8 live. They're important to support a vibrant tourism
9 economy, and they're important because they support a
10 vibrant and important fishery economy. When our
11 wetlands become more than 10 percent impacted by
12 impervious cover, we have destroyed that resource. So
13 once again, protecting the environment, purchasing open
14 space protects our economy.

15 I mentioned tourism. Tourism is the number
16 three industry in New Jersey. A lot of that is based
17 upon ecotourism in the Highlands, and down at the
18 shore. Who wants to go to polluted beaches or bays?
19 Again, it's a multifunctional tool that protects the
20 economy, protects our environment, and provides
21 recreational abilities.

22 And I think it may have been mentioned, but
23 I think it poses mentioning again: One of the greatest
24 burdens we as New Jersey taxpayers have is property
25 taxes. Open space helps reduce property taxes by

1 reducing the need for services caused by sprawl, but it
2 also helps protect property values. Properties located
3 closer to open spaces and wildlife areas tend to
4 increase or at least maintain their values while other
5 properties do not.

6 I urge you to move quickly to get onto the
7 ballot a stable, long-term source of funding for open
8 space. Thank you.

9 ASSEMBLYMAN McKEON: Thank you very much,
10 Michael.

11 Fred Akers of the Great Egg Harbor
12 Watershed; Fred?

13 Just calling out the names of the various
14 groups feels like we're on vacation.

15 **FRED AKERS:** Hi, my name is Fred Akers, I'm
16 the River Administrator for the Great Egg Harbor River.
17 I just have one quick point I'd like to add. And thanks
18 for having this opportunity for us to present.

19 I spend a good bit of my time working with
20 the National Parks Service at the Federal level and I'm
21 pretty up on Federal funding. I also work with Congress
22 -- who Congress has designated for wild and scenic
23 rivers in the State of New Jersey, and New Jersey is the
24 definite leader. My one point to add is about the
25 National Parks Service's Land and Water Conservation

1 Fund State Assistance Program. Congress and the National
2 Parks Service had to submit a Water Conservation Fund.
3 Congress is expanding their interest in funding that
4 from past years; they're a little bit more interested in
5 adding money to that. There's three goals of the
6 program, and I thought they were noteworthy in respect to
7 working with states. One is to meet state and locally
8 identified public outdoor recreation resource needs to
9 strengthen the health and vitality of the American
10 people; increase the number of protected state and local
11 outdoor recreation resources and ensure their
12 availability for public use in perpetuity; and encourage
13 sound planning and long-term partnerships to expand the
14 quantity and ensure the quality of needed state and
15 local outdoor recreation resources.

16 There's Federal interest in states preserving land.

17 And in 2008, which is last year, the Land
18 and Water Conservation Fund, through the National
19 Parks Service -- what's the term they used -- they
20 apportioned \$623,000 to New Jersey to buy land.
21 This is a matching program, and I'm not sure what
22 happened, but this Spring they reapportioned that up
23 to \$1 million. So right now, there is \$1 million of
24 Federal money that's apportioned or obligated to New
25 Jersey, to be matched for land preservation in the state.

1 In the past, the Garden State Preservation
2 Trust has brought home millions of Federal dollars and
3 thousands of acres of preserved public lands to our
4 state. Without an adequate State fund to leverage these
5 Federal Land and Water Conservation Fund Grants,
6 New Jersey will lose millions of Federal dollars and
7 thousands of acres of preserved land.

8 Thanks.

9 SENATOR SMITH: Thank you, Mr. Akers.

10 Enid Torok from the Parks and Recreation
11 Association?

12 **ENID TOROK:** Good morning and thank you, Mr.
13 Chairman and Mr. Chairman, and all the members of the
14 joint Committee.

15 You've heard so many eloquent speakers this
16 morning state the case for open space and for farmland
17 preservation, historic preservation. I guess one of the
18 best things about coming in towards the end is that you
19 can pick up on a couple of items that may not have been
20 mentioned.

21 I know we spoke quite extensively this
22 morning about urban park development in New Jersey.
23 Newark has been spoken about tremendously and that has
24 been a wonderful project; but you don't want to forget
25 Camden, you don't want to forget Jersey City, you don't

1 want to forget Paterson. You don't want to forget what
2 we've done with a lot of the Green Acres money in the
3 development of Liberty State Park. That's all the
4 inner-city things.

