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

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

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

ASSEMBLYMAN DiMAIO: Here.

MS. CALVO-HAHN: Assemblywoman Vainieri Huttle?

ASSEMBLYWOMAN VAINIERI HUTTLE: Here.

MS. CALVO-HAHN: Assemblyman Milam?

ASSEMBLYMAN MILAM: Here.

MS. CALVO-HAHN: Assemblyman Coutinho?

ASSEMBLYMAN COUTINHO: Here.

MS. CALVO-HAHN: Assemblywoman Greenstein?

ASSEMBLYWOMAN GREENSTEIN: Here.

MS. CALVO-HAHN: Assemblyman McKeon?

ASSEMBLYMAN McKEON: Present.

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

MS. HOROWITZ: For the Senate Environmental Committee; Senator Gordon?
SENATOR GORDON: Here.

MS. HOROWITZ: Senator Beach?

SENATOR BEACH: Here.

MS. HOROWITZ: Senator Smith?

SENATOR SMITH: Here.

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

Chairman McKeon?

ASSEMBLYMAN McKEON: Thank you very much, Mr. Chairman.

I just want to, first of all, start by
thanking the members of my Committee, particularly those
who came as substitutes today. Thank you so much for
giving your time and effort to this really vital issue
in our state.
I’d like everybody to keep in mind during
the hearing that we often bring ourselves and put
ourselves in different categories of environmentalists
versus builders, or whatever it might be. We can’t think
of it that way, that’s the old way of thinking. It’s
about all of us together, we’re -- the economy and the
environment are so intertwined in the best interest of
all of our survival. I think the gist of what you’ll
hear today is bringing that message forward.
With that, it is our honor and privilege to
ask the newly sworn in Secretary of Agriculture, former
Assemblyman and our colleague, Doug Fisher, to come
forward. I know, parenthetically, that the last bond
referendum that was successful on the ballot, Doug was
the primary co-sponsor and the driving force, as
Chairperson of the Committee on Agriculture, in moving
that forward. Mr. Secretary, if you would join us?
SECRETARY DOUGLAS H. FISHER: Thank you,
Chairman Smith, Chairman McKeon. I appreciate you
having me come in today, and hope you won’t give me a hard
time now that I’m on this side of the table. And I do know
how to operate the red and green light, so I thought that was a plus. I’m delighted that you’re having this hearing. I think it’s just a great opportunity for the public to hear about GSPT and the programs, so I’ll start by giving my testimony today. I want to thank you for this opportunity as it relates to the GSPT and our need for the renewed funding source.

The GSPT has had a profound effect on New Jersey’s farmland preservation efforts and our ability to maintain a thriving agriculture industry here in the Garden State. It was established in 1999, as you all know, and five years prior an average of 45 farms entered the Farmland Preservation Program annually.

Now, over the last five years, more than three times that number, 160 farms, have been preserved. All told, 177,000 acres of farmland have been permanently preserved under the program since its inception in 1983. By the time we actually spend the last GSPT dollars -- which already have been allocated to us for existing projects -- we expect the total to be 200,000 acres. This is extraordinary progress considering that prior to GSPT, only 55,000 acres of farmland had been preserved over 15 years of program acquisitions.

Now, 200,000 acres is an impressive accomplishment, but we are nowhere near that finish
line. The Department of Agriculture has projected that New Jersey will need a stable land base of approximately 600,000 acres to support a strong and viable agriculture industry into the future. While innovative approaches -- including the aggressive pursuit of transfer of development rights -- can assist in reaching that goal, it is clear that we will need to preserve at least 200,000 additional acres through the purchase of development rights under the Farmland Preservation Program. Achieving that goal is dependent on continued funding that will enable the program to meet a continuing high demand from landowners and our county, local, and non-profit partners.

Farmland preservation appropriations under the Garden State Preservation Trust have ranged from a low of $78 million in Fiscal Year 2000, the first full year of GSPT, to a high of $142 million in FY 2006. Over the past five years, an average of $116 million has been appropriated for farmland preservation, totals that are still far short of the current demand for the program. As an example, in ‘09 -- Fiscal Year ‘09 -- one-year acquisition projections under county and municipal planning incentive grant programs, a record number of applications under a non-profit grant program, and a long list of farms applying to our State acquisition program
amassed to a total funding demand of $270 million versus the $91 million that we have available. This level of demand will continue. Seventeen counties and 42 towns have submitted farmland preservation plans to the SADC, targeting the preservation of 210,000 acres over the next 10 years at a cost of $3 billion, $1.8 billion of that in State dollars. And I think it's important to note that $1.2 billion will be borne by the counties and municipalities, representing a strong financial commitment to achieve farmland preservation goals they have established. The stable source of funding provided by the creation of GSPT has encouraged municipalities and counties to establish their local farmland and Open Space Trust Funds, and non-profits to also commit to funding farmland preservation. These partners have contributed a full one-third to the $1.2 billion in total acquisition costs to date. The point is, they depend on the leverage of State dollars for preservation, with State grants averaging 60 percent of the acquisition costs. If we were to think of New Jersey's Farmland Preservation Program as a tent, State funding functions as the center pole; and landowners, and local and county governments, and non-profit programs represent the supporting stakes. If we take away the State funding, the center pole of
that tent, the tent collapses.

Landowners, of course, are an essential part in preservation. Whether they decide to preserve their farms or not, the Farmland Preservation Program offers them that opportunity and it is important for them to know that preservation is still an option. Frankly, I've heard that over and over from landowners -- they just want to know that it's there, that they have that opportunity. In the Highlands Region, preservation for many landowners is the only option -- I stress, the only option -- to recapture the equity in their land in the Highlands Region. Particularly in areas of the state where we have made investments in preserving farmland, farmers realize that agriculture is still a viable and worthwhile pursuit. If the State falters in its commitment to preservation, to ensuring a permanent agricultural land base to support future farming, it is not unreasonable to assume that farmers will question their commitment to agriculture; and that county and local governments faced with fiscal constraints of their own, and without a State funding match, could suspend or eliminate their own farmland and open space preservation cost-share. Here in New Jersey, it has taken many years to establish this very strong farmland preservation partnership and to build up the momentum of farmland
preservation. Certainly, we are considered to be the
first state to achieve build-out, and we cannot afford to
lose that momentum.

