

SENATE, No. 1449

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator BRIAN P. STACK

District 33 (Hudson)

Senator LORETTA WEINBERG

District 37 (Bergen)

SYNOPSIS

The “Liberty State Park Protection Act”; establishes Liberty State Park Advisory Committee and requirements concerning DEP actions related to Liberty State Park.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/25/2020)

1 AN ACT concerning Liberty State Park, supplementing Title 13 of
2 the Revised Statutes, and amending P.L.1983, c.324 and
3 P.L.2015, c.19.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) Sections 1 through 7 of P.L. , c. (C.)
9 (pending before the Legislature as this bill) shall be known and may
10 be cited as the “Liberty State Park Protection Act.”

11
12 2. (New section) The Legislature finds and declares that:

13 a. Liberty State Park, located in Jersey City, is a priceless New
14 Jersey and American treasure and an urban oasis in the middle of
15 densely populated metropolitan northern New Jersey;

16 b. With internationally-recognized landmarks including the
17 Statue of Liberty, and Ellis Island, and the Manhattan skyline as a
18 spectacular backdrop, Liberty State Park is one of the nation’s most
19 sacred and inspiring parks;

20 c. Encompassing over 1,200 acres, approximately 600 acres of
21 land and 600 acres of water, of which all but the interior’s 235 acre
22 natural restoration area are open to the public currently, the park
23 contains significant natural, historic, recreational, scenic, and
24 cultural resources;

25 d. The park, a major historic and cultural resource with its
26 transportation and immigration history, includes: the Central
27 Railroad of New Jersey Terminal or “CRRNJ Terminal,” the third
28 landmark of America's Gateway “Historic Trilogy” along with Lady
29 Liberty and Ellis Island; the location of portions of the historic
30 Morris Canal, with its significance to the local, region, and
31 statewide transportation industry during the 19th and 20th centuries;
32 and also the location of the Black Tom Island 1916 explosion
33 historic site, with its significance to America’s entry into World
34 War One;

35 e. The park is also a major natural resource as a sanctuary for
36 over 300 bird species including migratory species that use the park
37 as a stopover while on the Atlantic Flyway, and countless other
38 wildlife species;

39 f. More than five million people from around New Jersey, our
40 nation, and the world visit the park each year to take in the dramatic
41 and meaningful views and enjoy the peacefulness and passive
42 recreational opportunities of green open space, the beauty of nature
43 and wildlife habitats, family picnic areas, and fishing in the midst of
44 the most urbanized area on the East Coast;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 g. Unfortunately, this unique and scarce urban green open
2 space has been the target of repeated privatization and
3 commercialization proposals since the park opened, and the subject
4 of a number of development proposals in recent years, including the
5 Department of Environmental Protection issuing requests for
6 proposals to privatize or commercialize portions of the park, which,
7 if approved, would have seriously jeopardized this beloved public
8 resource and severely harmed the public's ability to enjoy free and
9 full public access to and enjoyment of the park;

10 h. From the time of its opening on June 14, 1976, Liberty State
11 Park has had sustained overwhelming public support for a "free and
12 green" open space park, and overwhelming opposition to
13 privatization and commercialization proposals, as expressed in
14 public hearings, countless public comments, petitions, and in a
15 series of coalitions of local, regional, and Statewide groups to
16 protect Liberty State Park as a "People's Park" behind Lady
17 Liberty; and

18 i. It is fitting, proper, and necessary to recognize and respect
19 this history of overwhelming public opposition and to take action to
20 protect Liberty State Park from any inappropriate development
21 proposals and to preserve Liberty State Park for future generations.

22

23 3. (New section) As used in sections 1 through 7 of P.L. , c.
24 (C.) (pending before the Legislature as this bill):

25 "Commissioner" means the Commissioner of Environmental
26 Protection.

27 "Committee" means the "Liberty State Park Advisory
28 Committee" established pursuant to section 6 of P.L. ,c.
29 (C.) (pending before the Legislature as this bill).