5 Now, when you get to the broader picture and
6 you're looking for open space, I want to talk about the
7 hunters -- we need to preserve trails for them. We need
8 to preserve open space because you want to preserve your
9 wildlife, you want to make certain wildlife is available
10 for the hunters, as everybody has commented on the deer
11 this morning. But also, what's more important is that
12 we're seeing an encroachment by the bears in the State
13 of New Jersey because of overdevelopment. We need to
14 make sure that there is enough land that we can all
15 co-exist.

16 We want to be able to keep New Jersey as a
17 vacation destination. New Jersey has so much to offer
18 for so many people coming from all different parts of
19 the country and different parts of the world. We've got
20 the shores, we've got the mountains, we've got the
21 lakes, we've got the streets. We've got it all, but we
22 need to make sure that we keep it open and keep it
23 preserved.

24 I urge all of you today to please, please,
25 whatever goes on the ballot, make sure something

1 gets on the ballot.

2 Thank you very much.

3 ASSEMBLYMAN McKEON: Thank you very much, Ms.

4 Torok, and for your advocacy for parks and open space.

5 Maia Farish, who is the Chairperson of the

6 New Jersey Historic Trust. Maia?

7 MAIA FARISH: Good morning -- it's good

8 afternoon, as somebody pointed out -- Chairman Smith and

9 Chairman McKeon, and members of the Committees.

10 I am Maia Farish, Chair of the New Jersey

11 Historic Trust, and I do appreciate the opportunity to

12 testify at this joint hearing today. I'm also happy to

13 be among our partners from the environmental community

14 who are advocating with us for a predictable future for

15 the Garden State Preservation Trust. The documented

16 benefits of GSPT are great and various, as you heard

17 already, but my comments today will represent the

18 concerns of the New Jersey Historic Trust.

19 If the aim during these dire fiscal times

20 for our state is to use every available dollar wisely,

21 with the focus on job creation and economic stimulus,

22 continuing funding for the GSPT is a wise investment.

23 Let me explain why: The New Jersey Historic Trust's

24 Capital Grant Program, which is funded by the GSPT, is a

25 proven job generator. An economic study commissioned by

1 our organization in 1997 revealed that across all
2 building and investment types, historic preservation in
3 the form of building rehabilitation is a more potent
4 economic pump-primer than new construction. The simple
5 explanation for this is that new construction is 50
6 percent labor and 50 percent materials, rehabilitation
7 is 60 percent to 70 percent labor. The studies show
8 that historic preservation initiatives in New Jersey
9 generated \$580 million annually in direct economic
10 activity and that -- and this is a quote from the study
11 -- "Every \$1 million spent on historic
12 rehabilitation generates 38.3 jobs, \$1.3 million in
13 payroll and business earnings, and \$202,000 in State
14 taxes." And this is compared with 36 jobs, \$1.2 million
15 in income and \$189,000 in taxes from new construction
16 projects. The reports showed that even the same size
17 investment in new highway construction creates fewer
18 jobs, less income, less GDP, and lower State and local
19 tax revenues than building rehab projects. Since 2000,
20 the New Jersey Historic Trust's Grant Program has
21 benefitted cities and towns to the tune of over \$60
22 million, leveraging more than \$120 million in
23 reinvestment.

24 There's also the civic impact of our grant
25 program. Did you know that venerable golden dome in

1 whose shadow we now sit was restored with a \$1 million
2 grant from the New Jersey Historic Trust?
3 Included with my testimony is a list of historic funded
4 projects in your districts. Consider the economic impact
5 of these grants in your communities. Consider the
6 number of jobs generated, cultural and civic buildings
7 restored, tourism and other commercial traffic generated
8 through grants in your communities made possible by
9 GSPT. All of this economic activity would cease to
10 exist without GSPT.

11 At this very moment, the New Jersey Historic
12 Trust is awaiting legislative approval for over \$15
13 million in recommended new grants to be funded by our
14 last infusion from GSPT. This will translate into
15 roughly \$45 million in job creation and private
16 reinvestment -- real dollars for real projects that
17 generate jobs, create housing and visitor-ready cultural
18 destinations, revitalize neighborhoods, and restore our
19 civic buildings.