We all recognize the challenging fiscal
climate we face, but we should also recognize that
presents us with unique opportunities for State and
local governments to protect, in some cases, enormous
swaths of land, which we have only been able to do, for
once -- because once the developers come knocking at the
door, that time runs out. Just a recent case: In
December, 1,900 acres of farmland were preserved in
Manningtown Township in Salem County through a
partnership between the SADC, Green Aces, the township,
and the county. We are working now with Green Acres on
another cooperative acquisition of the same magnitude.

But the extraordinary preservation projects will
evaporate as soon as the development market, frankly,
regains its economic footing. It’s a critical time
right now. A lack of funding now will cause us to lose
this once-in-a-lifetime preservation opportunity.

We must also remember that farmland
preservation itself has positive financial impacts. It
is an enormously important tool for towns across the
state looking for ways to hold the line on property
taxes. By preserving farmland, they keep privately
owned, taxpaying farmland on the local rolls. Farmland
contributes far more in property taxes than it does --
than it requires of public services. By paying for
farmland preservation today, we are saving on property
taxes in the long run.
The most common use of former farmland sold
for development is housing, which brings with it
increased costs to local school systems, increased costs
for fire and police, trash disposal, road maintenance
and so on -- and most of all, increased taxes. Numerous
fiscal impact studies across the country reinforce this
conclusion and typically show that farmland, unlike
residential development, pays substantially more in
taxes than it requires in services. One such study done
by the American Farmland Trust in 2001 found that for
every dollar paid in taxes, farmland only required 36
cents in services, unlike residential development that
required $1.15 for every dollar paid.
Preserved farmland also contributes to the
economy by supporting a $1.5 billion agriculture
industry. That's just the value of the farm gate.
Obviously there's billions of dollars in New Jersey,
aggregate dollars that are spent amounting to tens of
billions of dollars.
Maintaining our rural and open landscapes;
providing access to fresh, local produce and farm
products; and protecting wildlife habitat, air and water
quality are all factors that contribute to the quality
of life we enjoy in the Garden State. Perhaps most
importantly, what we do today to sustain our commitment
to farmland preservation will have lasting effects on
our -- the lives of our children and our grandchildren,
and many future generations who will call New Jersey
home. The GSPT provided New Jersey with a tremendous
opportunity to protect the farmland that is so important
to maintaining our quality of life and strong
agriculture industry. We have made a great deal of
progress, but there is certainly much more left to do.
I also wanted to mention that even today, as
we talk about food safety, we realize how much more
we’re going to rely on our local farms to be in
existence and productive, and farming families in New
Jersey. Not only -- there’s so many other factors
that we could discuss -- homeland security and access,
frankly, to local food products in the local market. It
all points to our hope and desire that GSPT is
continuing to be funded.
We look forward to this Committee’s interaction.
Thank you, Chairmen.
SENATOR SMITH: Thank you, Mr. Secretary.
Good luck with your new position.
The second witness today is Jay Watson, the Deputy Commissioner of the Department of Environmental Protection.

ASSEMBLYMAN McKEON: Thank you, Mr. Secretary. And when Jay comes up, I'll call everybody's attention to that beautiful mural in the back. It was a great backdrop to your testimony, Mr. Secretary.

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

As you know, the Garden State Preservation Trust approved the final round of open space projects on March 11, and those approvals are on their way to you for consideration for the final appropriation of open space in the state. We are here today because even in these challenging fiscal times, we cannot overlook our long-term responsibility to protect our natural resources and our historic heritage, and to protect and enhance the quality of life in New Jersey. New Jersey provides quality recreation for everyone. Whether you're enjoying an unspoiled view along the Appalachian Trail
in Sussex County, or playing tennis in Cadwalader Park
right here in the City of Trenton, or standing on the
sandy beaches in South Jersey trying to hook a Striper,
New Jersey has something for everyone; and our open space
funding has made those opportunities possible. We want
to continue to protect habitat for New Jersey’s remarkable
array of species, some globally rare. And they all rely
on forested lands and grasslands, and those same lands
play a major role in our efforts to address climate
change through sequestration.

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

As you know, the Green Acres Land
Preservation Program is recognized as one of the most
successful and popular in the nation. For almost 50
years, Green Acres has been protecting land in New
Jersey, and we cannot slow our pace of preservation when we
know so much more needs to be done. Open space funding
preserves our productive farmland, as the Secretary said,
providing fresh, healthy produce to our communities and
reducing the amount of food that is otherwise shipped long
distances to reach our markets. I can’t even imagine
what a New Jersey summer would be without Jersey
tomatoes, and Jersey corn and blueberries. We must renew
our funding to make sure that we keep the garden in the
Garden State.

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

We must also continue to protect lands that
provide storm protection for communities, and we must
help move out of harm’s way those people who live in
areas prone to reoccurring flooding. This open space
funding has enabled us to do that as well.
Two hundred thirty-three municipalities in
every county in the state have passed their own local
taxes. These towns and counties need to be able to
count on the State and Federal shares to leverage those
local sources.