30 "Concession" means any rights or privileges granted by the
31 department to a public, non-profit, individual, corporate, private, or
32 other entity to operate on or within Liberty State Park to provide
33 small-scale commercial activities that support or promote the
34 public's use of Liberty State Park, or any building or facility
35 thereon, or for small-scale commercial activities as provided in
36 section 5 of P.L. , c. (C.) (pending before the Legislature as
37 this bill), and shall include, but not be limited to, concession or
38 operation agreements, franchises, licenses, permits, or other similar
39 use agreements, but shall not include a lease, conveyance, or other
40 transfer of property rights.

41 "Department" means the Department of Environmental
42 Protection.

43

44 4. (New section) The Department of Environmental Protection
45 shall:

46 a. not consider any proposal to commercialize, develop, or
47 privatize Liberty State Park, except as provided in accordance with

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4

1 the provisions of P.L. , c. (C.) (pending before the
2 Legislature as this bill);

3 b. not convey, lease, or otherwise transfer any property rights
4 within:

5 (1) the 235-acre natural restoration area in the interior of Liberty
6 State Park, identified on the tax maps of Jersey City as Block
7 Number 21506, Lot Number 2; Block Number 21506, Lot Number
8 5; Block Number 21506, Lot Number 1; Block Number 24401, Lot
9 Number 1; Block Number 21505, Lot Number 1; Block Number
10 21601, Lot Number 6; Block Number 21601, Lot Number 5; Block
11 Number 21601, Lot Number 3; Block Number 21601, Lot Number
12 2; Block Number 15802, Lot Number 15; Block Number 15802, Lot
13 Number 13; Block Number 15802, Lot Number 14; Block Number
14 15802, Lot Number 12; Block Number 15802, Lot Number 11;
15 Block Number 15802, Lot Number 10; Block Number 15802, Lot
16 Number 21; Block Number 15904, Lot Number 16; Block Number
17 15904, Lot Number 17; and Block Number 15904, Lot Number 18;
18 or

19 (2) the 21.5-acre Caven Point Peninsula, the estuarine
20 ecosystem for plants and animals, critical bird breeding habitat, and
21 urban environmental education resource, which stretches into the
22 Upper New York Bay and is identified on the tax maps of Jersey
23 City as: Block Number 27601, Lot Number 1; Block Number
24 24307, Lot Number 10; Block Number 27701, Lot Number 1; Block
25 Number 27601, Lot Number 2; and Block Number 24306, Lot
26 Number 7;

27 c. no later than five years after the date of enactment of this
28 act, and after consultation with the committee, finalize a
29 management plan for Liberty State Park, which utilizes the map
30 developed pursuant to subsection h. of this section;

31 d. consult the committee for review and recommendations:

32 (1) prior to entering into an agreement for a concession,
33 conveyance, lease, or other transfer of property rights of any portion
34 of Liberty State Park; and

35 (2) prior to the extension or renewal for a term of one year or
36 longer of any lease in effect on the date of enactment of P.L. , c.
37 (C.) (pending before the Legislature as this bill);

38 e. develop and implement, in conjunction with the committee,
39 a public participation process to allow public citizens and civic
40 organizations to provide public input on any proposed changes in
41 land use at Liberty State Park or to the management plan developed
42 pursuant to subsection c. of this section;

43 f. at least once each year, hold a public forum to receive input
44 from the public concerning plans, including the management plan
45 required pursuant to subsection c. of this section, improvements,
46 preservation, conservation, and management of Liberty State Park,
47 in addition to any public hearings that may be required pursuant to
48 law; and

1 g. post in a prominent location on the department's website:

2 (1) any proposed agreement for a concession, conveyance, lease,
3 or other transfer of property rights, including an extension or
4 renewal, of any portion of Liberty State Park;

5 (2) the minutes of the committee pursuant to subsection k. of
6 section 6 of P.L. , c. (C.) (pending before the Legislature as
7 this bill);