20 Without a secure and predictable source of
21 funding for the Garden State Preservation Trust, the New
22 Jersey Historic Trust will lose its capacity to be a
23 critical long-term funding partner in creating jobs and
24 reclaiming the civic, cultural, and economic vitality of
25 our cities and towns.

1 Thank you very much for your time today.

2 SENATOR SMITH: Thank you, Ms. Farish.

3 Our next witness is Mike Zuckerman, Advocate
4 for New Jersey History.

5 **B. MICHAEL ZUCKERMAN:** Mr. Chairmen and members
6 of the Committees, I very much appreciate the opportunity
7 to testify today on the importance of replenishing the
8 funding stream for open space, farmland and historic
9 preservation. Whoops.

10 Mr. Chairmen, I very much appreciate being here
11 today. My name is Michael Zuckerman, and I'm appearing
12 in my dual roles as President of the Advocates for
13 New Jersey History and as Director of Cape May's
14 Mid-Atlantic Center for the Arts.

15 As President of our statewide public history
16 organization, I'm speaking on behalf of several hundred
17 historic sites and museums in every corner of the
18 state, their tens of thousands of members, and their
19 several million annual visitors.

20 While our members strongly support continued
21 funding for open space and farmland preservation, our first
22 concern, naturally, is for the Historic Preservation
23 Grant Programs administered by the New Jersey Historic
24 Trust. In the more than 20 years since the Historic
25 Trust has been dispensing major grants -- since the

1 passage of the 1987 quality of life bond issue -- it has
2 not only helped save hundreds of buildings throughout
3 the state, but it has helped turn our historic sites
4 into major engines for economic development, heritage
5 tourism, and job creation.

6 To give you an example of this dynamic at
7 work, I wish to reference the impact of the Historic
8 Trust funding on my own organization in Cape May.
9 Grants from the Historic Trust have transformed the
10 three historic sites that we administer, of which two
11 are owned by the State of New Jersey and the third by
12 the City of Cape May. It's no exaggeration to state
13 that without the 50 percent funding provided by the
14 Historic Trust, the \$2 million restoration of our
15 area's most popular historic attraction, the Cape
16 May Lighthouse, would probably never have happened.
17 Similarly, grants from the Historic Trust have helped
18 underwrite major upgrades to our Victorian house museum,
19 the Emlen Physick Estate, including providing important
20 ADA access. Just this past year, a grant from the
21 Historic Trust helped propel the \$1.3 million
22 restoration of our newest historic site, the World War
23 II Lookout Tower near Cape May Point, which just opened
24 to the public on March 27.

25 Besides allowing us to tell important pieces

1 of our area's history, these historic sites have also
2 proved vital to our local tourist economy. Last year,
3 more than 100,000 people visited the Lighthouse and the
4 Physick Estate. This year, we're anticipating another
5 60,000 people will climb the World War II Tower. Such
6 visitation has led to significant job creation over the
7 20 years since we've been receiving Historic Trust
8 funding in my own organization alone, adding some 20
9 full-time jobs with benefits and some 80 part-time jobs.

10 Even more pronounced though is the role that
11 these historic sites have played in stretching the
12 tourism season in our area, attracting visitors
13 throughout the year and helping fuel all kinds of
14 businesses and their suppliers. The owner of one Cape
15 May bed and breakfast inn, the Queen Victoria, for
16 example, calculates that fully 60 percent of his
17 business, which supports a year-round staff of 15, is
18 derived from the nine off-season months, business which
19 he totally attributes to the powerful pull of our
20 historical and cultural attractions.

21 When our example in Cape May is extrapolated
22 statewide, you can see that New Jersey has made no wiser
23 investments since 1987 than in the Historic Preservation
24 Grant Programs of the New Jersey Historic Trust. We
25 hope that you will make every effort to see that funding

1 for historic preservation, open space, and farmland
2 preservation will continue this wise investment in the
3 years ahead.

4 Thank you for your attention.

5 ASSEMBLYMAN McKEON: Thank you very much, sir.

6 Jeff Tittel of the Sierra Club? And then we
7 have one more witness after Jeff.

8 JEFF TITTEL: I thought I was going to be
9 last. Thank you. I also have a printed copy of my
10 statement that I will pass to the Committee.