I want to just say that this is a true
investment in New Jersey. We not only invest in the
preservation of land for future generations, but this
open space funding supports many industries in the state
as well. Our parks are designed by architects --
landscape architects and engineers, and they’re built by
construction contractors. Just since the Garden State
Preservation Trust was approved in 1998, nearly $320
million has made its way into every community, in the
form of construction projects for developing and
redeveloping parks. There’s over $50 million in the
appropriation that will be coming before you very
shortly, and that’s local stimulus if I’ve ever heard of
it.
The land that is acquired is acquired with
the help of appraisers, surveyors, title searchers,
and insures. Jobs are created as a result of

acquisitions of park development programs in New Jersey.

And as Governor Corzine routinely reminds us, getting

New Jerseyans back to work is one of our most important

objectives right now. Everything we do today will shape

New Jersey as a quality place to work, live, play, and

raise a family for many, many generations. The choices

we make will be lasting.

I thank you for your time this morning. I

thank you for all that you’ve done and continue to do

for open space preservation and environmental protection

in the State of New Jersey, and the protection of land.

The preservation of land and acquisition of land is the

epitome of environmental protection, so thank you very

much.

ASSEMBLYMAN McKEON: Thank you very much.

So our Committee members-- As the Senator

and I spoke about, what we’re going to try to do is

get through the testimony, and then open it up to discussion

among us -- as that’s what we think is the best approach -- and any

comments that we have. So I appreciate that. We’re also

going to try to be finished here by 12:00 or 12:30 today,

so once we get through the first five or six invited

witnesses, we’ll then to try to put some reasonable

time limit as people go forward.
Jay, thank you very much for your testimony
and we appreciate all your thoughts.

MR. WATSON: Thank you, Mr. Chairman.

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

Mr. Murphy, welcome.

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

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

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

My history--personal history with this
organization goes really back to the early 1960s, when I
was a pre-teen -- perhaps before the Chairman was born
-- when my late father was just elected Governor of New Jersey. And I specifically recall a time, when he was Governor-elect, we were going down to look at the Island Beach house -- which is really the best part of the job, by the way. As we drove through Hamilton Township, and out past there through farmland and through the northern reaches of the Pine Barrens, my father told myself and the other however many other kids we gathered up that day in the car, that some day if we don’t do something, this land will be developed. It won’t be the beautiful farmland and open space that we saw. As a result, in part, of that conversation and his commitment to open space, we started the Green Acres Program in New Jersey. The enormous part of Jackson Township was one of the first places preserved, and that was the seminal event and probably the most ambitious and the most necessary open space preservation program in the country.

In this difficult economic environment -- and I would just like to use this opportunity to use this panel -- this distinguished panel -- as an amplification resource for what needs to be done here in the State of New Jersey and continues to need to be done. This time -- this difficult economic environment has members of the Committee, regardless of political strife, talking
about budget cuts and furloughs and belt tightening.
The knee-jerk reaction might be, "Well, maybe we can’t
afford to fund the Garden State Preservation Trust and
the open space programs, but the agriculture--" And
actually, nothing could be further from the truth. It’s
counter-intuitive, but what we really need to be doing
is focusing on this great opportunity. While the
developers, for the first time in probably a generation,
are standing down and rethinking their development
strategies in the northern and western parts of the state,
and the southern parts and all over the state, this is an
opportunity for us to be able to compete with a great
advantage for the open space that continues to remain in
New Jersey. Because once we lose that opportunity -- the
McMansions will pop up, and roads and other services, as the
Commissioner and the Deputy Commissioner pointed out --
it will be lost forever.

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

SENATOR SMITH: Thank you, Mike.

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

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

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

The Historic Trust is governed by a volunteer Board of 15, appointed by the Governor, and is the agency charged with administering the bricks and mortar funding for New Jersey’s historic resources. While the Trust was created in 1967, its role as a granting agency began in 1987 with the passage of the first bond that included funding for historic preservation projects. I would like to provide a brief summary of our program and will be happy to answer any questions you might have.

Since its first round in 1990, the Historic Trust has funded 596 projects, awarding over $122.5 million; and, conservatively speaking, leveraged more
than $150 million in private investments in all 21 counties of New Jersey. Under our current regulations, non-profit organizations and agencies of government who own or lease historic properties are eligible to apply for our funding. Sites must be eligible for or listed in the New Jersey Register of Historic Places. In the past 20 years, the Historic Trust has funded historic house museums, lighthouses, gristmills, farms and outbuildings, theaters, churches, city halls, county courthouses, schools, offices, factories, utilities, waterworks, a battleship and schooner. With the creation of the Garden State Preservation Trust, the Historic Trust was allocated $6 million per year for 10 years for historic preservation projects. We received an additional $6 million from the 2007 ballot initiative.

While our recommendations for the 2008 round of capital projects is currently awaiting the appropriations process, we will be accepting applications on May 14 for what may be our final planning grant round. It has been the practice to offer funding for capital projects every other year, and to hold a smaller round for planning initiatives in the off year. As you can see from the chart, the request for capital funding has steadily increased over the past 10
years, to the point where we are now receiving requests
for three times the amount of available funding; or put
another way, we are only meeting 39 percent of the
documented need. In the 2008 round we just held, we
received requests for $38 million and, unfortunately,
turned away $23 million in deserving projects, most of
which met the criteria and fulfilled the program
requirements.

In our upcoming planning round, we have
already received letters of intent from potential
applicants requesting twice the amount of funding
that we have available. In short, the $6 million
per year allocation hasn’t even begun to scratch the
surface of the actual need that exists. Out of the 60
projects recommended for funding in this past round, 20
projects were submitted by non-profit organizations.
Because we are a matching grant program, our State
investment acts as a catalyst for developing private
philanthropy. Often, we see our grantees matching our
grants with private foundation support funding from the
Federal Save America’s Treasures Program, directly
through municipal and county budgets, and competitively
from grant programs offered through county open space
and historic preservation funds, as well as from other
sources.
It should also be noted that a large percentage of historic property is in public ownership. In this last round, 25 of the 60 projects we recommended for funding were projects submitted by county or municipal applicants. Without trust funding, the cost of rehabilitation and stewardship would become the sole burden of the county or municipality. Past recipients such as the Hereford Inlet Light Station, Louis Kahn Bathhouses, the bat houses in Ewing, and the Tenafly Railroad Station are a few examples of publicly owned historic sites that have been transformed and are once again functioning as community assets, attracting visitors, bathers, and diners.