8 (3) copies of any reports received by the commissioner pursuant
9 to subsection b. of section 7 of P.L. , c. (C.) (pending before
10 the Legislature as this bill); and

11 (4) the management plan required pursuant to subsection c. of
12 this section; and

13 h. develop, no later than one year after the effective date of
14 P.L. , c. (C.) (pending before the Legislature as this bill), a
15 map depicting Liberty State Park in Jersey City. The map shall
16 include all public lands purchased, donated, conveyed, and owned
17 in fee simple that the department manages and identifies as Liberty
18 State Park. The map shall include the lots and blocks as listed on
19 current tax maps of Jersey City. The department may update the
20 map annually to ensure all public lands are shown and to include
21 any additional land donated or purchased and to be managed as part
22 of Liberty State Park.

23

24 5. (New section) a. Notwithstanding the provisions of any
25 other law, or rule or regulation adopted pursuant thereto to the
26 contrary:

27 (1) the Department of Environmental Protection shall only
28 approve an agreement for a concession, conveyance, lease, or other
29 agreement transferring the property rights of Liberty State Park,
30 including an extension or renewal, with a private entity to provide
31 small-scale commercial activities, if the agreement enhances the
32 ability of a visitor to enjoy the natural, historic, cultural,
33 recreational, and scenic resources of Liberty State Park for
34 recreation and conservation purposes as defined pursuant to section
35 3 of P.L.1999, c.152 (C.13:8C-3), such as a bicycle or kayak rental
36 concession, food concession, temporary winter skating rink,
37 commercial boat tour operating from an existing boat slip, use of
38 the Central Railroad of New Jersey Terminal, and uses identified in
39 the management plan developed pursuant to section 4 of P.L. , c.
40 (C.) (pending before the Legislature as this bill);

41 (2) prior to entering into an agreement for a lease including an
42 extension or a renewal, conveyance, or other transfer of property
43 rights of any portion of Liberty State Park with a term of one year
44 or longer, the department shall:

45 (a) present the proposal to the committee for review and
46 recommendations; and

1 (b) provide a 30-day public comment period and hold at least
2 two public hearings at Liberty State Park, with one hearing being
3 held on a weekday evening and one on the weekend;

4 (3) whenever the department intends to convey, pursuant to the
5 provisions of P.L.1993, c.38 (C.13:1D-51 et seq.), lands acquired or
6 developed by the State with Green Acres funds, or acquired or
7 developed by the State in any other manner and administered by the
8 department, located within or adjacent to Liberty State Park, the
9 department shall:

10 (a) present the proposal to the committee for review and
11 recommendations; and

12 (b) provide an opportunity for public comment on the proposal,
13 including holding two public hearings at Liberty State Park, with
14 one hearing being held on a weekday evening and one on the
15 weekend, and providing a 30-day comment period.

16 b. Notwithstanding the provisions of paragraph (1) of
17 subsection a. of this section to the contrary, the department may
18 renew or amend an existing agreement or execute a new agreement
19 for the continued operation of the Liberty Science Center or the
20 marina in existence on the effective date of P.L. , c. (C.)
21 (pending before the Legislature as this bill), provided that the
22 Liberty Science Center or marina are not expanded beyond their
23 footprint of operation as of the effective date of P.L. , c. (C.)
24 (pending before the Legislature as this bill).

25 c. No fewer than 45 days prior to the issuance of any request
26 for proposal or similar solicitation for a concession, the department
27 shall provide the solicitation to the committee for review and
28 comment. In the event a solicitation is not issued, the department
29 shall provide the committee with the proposed concession no fewer
30 than 45 days prior to execution. If a solicitation has been provided
31 to the committee for review and comment, the department shall not
32 be required to provide the associated concession agreement to the
33 committee for review and comment prior to execution, provided the
34 concession agreement is materially consistent with the solicitation
35 presented to the committee.