11 I won't spend a lot of time talking about
12 the benefits of open space, because I know the Committee
13 members have heard me for all too many years talking
14 about the importance of saving open space, and what it
15 means to the state, the protection of water quality,
16 ecotourism, and all the other public benefits -- urban
17 parks and so on and so forth.

18 What I wanted to talk about is how do we get
19 there? I think that is going to be more critical than
20 the need, because we know there is a need. Every member
21 of this Committee could probably spend at least \$100
22 million in their own districts and still want more. We
23 know that there's a need. We know that this Committee
24 cares a lot about open space, so the question is, how do
25 we get there?

1 I think that one of the things that we have
2 to look at is the times that we live in. We are going
3 through a tremendous economic crisis. Some of you
4 who are at the Budget Committee meetings or sit at the
5 Budget Committee meetings of the various houses know
6 that we're facing layoffs, potentially 14 days worth of
7 furloughs. We're seeing the DEP budget cut by 30
8 percent in two years between the 2008 budget and what
9 was proposed for 2010. Last year, thanks to many of the
10 members of this Committee, we kept the State Parks
11 open, but yet the natural resources budget is going to
12 be dropping 15 percent from last year.

13 The concern that we have is, we can have
14 money for open space, but we won't have any parks or
15 places for people to use that public space. We're
16 concerned that we cannot get through a system of bond and
17 bust, where every couple of years we do a bond, we run
18 out of money, we panic, we come up with a small bond
19 again or even a medium-sized bond, and then we panic
20 again. We bonded two years ago, that was a mistake. We
21 should have pushed for the long-term solution at that
22 point. We held out for -- some people held out for
23 potential of getting money out of bond monetization. That
24 never happened. We did a small-term bond and now we are
25 broke again. The question becomes, how do we go

1 forward?

2 The Sierra Club is committed to having a
3 long-term, stable source of funding that's
4 constitutionally dedicated and voted on by the voters,
5 both for any kind of fee increase and how that money
6 gets spent, because we want to make sure it's dedicated
7 so the treasurers don't steal it. We want to make sure
8 that the voters approve it so that it's their vote, not
9 just the Legislature enabling the public to vote for it.
10 We are strongly in favor of a stable source.

11 There are, in front of you, different bills
12 that are kicking around. The Sierra Club -- our
13 Executive Committee, Political Committee, and our
14 Legislative Committee strongly support A-3874 and
15 ACR-227, and the Senate companions that I know that
16 Senator Smith has put out. That would bring the
17 question to the voters for both raising the fee and for
18 dedicating that fee. We think that's the way to go,
19 it's the only way that it's fiscally responsible given
20 this time that we're in.

21 If we go down the road and bond, where are
22 we going to get the money? Currently, the DEP budget
23 spends \$40 million a year for debt service and the DEP
24 budget is going to be down 30 percent over two years.
25 If we have to pay for general obligation bonds -- this

1 coming out of the DEP budgets -- what programs do you
2 want to cut: safe drinking water, cleaning up the
3 contaminated sites, diesel retrofits, parks? So that's
4 a big question to ask. That's why we think that if you
5 bond, you have to have a funding source for that
6 bonding, whether you go out and dedicate the tax sales
7 like we did in the past, whether you find another
8 funding source-- One of the things that may not be --
9 that we looked at that might even be another alternative
10 besides the water fee -- which we think is the most
11 prudent because the public knows that buying open space
12 protects their drinking water, knows by paying a little
13 bit extra they help protect that drinking water.

14 Another idea we've been toying around with is that
15 if we raised the tax -- excuse me -- raised the registration fees
16 on SUVs that weigh over 5,000 pounds and we increase that
17 fee from \$84, which it is currently, to \$252, that would
18 actually generate \$140 million a year for open space. That
19 would be a way of disincentivizing SUVs and to get people
20 to buy better, more efficient cars.

21 We think that you have to look long-term.
22 In 1998, there was, in front of the same Committee, a
23 proposal to do a \$340 million bond or to hold out for a
24 stable source. The environmental community at that
25 point held out for a stable source; and Governor Whitman,

1 at that time, said that we have to sustain open space to
2 keep it viable in New Jersey and we have to have a
3 dedicated long-term solution. I think that message from
4 back then still goes, and I hope that this Committee
5 takes a look at other alternatives because, again, we
6 need to have open space preserved in New Jersey. It has
7 so many benefits for so many people. But also we have to
8 make sure that we do it right, that we don't burden
9 people unnecessarily given this downturn, but we know
10 where the money is coming from and we know where the
11 money is going.