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

Thank you for inviting me this morning. And I would like to point out that that’s a historic vernacular farmstead in the mural behind me, since we’re all commenting on the murals in this room this morning.
I would be pleased to answer any questions you might have.

ASSEMBLYMAN McKEON: Thank you for your testimony. Editorial comment is-- The component of open space that you addressed is just essential.

I appreciate it.

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

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

My name is Eileen Swan, I am the Executive Director of the Highlands Water Protection and Planning Council. I'm here today to represent Chairman John Weingart and the members of the Highlands Council. They wish me to express, on their behalf, their strong support for the renewal of the Garden State Preservation
Trust in order to provide dedicated funding for the Highlands Region.

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

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

In addition, the Executive Order recognized that landowner equity issues should be addressed through extension of the dual-appraisal methodology created in
the Garden State Preservation Trust through the Highlands Act. And here, I echo the comments that you heard from Secretary Fisher. The Legislature designed the dual-appraisal approach in the Highlands Act to ensure that willing landowners participating in the State’s open space and farmlands preservation programs obtain an appraisal based upon pre-Highlands Act values.

In adopting the Highlands Regional Master Plan, the Highlands Council supported that need for dedicated and stable sources of funding for the purpose of land acquisition and conservation, with funds specifically dedicated to the Highlands Region to protect the state’s drinking water supplies, to preserve ecosystem integrity, and to promote the agricultural industry of the Highlands Region and the State of New Jersey.

Preservation in the Highlands Region is of statewide importance, and all too often what we find is that throughout the State of New Jersey people ask, “Well, why is the Highlands Region important to me if I don’t live there? Why do I care about preservation of that area? It’s pretty sparsely populated as it is, it’s an incredibly beautiful area, but why should I care?”

This is critical to what we’re talking about here today. The residents of the State of New Jersey outside of the region need to understand the relationship between them
and the Highlands Region. The Highlands Region is about
17 percent of the land base of the State of New Jersey;
however, it provides water for over half the population.
Some 5.4 million residents across the State of New
Jersey unknowingly rely on the Highlands Region for
their water supply. A few examples of some of the towns
outside of our region that, in the morning, wake up, turn
their faucets on, and hope that the water comes out --
expect it to come out, but don’t realize there is a
risk. And if the Garden State Preservation Trust Funds
aren’t in place, that risk is even greater -- towns like
Piscataway Township rely on 38 percent of their water
from the Highlands Region; Hillsborough Township, 41
percent; Elmwood Park Borough, 58 percent; Newark City,
practically all of their water comes from the Highlands
Region, 99 percent; Princeton Township, 44 percent.
Those are some of the examples of towns that rely on
their water from the region. Education, I think, is a
pretty important and critical component of the
reauthorization of these funds so that these people
understand that there is a relationship between them and
the open space preservation in the Highlands Region.
The implementation of the Highlands Regional
Master Plan is beginning just as the original funding
for the GSPT fund is running out. It is vitally
important that a steady source of funding be made available for land acquisition and conservation easements in the Highlands Region, so that the state can achieve its preservation objectives and so that landowners of the Highlands Region have viable options afforded to them that are in that Highlands Act. The legislature made a commitment in these words in the Highlands Act, “A strong and significant commitment by the State to fund the acquisition of exceptional natural resource value lands.” This is a central thing we hear as we go throughout the Highlands Region. Landowners, business owners, municipalities, counties -- they have been asked to scale back on development potential in order to protect resources for the rest of the state. This is a question of fundamental fairness. The question they ask is, “Is the State willing to help us help them, and will the legislation” -- “the Legislature keep its word? Will those that reap the benefit share the burden?”

Another common thread, as proposed in the Highlands Regional Master Plan and supported throughout much of the Highlands Region, is the enactment of a source of funding through a water user fee. I know there’s a concern over this. I know we’re in fiscal strife here and economics are bad at the moment;
however, it is again a question of fundamental fairness.

It's sharing the burden of protection of those water resources, that necessary interrelationship between those residents outside of the Highlands Region that rely on the region as their source for water.

The GSPT has served as a critical funding mechanism to preserve New Jersey's open spaces, farmland and historic sites; and to provide funds for park construction and renovation, particularly in urban areas. Reauthorization of the GSPT is critical to maintain the quality of life for New Jersey's residents.

Funding for operations and maintenance, stewardship and capital in the renewal of GSPT can play an integral role in our efforts to stimulate the economy of our state and to help control increasing property taxes. The combined economic contributions of tourism to natural areas, historic sites, and working farms; as well as New Jersey's farms providing a local food source, clearly suggests that a stable source of funding for preservation of land and cultural resources, including the renewal of GSPT, should remain a top priority for New Jersey.

The Highlands Council has identified priority lands for both open space and agricultural preservation, and the shortfall in funding is especially
severe regarding agricultural preservation. There’s a
region within the Highlands Region known as a special
environmental zone that’s in the Highlands Regional
Master Plan, an area of critical importance to protect
its 19,000 acres. But further than that, there is
another 162,000 acres at the top of our list for priority
agricultural and open space funding. We have shared
those with Green Acres and the State Agricultural
Department as priorities for acquisition, but that’s
only the beginning of the work that must be done.