36
37 6. (New section) a. There is established a Liberty State Park
38 Advisory Committee in the Department of Environmental
39 Protection, to assist the department with conserving, preserving,
40 protecting, and improving Liberty State Park. In carrying out its
41 responsibilities, the committee shall give due consideration to the
42 natural, historic, cultural, recreational, and scenic resources and the
43 local, State, and national significance of Liberty State Park.

44 b. The committee shall consist of nine members, as follows:

45 (1) the Commissioner of Environmental Protection, or the
46 commissioner's designee, who shall serve as an ex officio, non-
47 voting member;

- 1 (2) the director of the Division of Parks and Forestry in the
2 Department of Environmental Protection, or the director's designee,
3 who shall serve as an ex officio, non-voting member;
- 4 (3) the president of the Friends of Liberty State Park, or the
5 president's designee;
- 6 (4) the NY/NJ Baykeeper Chief Executive Officer, or the
7 officer's designee;
- 8 (5) the president of the Hudson River Waterfront Conservancy,
9 or the president's designee; and
- 10 (6) the president of the Jersey City Parks Coalition, or the
11 president's designee;
- 12 (7) the chair of the Jersey City Environmental Commission, or
13 the chair's designee; and
- 14 (8) two members appointed by the Governor with the advice and
15 consent of the Senate as follows:
- 16 (a) one member from the State's academic community with
17 expertise, knowledge, or experience in history, landscape
18 architecture, park management, environmental protection, or
19 ecology; and
- 20 (b) one member from a Statewide environmental organization
21 with expertise, knowledge, or experience in ecology, environmental
22 protection, land management, or natural resources protection.
- 23 The terms of the public members appointed by the Governor
24 with the advice and consent of the Senate shall expire at the end of
25 the Governor's term in office.
- 26 c. Any vacancy in the membership shall be filled in the same
27 manner as the original appointment.
- 28 d. The committee shall organize as soon as possible after the
29 appointment of its members and shall annually elect a chairperson
30 and a vice-chairperson from among its members, and a secretary
31 who need not be a member of the committee.
- 32 e. The committee shall meet at the call of the chairperson or
33 the commissioner or when requested by any four members of the
34 committee.
- 35 f. A majority of the voting members of the committee shall
36 constitute a quorum for the transaction of committee business.
- 37 g. The department shall provide primary staff support to the
38 committee.
- 39 h. The committee shall be entitled to the assistance and service
40 of the employees of any State, county or municipal department,
41 board, bureau, commission, authority, or agency as it may require
42 and as may be available to it for its purposes, and to employ
43 stenographic and clerical assistance.
- 44 i. The members of the committee shall serve without
45 compensation.
- 46 j. The committee shall be subject to the provisions of the
47 "Senator Byron M. Baer Open Public Meetings Act," P.L.1975,
48 c.231 (C.10:4-6 et seq.).

1 k. A true copy of the minutes of every meeting of the
2 committee shall be prepared and made available to the public. The
3 minutes shall also be made available on the department's website.

4
5 7. (New section) a. The Liberty State Park Advisory
6 Committee shall:

7 (1) assist the department in developing the Liberty State Park
8 management plan required pursuant to subsection c. of section 4 of
9 P.L. , c. (C.) (pending before the Legislature as this bill),
10 and advise the department on the ecological restoration of the 235-
11 acre interior portion of Liberty State Park and means to increase
12 public access and public enjoyment of the natural, historic, cultural,
13 recreational, and scenic resources of the park;

14 (2) review and make recommendations on any proposed
15 agreement for a concession, lease including an extension or a
16 renewal, conveyance, or other transfer of property rights of any
17 portion of Liberty State Park as provided in P.L. , c. (C.)
18 (pending before the Legislature as this bill) within 45 days of
19 presentation thereof by the department to the committee;

20 (3) request from the commissioner any information concerning
21 Liberty State Park as it may deem necessary to carry out its
22 responsibilities, excluding confidential information;

23 (4) request the attendance of the superintendent of Liberty State
24 Park, or the superintendent's designee, at each of the committee's
25 meetings to provide assistance and information to the committee;
26 and

27 (5) submit to the commissioner any recommendations the
28 committee deems necessary to improve and protect Liberty State
29 Park.