12 Thank you.

13 ASSEMBLYMAN McKEON: Thank you, Jeff.

14 SENATOR SMITH: The last witness is Mark
15 Zakutansky from the New Jersey Highlands Coalition.

16 MARK ZAKUTANSKY: Thank you, Chairman Smith,
17 Chairman McKeon, and members of the Senate Environment
18 Committee, members of the Assembly Environment and Solid
19 Waste Committee, and distinguished guests.

20 I'm going to summarize my comments. I do
21 support all of the comments that my colleagues have
22 stated.

23 My name is Mark Zakutansky. I'm representing
24 the New Jersey Highlands Coalition. We are a coalition
25 of non-profit organizations and individual members,

1 consisting of small and large organizations, working
2 towards achieving the resource protections envisioned by
3 the State Legislature in the passage of the 2004
4 Highlands Water Protection and Planning Act.

5 We support a renewal of the Garden State
6 Preservation Trust, as it is critical to the protection
7 of resources in the Highlands Region and realizing all
8 of the goals of the Regional Master Plan. Those goals
9 will really be achievable through continued funding for
10 these valuable State programs.

11 We support a long-term, stable funding
12 source for these programs so that these resources can be
13 protected in the future. I have some written testimony
14 that highlights some of the needs specifically in the
15 Highlands Region in terms of protecting water supply,
16 protecting working farmland and historic sites -- similar
17 comments to which you've have already heard from my
18 colleagues.

19 Thank you for holding this session. We look
20 forward to working with the Legislature and the Governor
21 on getting the ballot measure passed this November to
22 renew funding for these valuable programs. Thank you.

23 SENATOR SMITH: Thank you, thanks to all of
24 our witnesses for coming in.

25 Senator Gordon?

1 SENATOR GORDON: Thank you, Mr. Chairman.

2 I want to also just thank all the witnesses

3 that were here.

4 I think we're all in agreement that we need

5 to preserve open space, preserve our historic properties

6 that add so much to our state.

7 I would add an element that has not been

8 discussed today, but was a component of the 2007 Bond

9 Act, which is the Blue Acres funding. We need to

10 provide funding for flood control, flood protection.

11 I think the heart of the issue, as was raised

12 by Jeff Tittel, is how do we get it, how do we pay for

13 it? We need a long-term source. I, for one, think that

14 in this environment it's very difficult to ask people to

15 pay a water tax; but I'd like to think that there's a

16 way we can find a funding source while at the same time

17 promote good energy and environmental policy. I'm not

18 sure we're selling all that many SUVs anymore, and I

19 don't know how much revenue we could generate by a tax

20 on SUVs, but perhaps we could look at some kind of

21 funding mechanism tied to mileage of vehicles. Perhaps

22 we should look at a funding mechanism tied to the

23 promotion of the most efficient heating systems. I

24 think there's -- we can be creative about this and find

25 the money we need to preserve the land that we need to.

1 Thank you very much.

2 SENATOR SMITH: Thank you, Senator.

3 Senator Beach?

4 SENATOR BEACH: Yes, I'd just like to thank

5 all the people who testified. It was certainly

6 enlightening. I appreciate it.

7 SENATOR SMITH: Senator Van Drew, any

8 comments?

9 SENATOR VAN DREW: Thank you,

10 Chairman.

11 I, as well, would like to thank the people

12 who testified.

13 I think we're all on the same page as far as

14 the need. What all these issues hold in common, whether

15 it is farmland preservation, whether it is Green Acres

16 and open space, whether it is Blue Acres, or whether it

17 is the Historic Trust -- once we lose them, we can never

18 get them back, they are gone forever. So certainly it is

19 moral that we figure out a method, a mechanism to do

20 this and it would be good to get it done in perpetuity.