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

Because the Highlands Region is of such
statewide significance, and our preservation and
conservation goals are substantial, the Highlands
Council is seeking legislative action. The Highlands
Council urges the Committees to support reauthorization
of the Garden State Preservation Trust Fund with
dedicated funds for the Highlands Region, along with a
reasonable extension of the dual valuation deadline.
Thank you for your consideration today and
the opportunity to speak before you. We so much
appreciate your work, and hope that we can count on you
to support the reauthorization. Thank you.

SENATOR SMITH: Thank you, Eileen.

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

MS. SWAN: I'm very well aware of that sir,

thank you.

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

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

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

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

MR. NIEUWENHUIS: I always take an
opportunity to remind everyone that we need to control
wildlife in New Jersey -- totally off the subject.
But a lot of what's been said here already
this morning is what I had on my paper. There's an
advantage of being down on the list a ways, you don't
have to talk as much.
There are a few points that I would like to
make that are very, very important to the farmland
preservation aspects of the GSPT. And first of all, I
always refer to it as the infrastructure -- the
infrastructure that's in place with the SADC, the county
agriculture development boards, your county and
municipal cost-shares into these programs -- it would be
criminal to allow that to fall by the wayside.
This is so critical. And again, I'm not here
to propose any type of plan going forward. I can
guarantee you and assure you that the New Jersey Farm
Bureau will do all in its power to get behind whatever
gets put on the ballot here and whatever we do going
forward. We need to keep this in place, that's first
and foremost in my mind.
The other thing is -- Executive Director
Swan just mentioned it as well -- the dual appraisals
that are going forward, specifically in the Highlands
Region, that we need to keep in the legislation. That
is very, very much important to us, not only from a land
equity issue, which is huge, but it's also, as was
eluded to, a moral commitment and our reaffirmation to
the landowners across the state that there is a
mechanism where they will be able to get some equity out
of their land going forward.
The other thing is -- Secretary Fisher, he's
doing a good job. We educated him pretty good on this
side of the table, but the other thing is the tax
benefits. There are inherent tax benefits that are
there. They go -- the land remains as a taxpaying
base. Again, I'm going to differ a little bit, my
figures are one penny off from his. We say that it
requires 35 cents in services, so 65 cents goes back to
the municipalities, giving it a wonderful way to
stabilize the tax base in the towns.
The other thing that has not been mentioned,
and what is really very, very important to realize, is
that many, many of these transactions that are done
are done on family farms. The money of the development
rights that are purchased by the State is taken and
reinvested into the farm operation, new equipment,
better methods of farming.
And also, it's a huge tool for generational
transfers of the farm to a younger generation. I've
seen it time and time again -- probably the farm would have gone for sale if it hadn’t been for preservation with the generational transfer. That is a huge issue that I want you to realize as well.

If we were in a perfect world, I would be here saying, “Let’s go for a long-term funding source, a dedicated funding source,” but we’re not in a perfect world right now.

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

Thank you.

ASSEMBLYMAN McKEON: Thank you very much, sir.

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

KELLY MOOIJ: We absolutely would, thank you
so much.

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

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

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

The New Jersey Keep It Green Campaign is a coalition of over 115 organizations, ranging from sportsmen’s groups and environmental organizations to affordable housing and urban park advocates, working to secure a long-term stable funding source for the acquisition of open space, farmland, and historic sites; as well as the capital improvement, operation, maintenance, and stewardship of State and local natural areas, parks, and historic sites in New Jersey.
You are going to hear from a number of Keep
It Green Campaign members after I’m done speaking, and
they will address many of the impacts of the loss of
funding, the benefits of funding preservation efforts,
as well as the need to renew the Garden State
Preservation Trust now.
I’m going to provide you with written
testimony, but I just wanted to highlight a few
important issues. There is a great need for investment
in preservation right now. The last of the 2007
stop-gap bond money has been recommended for
appropriations, as Deputy Commissioner Watson said.
With the expenditure of that money, preservation in New
Jersey will rapidly grind to a halt. With any break in
State funding, land deals for the next few years will be
impacted, as many of the projects approved just this
March were brokered many years ago.
Additionally, sprawl development and the
continued loss of habitat has significantly impacted
many species. Purchase of those important critical
habitats helps to preserve those fish and wildlife
species which bring in close to $4 billion a year
to the State of New Jersey from hunting, fishing,
and wildlife watching.
There is a significant economic benefit from
investing in open space preservation, including farmland and historic preservation as well. Now is the time to take advantage of lowered prices of land while reducing the high amount of inventory in the real estate market. Preservation of land critical to drinking water supplies -- as was mentioned before -- such as that in the Highlands is another clear example of investing in our future. Purchase of this land and protection of our water supply and recharge lands greatly reduces water treatment and supply costs as well.

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

We’re grateful for this opportunity to talk to you about this significant issue. Open space is important to the people of the State of New Jersey and we ask that you give them a chance to fund open space this year. The full weight of the Keep It Green Campaign and its members, as well as the members of each
of the organizations which are part of the Keep It Green
Campaign, are prepared to launch an active campaign to
support a November initiative. We’re confident that the
citizens of the State of New Jersey will support funding
as they have every other time for the past three
decades. In the most densely populated state in the
nation, this is the kind of reinvestment that we need, as
it provides immediate benefit to our citizens through
increased jobs, protecting water supply, preserving
critical habitat, reduction in backlogged real estate
inventory, tax stabilization, and much more; as well as
long-term value to the residents of the state. We ask
that you move quickly to put a measure on the November
ballot.

Thank you.

ASSEMBLYMAN McKEON: Thank you very, very much.

We appreciate all your hard work.

There are a total of about 14 additional
witnesses, all of whom are from the Keep It Green
Coalition, as well as several others who have signed up
independently. Although everybody has been quite
mindful of being succinct in the testimony, we’re
going to ask that everybody, please, that comes forward
from this point on not be any longer than five minutes.
So with that, Tom Gilbert? Tom, of course,
is with the Trust for Public Lands.