30 b. The committee shall present a report of its recommendations
31 to the commissioner within one year after its organizational
32 meeting, and periodically thereafter. The committee shall also
33 submit copies of its reports to the Governor and, pursuant to section
34 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature.

35
36 8. Section 6 of P.L.1983, c. 324 (C.13:1L-6) is amended to
37 read as follows:

38 6. a. Notwithstanding any other law, rule , or regulation to the
39 contrary, the department shall have the authority to grant such
40 rights or privileges to individuals or corporations for the
41 construction, operation , and maintenance for private profit of any
42 facility, utility , or device upon the State parks and forests, lands ,
43 and waters as the department shall find necessary and proper for the
44 use and enjoyment of the lands by the public. Such rights and
45 privileges shall include, but not be limited to, concessions,
46 franchises, licenses, permits, and other rights and privileges deemed
47 by the department to be appropriate in the utilization of the lands
48 for the public benefit. The grant or award of such rights or

1 privileges shall be made in the name of the State of New Jersey and
2 executed by the department, at such price and upon such terms and
3 conditions as shall be fixed by the department.

4 b. The department shall have the authority to acquire rights and
5 privileges in lands owned by individuals or corporations where the
6 department deems it necessary or useful, for the proper
7 implementation of the provisions of **【this amendatory and**
8 **supplementary act】** P.L.1983, c. 324 (C.13:1L-1 et seq.), that an
9 interest in such lands be acquired. Such rights and privileges shall
10 include, but not be limited to, leases, licenses, concessions,
11 franchises , and permits. Any rights or privileges acquired
12 hereunder and the considerations therefor shall be subject to terms
13 and conditions fixed by the department.

14 c. Notwithstanding the provisions of subsection a. of this
15 section to the contrary, commencing on the date of enactment of
16 P.L. , c. (C.) (pending before the Legislature as this bill),
17 the department shall not grant any rights or privileges to an
18 individual or corporation for the construction, operation, and
19 maintenance for private profit of any facility, utility, or device at
20 Liberty State Park except as may be allowed pursuant to the
21 provisions of P.L. , c. (C.) (pending before the Legislature
22 as this bill).

23 (cf: P.L.1983, c.324, s.6)

24
25 9. Section 19 of P.L.2015, c.19 (C.5:10A-19) is amended to
26 read as follows:

27 19. In addition to any powers established pursuant to section 5
28 of P.L.1971, c.137 (C.5:10-5), and the powers established pursuant
29 to section 7 of P.L.2015, c.19 (C.5:10A-7), the commission shall
30 endeavor to safeguard the environmental resources of the district
31 and provide quality public recreation and educational opportunities.

32 The commission may:

33 a. Target and prioritize potential preservation sites for
34 acquisition, deed restriction, and conservation easements, including
35 large tracts of wetlands sites;

36 b. Preserve wetlands to protect wildlife, water quality, and
37 flood storage value;

38 c. Review preservation sites for potential wetland enhancement
39 and mitigation;

40 d. Improve connections among the district's trails and habitats,
41 reducing fragmentation;

42 e. Identify missing links in the existing trail system, as well as
43 key locations for connecting to wildlife viewing stations,
44 environmental venues, boat launches, docks, and other active and
45 passive recreational attractions;

46 f. Increase both active and passive recreational uses;

47 g. Eliminate or control the presence of other invasive plant and
48 animal species;