21 I would also echo the comments that Senator

22 Gordon said, that this is a very unusual economy. And

23 in this unusual economy-- And I understand the desire to

24 do so, but the sense of increasing yet another tax or

25 fee again upon the economic engine that drives the

1 revenues that come into this State, at the end of the day
2 could be counter-productive. I think it is a road that,
3 currently, we can't go down.

4 I would also echo some other statements that
5 I believe are important in this process. Whatever
6 proposal is made, must go to the voters. The voters
7 must have the opportunity to make a decision in this
8 process. They have always been supportive of open
9 space, farmland preservation, Green Acres, regardless of
10 the economic climate and regardless of any other issues
11 that may not have succeeded on the ballot. This one
12 does because people in the State of New Jersey
13 understand how important it is, but it is their decision
14 to make.

15 And I would say that the second most
16 important piece of this is that whatever does happen, as
17 well, would require some sure -- and I hate to use this
18 word of *lockbox*, or *safety mechanism*. I wouldn't use
19 the words *poison pill* anymore, because poison pills are
20 obviously not adhered to as well in the budgetary
21 processes. But there needs to be, constitutionally, a
22 dedication of these funds so they are never raided or
23 never used for anything else; because we have learned
24 time and again, Republican and Democrat, that
25 unfortunately these funds are always diverted to other

1 causes, and other needs, or other uses -- at times
2 may be appropriate; at times, some of us would
3 argue, inappropriate.

4 I think those are important elements here,
5 and regardless of what happens, even if it is in the
6 short-term, we must figure out a way -- and again, even
7 in the short-term of time of emergency -- to continue
8 to ensure that we do make these issues a priority.

9 Thank you, Chairman.

10 SENATOR SMITH: Thank you, Senator Van
11 Drew.

12 Let me thank the members for the their
13 participation today, and the witnesses, and Chairman
14 McKeon and the members of the Assembly Committee.

15 We are going to be focusing our attention on
16 this in our May meetings. And I'm hoping that we achieved
17 our goal today, which is to lay out for the people of
18 New Jersey how serious this crisis is -- and it needs to be
19 addressed, and it needs to be addressed now.

20 With that being said, Chairman McKeon, let
21 me turn it back over to you.

22 ASSEMBLYMAN McKEON: Senator Smith, thank you,
23 as always, for your leadership.

24 And I'm going to start with our guest,
25 Assemblyman DiMaio, and welcome and thank you for being

1 here today. If you have a comment, we would be happy to
2 all accept it.

3 ASSEMBLYMAN DiMAIO: Thank you for having
4 me here today, Chairman McKeon and Chairman Smith.

5 As someone who lives in a very sensitive part
6 of the state, I represent a great deal of the people that
7 are affected by the Highlands. A great deal of our
8 industry in Hunterdon County has to do with agriculture.
9 There's no doubt that we need to find a way to fund the
10 Trust Fund; how we do it is going to be a little tricky.

11 I, for once, very much agree with Jeff Tittel on
12 the fact that we need to fund this without borrowing,
13 because the money we have to pay back impedes the other
14 State needs, and that's quite evident. But to be able to
15 do that this year may be difficult. And I agree with
16 Senator Van Drew with regard to going to the voters.

17 Thank you for letting me sit in. I
18 certainly learned a lot by being here today.

19 ASSEMBLYMAN McKEON: Thank you for being here
20 with us.

21 Assemblywoman Vainieri Huttie, thank you, as
22 always, for all your time. We have many special
23 Committee hearings and you're always the first here, and
24 one who has much to add.

25 ASSEMBLYWOMAN VAINIERI HUTTLE: Thank you,

1 Mr. Chairman; and thank you, Senator Smith.

2 I'm just to going to state again that we all
3 know that the Garden State Preservation Trust fund is
4 one of the nation's most successful programs, so I don't
5 think there's anyone on this Committee or in this room
6 or, actually, in the state that wants to see us lose
7 this.

8 A couple of questions that we're not going
9 to answer today, but I will leave open: how much funding
10 do we actually need? We've obviously been spending more
11 than the allotted \$98 million when the trust fund first
12 originated in '99. I know that Mr. Fisher and our
13 Secretary talked about 600,000 acres of farmland, but
14 what I'd like to see is a master plan. Certainly all
15 of the testimony was appreciated today, all of the
16 groups heard today were appreciated, but I would like to
17 see a unified plan from the State, the municipalities,
18 and the county to actually have the master plan and give
19 us an idea of where we're going, and what we are acquiring,
20 and how much that is.