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

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

Through our Conservation Finance Program, we have assisted state and local governments with over 400 successful ballot measures around the country, generating $32 billion in funding for parks and land conservation. In our work across the country, we put forward New Jersey as a national leader and model in financing parks and land conservation, both for the reliable and significant investment that the State has made over many decades, as well as strong and steady voter support for these investments over the years, in good times and bad.
New Jersey voters have never rejected a statewide ballot measure for land conservation, approving 12 of 12 measures between 1961 and 2007. This support continues despite the economic downturn. Last November, voters approved 14 of 22 county and local open space ballot measures in New Jersey, many with overwhelming support, such as the 76 percent approval for continuing the Hunterdon County Open Space Trust Fund indefinitely. Voters demonstrated strong support for conservation finance measures across the nation last year, approving 62 of 89 measures on the November ballot, generating a record $7.3 billion. Successful statewide measures included a 3/8-cent sales tax increase and dedication for 25 years in the State of Minnesota, and a $400 million bond measure in Ohio. These results suggest that voters view these as investments worth making, even in tough economic times. There is strong evidence to suggest that investing in parks, land conservation, and historic preservation has real economic benefits, as others have testified. Through our work on park development projects in downtown Newark and elsewhere, we know that these projects can create construction and other jobs, and play an important role in revitalizing distressed communities. A 2008 study commissioned by the National
Parks Conservation Association found that every dollar invested into National Park improvement projects generates at least four dollars in economic value to the public, and that 57,000 new jobs could be created through park improvement projects in National Parks. I think it’s reasonable to assume that the same economic benefits and job creation opportunities exist in State and local parks in New Jersey.

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

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

Thank you very much.

ASSEMBLYMAN McKEON: Thank you, Tom.

SENATOR SMITH: The next witness is Alison
ALISON MITCHELL: Thank you for the opportunity to speak to this important issue today, and also thank you for your past work on open space funding.

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

As others have said already today, this is really the best time to be buying land from the perspective of stretching State dollars. We’re really going to be missing opportunities if we don’t renew funding this year. Obviously, we can also help people who need or want to sell their land right now and are having difficulty because of the real estate market. We also need State funding to stretch and maximize Federal dollars. For example, the Conservation Foundation right now has millions of dollars of Federal farmland protection money that needs to be matched or we need to turn it back. We really do need State money in order to
keep those millions of dollars in New Jersey, preserving
land here instead of somewhere else in the country.
We also need to match local funds. The
local governments are raising those funds with the need
and the expectation that they’ll be matched at the State
level. Those local funds, while significant in total,
when spread out across the state cannot preserve a lot
of land, and they certainly cannot protect the biggest
and most important parcels without the State’s funding.
We all know that a green state is a healthy
state, both environmentally and economically. Secretary
Fisher already articulated the incredible benefits of
preserved land to the local tax base. Local taxes
continue to be one of the largest burdens felt by our
residents in New Jersey, so protecting land is a way to
help lift this burden.
New Jerseyans have what is really an
extraordinary willingness to fund the protection of land
for agriculture, for parks, and for wildlife habitat even
in difficult times, and they need to be given the
opportunity to renew State funds this year. If we do
that, then we can continue as a national leader in land
preservation and park creation, and we can protect land
and create parks to support the economic stability and
prosperity of our state.
Thank you very much, and we look forward to working with this Committee, and with the other members of the Legislature, and the Governor on renewing the Garden State Preservation Trust this year.

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

Margaret O’Gorman with the Conservation Wildlife Group?

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

My name is Margaret O’Gorman, I’m the Executive Director of the Conserve Wildlife Foundation of New Jersey. We work to preserve and recover populations of rare and imperiled wildlife that live, and breed in, and migrate through our state. I represent about 8,000 members of my organization, but more importantly, the over 70 species of wildlife that are protected by State and Federal law; and the hundreds of other species that are considered imperative to the state. On behalf of these species, I would like to urge you to reauthorize the Garden State Preservation Trust.

The Conserve Wildlife Foundation does not buy land, we do not own land, but we depend on protected lands to carry out our work and be successful.
I’m basically here today to talk to you about the birds, and the bees, and the bats, and the bobcats, and all the other wildlife species that depend on protected open space in New Jersey. I want to let you know how open space protection helps our species. In the late 1980s when the last pair of bald eagles were known to exist in our state, they were in a nest on privately-owned land that was slated to be developed as a quarry. This land was then protected, which provided a great stepping-off point for the recovery of the bald eagle, which we know is one of the great success stories in New Jersey. This year, we’re looking at over 80 nests.

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

Wildlife -- as was mentioned before,
wildlife recreation, wildlife watching is one of the fastest growing activities in the country. It brings in almost $4 billion in economic activity in our state, and we need to have open spaces to allow people to participate in that activity. If you open any book about birding, you will see New Jersey listed as a place to go and a place to see, which is fantastic given our reputation as an urbanized state and as a built-up state. Globally, the most serious threat to wildlife is habitat destruction and fragmentation. In New Jersey, it's exactly the same. New Jersey has a wonderfully rich biodiversity. We are home to over 2,000 native plant species and close to 900 species of wildlife. Actually, New Jersey is ranked ahead of such states as Maine, New Hampshire, Alaska and Hawaii when it comes to species richness. Biodiversity can exist on privately held land -- it does -- but there's two weaknesses to that. One is that when rare species exist on publicly protected land -- privately protected land, we have more of an adversity to manage it. Recently, two years ago, a bald eagle nest was cut down on private land in New Jersey, even though that is a Federal offense to do so. But because it wasn't on publicly held land, we weren't able to protect it as much as we could have. Also, when we
work with private landowners to do wildlife work, we can only ask them to commit to 10 years down the line. When we work with protected land, we can actually protect our species forever.

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

Thank you.