- 1 h. Maintain and improve targeted habitats relative to breeding,
2 wintering, feeding, and other wildlife activities;
- 3 i. Maintain the value of the Hackensack meadowlands as an
4 urban sanctuary for birds using the Atlantic Flyway;
- 5 j. Seek available funding for land acquisition, protection, and
6 management of wildlife preserves;
- 7 k. Maintain and restore the ecology of the waterways,
8 including the estuary, shorelines, and nursery habitat for fish;
- 9 l. Continue monitoring water quality by collecting and
10 analyzing data to determine trends, document improvements, and
11 assess the need for additional, or more stringent, measures;
- 12 m. **【**The provisions of section 6 of P.L.1984, c.128 (C.13:17-
13 6.1), or any other law, rule, or regulation regarding purchases,
14 contracts, or agreements to the contrary notwithstanding, at the
15 request of the Commissioner of Environmental Protection, evaluate,
16 approve, and implement any plan or plans for the further
17 preservation, development, enhancement, or improvement of
18 Liberty State Park and the buildings, structures, properties, and
19 appurtenances related thereto, or incidental to, necessary for, or
20 complementary to the park. The commission may avail itself of any
21 plans under review by the Department of Environmental Protection
22 from any source that may promote expanded and diverse
23 recreational, cultural, and educational opportunities for visitors to
24 Liberty State Park and provide greater access to park facilities. Any
25 approved plans shall constitute a project of the commission, but
26 shall not be adopted as part of the master plan. Any plans approved
27 by the commission shall be subject to the provisions of P.L.1981,
28 c.447 and subject to approval or disapproval by the Commissioner
29 of Environmental Protection. In evaluating any plan, the
30 Commissioner shall prepare an assessment of environmental
31 impacts on the plan, and how those impacts, if any, may be avoided,
32 minimized, or mitigated. At least one public hearing in connection
33 with plans under consideration by the commission shall be held at
34 Liberty State Park. Nothing in this subsection shall be construed to
35 transfer ownership of any of the property of Liberty State Park to
36 the commission or any other person;**】** (Deleted by amendment,
37 P.L. , c.) (pending before the Legislature as this bill) and
- 38 n. Operate a not-for-profit organization which shall continue
39 research opportunities of the Meadowlands Environmental Research
40 Institute.
41 (cf: P.L.2015, c.72, s.10)

42
43 10. This act shall take effect immediately.

44

45 STATEMENT

46

47 This bill, to be known as the “Liberty State Park Protection Act,”
48 would preserve Liberty State Park as a public urban green open

1 space free of inappropriate privatization by establishing certain
2 requirements concerning actions by the Department of
3 Environmental Protection (DEP) related to Liberty State Park and
4 establishing a Liberty State Park Advisory Committee (committee).

5 The bill would prohibit the DEP from considering any proposal
6 to commercialize, develop, or privatize Liberty State Park, except
7 as provided in the bill. The bill would the DEP from conveying,
8 leasing, or otherwise transferring any property rights within the
9 235-acre natural restoration area in the interior of Liberty State Park
10 and the Caven Point Peninsula. The bill would require the DEP,
11 within five years after the bill is enacted into law, to develop a
12 management plan for Liberty State Park in consultation with the
13 committee. The bill would also require the DEP to develop a map
14 of Liberty State Park, which includes all public lands purchased,
15 donated, conveyed, and owned in fee simple that the DEP manages
16 and identifies as Liberty State Park.

17 The DEP would be required to consult the committee for review
18 and recommendations: prior to entering an agreement for a
19 concession, conveyance, lease, or other transfer of property rights
20 of any portion of Liberty State Park; and prior to the extension or
21 renewal for a term of one year or longer of any lease in effect on
22 the date the bill is enacted into law. In addition, the bill directs the
23 DEP to develop and implement, in conjunction with the committee,
24 a public participation process to allow public citizens and civic
25 organizations to provide public input on any proposed changes in
26 land use at Liberty State Park or to the management plan developed
27 pursuant the bill, and at least once each year, hold a public forum to
28 receive input from the public concerning plans, including the
29 management plan to be developed pursuant to the bill,
30 improvements, preservation, conservation, and management of the
31 park, in addition to any other public hearings that may be required
32 pursuant to law.