21 Coming from Bergen County, sitting on the
22 Open Space Trust Fund, we know how valuable it is, in
23 talking about matching grants, if there is a way to use
24 some of those monies without a match. There are
25 obviously a lot of variables.

1 I know that in hard times, the State Trust
2 Fund is like oxygen to all of us in the state. We
3 certainly can't live without it. I think Jeff said it
4 correctly; we listened to the testimony today supporting
5 it, we all support it, but how are we going to have
6 monies to sustain it? I think that's what this
7 Legislature and this Environment Committee has to
8 grapple with. Certainly, there has to be voter
9 approval, but I think it's a necessary -- it's a
10 necessary fee, it's a necessary program. I think we
11 need -- we're all committed to try to grapple with this
12 challenge.

13 So with that, I think we have to start
14 working on this yesterday. I'm here to fight for every
15 dollar, and I'm here and committed to grapple with that
16 challenge.

17 Thank you.

18 ASSEMBLYMAN McKEON: Thank you very much.

19 Assemblyman Coutinho?

20 ASSEMBLYMAN COUTINHO: Thank you, Mr.
21 Chairman, Chairman Smith as well, for giving me the
22 opportunity to sit on the Committee today. I think many
23 times -- I'm sorry, let me also thank everybody who came
24 and testified -- very useful information.

25 Of course, I represent one of the most urban

1 districts in the state. I think it's very important, as
2 you have this discussion -- this is not just a rural and
3 suburban issue, this is clearly an issue that affects
4 the entire State of New Jersey. I was very pleased by
5 the presence of testimony of the Greater Newark
6 Conservancy. That was really the comments that I
7 was going to bring to the Committee today -- to make
8 sure that we take the urban areas into consideration,
9 as well, when we talk about open space. Because, clearly,
10 the issue of green space and parks for our youngsters in
11 urban areas is of vital importance. In fact, I sit on the
12 Essex County Open Space Trust Fund, and the whole issue
13 of open space preservation is very important to me on a
14 personal level, as well as to those of my constituents.

15 I agree that we need a permanent,
16 constitutionally dedicated source, and it needs to be
17 approved by the voters.

18 The one issue that I would bring to the
19 Committee -- because I am sitting in: as you are going
20 through this in the upcoming months, there is the matter
21 of timing. There is a very unique opportunity now,
22 given the collapse of the market. The one opportunity
23 that comes is that property values have come down. This
24 is especially true in urban areas, where I have seen
25 projects fail because the local government can't pay the

1 price to acquire land to build urban parks. At this
2 stage, given the collapse of the real estate market,
3 there could be some opportunities there that, once
4 things come back, wouldn't be there.

5 I will obviously be following what this
6 Committee does, and I will be fully supportive of all
7 efforts to support open space preservation; and I just
8 ask you to remember that this truly is an issue that
9 affects the entire state.

10 Thank you very much.

11 ASSEMBLYMAN McKEON: Chairperson of the
12 Judiciary Committee, and somebody who has been before
13 this Committee many times for her own initiatives,
14 Assemblywoman Greenstein. Thank you so much for joining
15 us today.

16 ASSEMBLYWOMAN GREENSTEIN: Thank you both,
17 Chairmen, for having me here today; and thank you to all
18 the speakers.

19 I think we've heard so many points of
20 agreement here today. We have a few problems, of course
21 some of them major, but nevertheless, our points of
22 agreement are so much stronger.

23 The biggest thing that we have going for us
24 is we have strong public support for these types of
25 initiatives. I think we need to have a long-term,

1 stable, dedicated source approved by the voters. I hope
2 we won't do a short-term approach to this while our
3 economy is at its worst, but I still think that the time
4 has passed to do this. This Committee has always been
5 wonderful in this area and I would support that
6 approach.

7 I would like to help sponsor anything that
8 you do in this area. And the one question, of course,
9 that remains is exactly how do we do it and what
10 would be a reasonable amount of funding -- which this
11 Committee will determine next month. But I know this
12 Committee will do the right thing and I look forward to
13 supporting it.