SENATOR SMITH: Thank you, Ms. O'Gorman.

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

JACLYN RHOADS: Thank you, joint Committee members.

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

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

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

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

Now, although this is pretty exciting in the form of being able to change these management areas and prevent less (sic) development, the problem is this can be changed again. Without open space money in order to
protect these high ecological integrity areas, these
lands can still be lost to development.

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

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

A perspective that is presented to you today is not
only the benefits from the environmental standpoint of
protecting open space, but also the landowner’s perspective,
as far as designating these critical areas throughout the
state that are obviously very important. But these
landowners, they expect to be reimbursed. And these
programs that have been set up -- they can’t be reimbursed
unless there’s money coming from the State. And so we
do have an obligation to them as well.

Thank you for taking my testimony. I’d be
happy to answer any questions.

ASSEMBLYMAN McKEON: Thank you very, very much.

Mr. John Hatch of Preservation New Jersey?

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

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

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

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

As we have seen for more than 20 years,
there is a profound connection between protecting the
environment, preserving open space, and revitalizing our
historic cities and town centers. In a densely
populated state like New Jersey, these crucial goals are
inextricably intertwined. Sustainable communities and
preserved open space go hand-in-hand. With
extraordinary foresight and vision, the Garden State
Preservation Trust, through Green Acres, Farmland
Preservation, and the New Jersey Historic Trust saw this
vital interconnection and funded both open space and
historic preservation.

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

This has hopefully becoming a cliché, but the
greenest building is the one that’s already built. By
reusing our historic buildings, we save construction
materials, landfill space and embodied carbon. The New Jersey Historic Trust not only saves some of our most important buildings, it spurs redevelopment that saves and revitalizes neighborhoods and downtowns.

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

The New Jersey Historic Trust provides funds for construction projects in our historic towns and cities. These projects create construction and heritage tourism jobs. Dollar for dollar, historic preservation projects create almost twice as many high-paying jobs as new construction. Those projects strengthen our neighborhoods and improve the tax base in our communities. A great example just up the street here is 222 West State Street, the Roebling Mansion. Through a major grant from the Historic Trust, this spurred major private investment to save the building, provided
room for the expansion of the New Jersey League of
Municipalities, and also provided room for a number of
other private companies that have moved into the rest of
the space.

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

Thank you.

SENATOR SMITH: Thank you, Mr. Hatch.

Our next witness is David Epstein from the
Land Conservancy of New Jersey. Mr. Epstein?

DAVID EPSTEIN: Good morning, my name is Dave
Epstein. I'm with the Land Conservancy of New Jersey,
and we are a non-profit land conservation organization.
We have 1,400 members that have helped to preserve
more than 15,000 acres of open space throughout the
state using a lot of our State Preservation Trust funding.
I'm here today to urge you to renew funding for the
Garden State Preservation Trust, to put something on the
ballot this November. We support and would urge you to
consider a stable, long-term source of funding, like the
1998 ballot question, so that we can have a continuous
flow of funding to all of these very important programs.
I want to give you a couple of very quick
reasons to renew funding for the Garden State
Preservation Trust. Number one is it's a real bargain
for the taxpayers. The funding for this is the
equivalent of less than taking a family of four to the
movies -- to renew this funding each year. In terms of
what it costs the taxpayers, a small amount for the
great benefit that we get. We need these funds to
supplement the local funds that we have, because local
funds are now running out. Many of the towns and
counties have been cutting back their open space funds,
and we need the Garden State Preservation Trust to renew
its leadership position to help supplement those local
funds. It's also a great bargain for the taxpayers
because land is now a lot less expensive than it was in
the last couple of years. By buying land right now as
open space in this economic downturn, we take land and
real estate out of the supply side. We can help
stabilize the real estate market.
The final point I want to make is that this
is a State program that benefits every single resident
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
$1.5 million from the Garden State Preservation Trust Fund, and that has all been matched by private dollars to create the state’s first urban environmental center in downtown Newark. And for those of you who haven’t been to visit, I will invite you to come over to Newark and see what we’re doing in terms of the environment there.

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

Oftentimes when we think of the Garden State Preservation Trust Fund, we think of farmland and
historic buildings. We don’t always remember the value of urban open space, so I would just like to ask you to imagine a few things. Imagine children growing up in a place where they’ll never enjoy kicking a soccer ball on a soccer field. They’ll never feed ducks in a pond. They’ll never lay in the grass and look at four-leaf clovers like we’ve all done. They’ll never play baseball on a field. They won’t get the opportunity to climb a tree, and they won’t have the opportunity to breathe fresh air. Imagine children attending playgrounds where the play space is in between parked cars which used to be their playground, but is now the teachers’ parking lot, or they play in the street. Imagine the same children on high school sports teams that don’t have the opportunity to practice more often than once or twice a week because they share practice fields and are in competition with five or six other schools for those valuable spaces. Those same children then go back to their neighborhoods where there is no green space there either. Often, no streets -- excuse me -- no trees along the streets, no backyards; and parks are a long ride away, if you have the funding to purchase a bus ticket. Children can spend their entire lives in their neighborhoods without access to green places to play. One of our issues is to focus on
building parks within a 10-minute walk of all residents of Newark.

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

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

Thank you so much for your time.

ASSEMBLYMAN McKEON: Thank you very much.

Just one quick comment to make: Although we don’t see one of these lovely murals that comes in an urban setting, a park no bigger than the size of this room is much appreciated by all of us as meaning a lot in cities. I know Assemblyman Coutinho came here
specifically to substitute in because of that very, very
strong feeling, so thank you.

SENATOR SMITH: Thank you, Ms. Doherty.

Our next witness is Tom Wells from the
Nature Conservancy.

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

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

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

It's very ironic, I think, that we're
celebrating the 20th anniversary of the creation of this
very successful Green Acres non-profit matching grants
program precisely at the time when it’s essentially
becoming bankrupt, as we have heard from previous
speakers.