33 Under the bill, the DEP would only approve an agreement for
34 concession, conveyance, lease, or other agreement transferring the
35 property rights of Liberty State Park, including an extension or
36 renewal, with a private entity to provide small-scale commercial
37 activities, if the agreement enhances the experience of a visitor to
38 Liberty State Park for recreation and conservation purposes, such as
39 a bicycle or kayak rental concession, food concession, temporary
40 winter skating rink, commercial boat tour operating from an
41 existing boat slip, use of the Central Railroad of New Jersey
42 Terminal (“CRRNJ Terminal”), or another use identified in the
43 management plan developed pursuant to the bill.

44 In addition, prior to entering into an agreement for a lease,
45 including an extension or renewal, conveyance, or other transfer of
46 property rights of any portion of Liberty State Park with a term of
47 one year or longer, the DEP would be required to present the
48 proposal to the committee for review and recommendations and

1 provide a 30-day public comment period and hold at least two
2 public hearings at Liberty State Park, with one hearing being held
3 on a weekday evening and one on the weekend. In addition, the
4 DEP would be required to take these same actions when it intends
5 to convey lands acquired or developed by the State with Green
6 Acres funds, or acquired or developed by the State in any other
7 manner and administered by the department, located within or
8 adjacent to Liberty State Park.

9 The bill provides that the DEP may renew or amend an existing
10 agreement or execute a new agreement of the continued operation
11 of the Liberty Science Center or an existing marina, provided that
12 the Liberty Science Center or marina are not expanded beyond their
13 footprint of operation as of the effective date of the bill.

14 The bill would require the DEP, no fewer than 45 days prior to
15 the issuance of any request for proposal or similar solicitation for a
16 concession, to provide the solicitation to the committee for review
17 and comment, and would require that if a solicitation is not issued,
18 the DEP would provide the committee with the proposed concession
19 no fewer than 45 days prior to execution. If a solicitation has been
20 provided to the committee for review and comment, the DEP would
21 not be required to provide the associated concession agreement to
22 the committee for review and comment prior to execution, provided
23 the concession agreement is materially consistent with the
24 solicitation presented to the committee.

25 The Liberty State Park Advisory Committee established by the
26 bill would be charged with assisting the DEP in conserving,
27 preserving, protecting, and improving Liberty State Park. In
28 carrying out its responsibilities, the committee would give due
29 consideration to the natural, historic, cultural, recreational, and
30 scenic resources and the local, State, and national significance of
31 Liberty State Park.

32 The committee's responsibilities would include: assisting the
33 DEP in developing the management plan required by the bill, and
34 advising the DEP on the ecological restoration of the 235-acre
35 interior portion of the park and means to increase public access and
36 public enjoyment of the natural, historic, cultural, recreational, and
37 scenic resources of the park; reviewing and making
38 recommendations on agreements for leases, including extensions or
39 renewals, conveyances, or other transfers of property rights of any
40 portion of Liberty State Park with a term of one year or longer; and
41 submitting to the DEP Commissioner any recommendations the
42 committee deems necessary to improve, protect, and restore the
43 park.

44 In addition, this bill would amend the "State Park and Forestry
45 Resources Act," P.L.1983, c.324 (C.13:1L-1 et seq.), which, in part,
46 allows the DEP to enter into agreements with private entities for the
47 construction, operation, and maintenance for private profit of any
48 facility, utility, or device in State parks and forests as the DEP finds

1 proper for the use and enjoyment of the lands by the public. This
2 bill would amend the law to reflect the provisions of this bill
3 concerning agreements related to Liberty State Park.

4 Lastly, the bill would amend the “Hackensack Meadowlands
5 Agency Consolidation Act” to delete the provision that provided the
6 New Jersey Sports and Exposition Authority, which under current
7 law is also referred to as the “Meadowlands Regional Commission,”
8 with certain authority concerning Liberty State Park.