14 Thank you.

15 ASSEMBLYMAN McKEON: Assemblywoman,
16 thank you very much.

17 Thanks to all, particularly to both
18 partisan and non-partisan staff. Your professional
19 assistance is always telling as relates to these very
20 professionally run and informational hearings; and thank
21 you.

22 And Senator Jeff and Senator Bob, it's
23 always fun to get together with you. I think I ask you
24 here more often than not just to get to enjoy both of
25 your company.

1 And Senator Smith, my esteem for you has
2 been growing; and personally, you're a wonderful leader
3 and the state is lucky to have you.

4 I'll take just a minute or two to give you
5 what my thoughts and comments are. The one thing --
6 first off, we're dealing with an issue here, and although
7 there's some question as to exactly how we fund it, it's
8 very rare that you have a hearing in this great diverse
9 state and literally hear nothing from a partisan
10 perspective or from a regional perspective that's
11 anything other than the support of this amazing program
12 that we know as the Garden State Preservation Trust.
13 Look at that as a baseline of something so unique -- as
14 to why it's so important for us to move forward and why
15 it's so right to do.

16 Executive Director Swan reminded some of us --
17 and I look to you, Senator Smith -- of our moral obligation
18 to fund what we said we would, as it relates to money to
19 purchase the land that is, basically, not developable; and
20 to preserve the watershed in our Highland region. Think of
21 that in dollars and cents. I'll never forget the study from
22 Rutgers that came out six years ago that said if we
23 continue to develop in the Highlands Region as we did at
24 the rate of 5,000 acres a year, within 30 years time --
25 it's already been seven or eight years -- we would -- it

1 would cost us, just to provide clean water to the people
2 in the state, \$40 billion dollars. Putting that in
3 perspective, our entire budget is projected under \$30
4 billion. What that tells you is, if we don't do this New
5 Jersey will be an economic wasteland in our lifetimes.
6 This isn't something that we have a choice on, it's
7 something that we have to do.

8 That segues me to how we do it. I
9 wholeheartedly agree with the position -- at least the
10 stated position at this point -- of the Sierra Club. We
11 really should be doing something that's a permanent
12 source of funding as it relates to open space --
13 permanent. For the next 20 years, if we spend \$200
14 million a year, we will probably buy up whatever open
15 space is left to preserve, truth be told. So permanent
16 means what really is for some finite period of time.

17 As with everything else though, where does
18 the money come from? I, for one, advocated a fee that
19 went along with water. It made the most sense that \$30
20 on the average user per year, with caps on commercial
21 users, was the right thing to do. I'm also very
22 practical to know that, notwithstanding the lack of
23 partisanship here, I can see the 10-second blurb in the
24 commercial, "They're even taxing our water now." I
25 realize that's not going to happen this year; however,

1 it's untenable, there's so much at stake not to move
2 forward in some way.

3 Personally, I'm hopeful that we can all
4 collectively cobble together, on some level -- and we've
5 proved it in the past to be successful in the hands of
6 voters -- a bond referendum so we can continue the
7 progress of the Garden State Preservation Trust. Then
8 perhaps a year or two years from now, look to the
9 permanent source when the economy is such that might
10 support -- whether it will be a water fee, or some of the other
11 things that Senator Gordon has mentioned, and others, as
12 alternative funds to make that permanent source be in place.

13 To me, there isn't anything more important that we'll
14 all do as the Legislature. The budget will come to pass, we'll
15 get through it. This is about the future of our state.
16 I'm just privileged to work with all of you, knowing all
17 of your individual dedication towards this issue. I'm
18 hopeful that, collectively, we're going to solve the
19 problem.

20 SENATOR SMITH: We're adjourned.

21 (Whereupon, the proceedings concluded at
22 approximately 12:40 p.m.)

23

24

25

1 CERTIFICATE

2

3 I, MOLLY HALLINAN, Shorthand Reporter,
4 certify that the foregoing is a true and accurate
5 transcript of the proceedings which were held at the
6 time, place, and on the date herein before set forth.

7 I further certify that I am neither attorney
8 nor counsel for, nor related to or employed by any of
9 the parties to the action in which these proceedings
10 were taken; further, that I am not a relative or
11 employee of any attorney or counsel employed in this
12 case, nor am I financially interested in this action.

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14 MOLLY HALLINAN

15 Shorthand Reporter

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