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

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

In my written testimony, I’ve detailed some
issues that point to the intense need to renew this
funding. But I’d just like to continue by saying areas
like the Highlands, that supply clean water to millions
of residents and hundreds of industries around the
state; flood plains along our rivers; and areas that
protect our wildlife and provide recreational
opportunities are the state's green infrastructure. And as
with other types of infrastructure, like roads and
bridges, they need to be protected to ensure our quality
of life and sound statewide economy.
Renewing the Garden State Preservation Trust
at this time will also provide a market for landowners
who wish to sell their properties, but with limited
options in this depressed real estate market.
In addition, as some other speakers have
pointed out, trust fund and park improvement projects,
and also historic preservation projects, particularly in
urban areas, will provide construction jobs as part of
an overall infrastructure funding strategy to fuel
economic recovery in New Jersey.
Finally, land acquisition funds are
desperately needed now to take advantage of land prices
that are the lowest they have been in many years,
thereby maximizing the amount of preserved land for the
State -- for the people of the State of New Jersey.
Through the Green Acres Program, New Jersey has been a
leader in funding and preserving open space and funding
park improvement projects.
Over the last two generations, in good times
and bad, New Jersey voters have approved every one of
the dozen open space ballot measures presented to them.
New Jersey is beginning to lose its status as a state
that others seek to emulate when it comes to preserving
open space. We urge you to restore Green Acres' status
as an open space leader by moving legislature to renew
funding for the Garden State Preservation Trust fund
programs this year.

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

Thank you very much.

ASSEMBLYMAN McKEON: Tom, thank you very much.

Jen Coffey of the Stony Brook Millstone Watershed

Group?

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

My name is Jennifer Coffey, and I'm going to
take a deep breath and say our name: Stony Brook
Millstone Watershed Association. I’m the Policy Director there, and Stony Brook is a member of the Keep It Green Coalition. We’re also one of the nation’s oldest watershed associations. We support clean water and healthy lands for those who live, work, and play in central New Jersey. I want to thank you for holding this hearing this morning, and I too will keep my comments brief in the interest of time.

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

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

I thank you for holding this hearing, and I
urge you again to move forward with a question for this
November’s ballot, so that the people of New Jersey can
once again choose to protect their lands and support a
prosperous future for New Jersey.

Thank you.

SENATOR SMITH: Thank you, Ms. Coffey.
The next witness is Mike Pisauro from the
New Jersey Environmental Lobby.

MICHAEL L. PISAURO JR., Esq.: Thank you very much.
My name is Mike Pisauro. I’m the Government
Affairs agent for the New Jersey Environmental Lobby.
It is a non-partisan organization going back to 1969,
dedicated to New Jersey environmental issues and
comprised of individuals, businesses, and other
environmental organizations.

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

In 2007, the DEP did an economic study
looking at the economic benefits we receive from our
natural resources. For example, wetlands provided
approximately $10.6 billion dollars in benefits by
protecting properties from flood by mitigating and
slowing down storm surges, pollution filtering so our
water is clean. It’s one of the reasons the Highlands
Act was passed, to protect our water resources. As
global warming increases, those storms are going to
increase. The necessity of protecting the wetlands is
going to be even more important. In New Jersey, we are
number three in repeat claims for Federal assistance
because of flooding. We’re above many other states that
you would expect us to be. So again, open space helps
reduce congestion.
I won’t go into all the other benefits from
economics.
As Commissioner Fisher said, agriculture
provides benefits not only for jobs, but we are seeing a
movement towards buying locally. If we don’t protect
our farmlands, we won’t be able to protect our local
economy.
Open space also is a resource that is
running out. Someone said land is a zero sum game. If
you increase development, you decrease something else.
Between 1995 and 2000, we lost approximately 16,000
acres of land a year. In the next 30 years, if we
continue to let development runs its course, we will run
out of land to develop. Before I turn 70, there would
be no more land to develop. Before my kids get old
evenough to collect Social Security, there would be no
land to develop. That’s a scary thought.
Our coastal areas are extremely important.
They’re important because that’s where we’re looking to
live. They’re important to support a vibrant tourism
economy, and they’re important because they support a
vibrant and important fishery economy. When our
wetlands become more than 10 percent impacted by
impervious cover, we have destroyed that resource. So
once again, protecting the environment, purchasing open
space protects our economy.
I mentioned tourism. Tourism is the number
three industry in New Jersey. A lot of that is based
upon ecotourism in the Highlands, and down at the
shore. Who wants to go to polluted beaches or bays?
Again, it’s a multifunctional tool that protects the
economy, protects our environment, and provides
recreational abilities.
And I think it may have been mentioned, but
I think it poses mentioning again: One of the greatest
burdens we as New Jersey taxpayers have is property
taxes. Open space helps reduce property taxes by
reducing the need for services caused by sprawl, but it
also helps protect property values. Properties located
closer to open spaces and wildlife areas tend to
increase or at least maintain their values while other
properties do not.
I urge you to move quickly to get onto the
ballot a stable, long-term source of funding for open
space. Thank you.

ASSEMBLYMAN McKEON: Thank you very much,
Michael.
Fred Akers of the Great Egg Harbor
Watershed; Fred?
Just calling out the names of the various
groups feels like we’re on vacation.

FRED AKERS: Hi, my name is Fred Akers, I’m
the River Administrator for the Great Egg Harbor River.
I just have one quick point I’d like to add. And thanks
for having this opportunity for us to present.
I spend a good bit of my time working with
the National Parks Service at the Federal level and I’m
pretty up on Federal funding. I also work with Congress
-- who Congress has designated for wild and scenic
rivers in the State of New Jersey, and New Jersey is the
definite leader. My one point to add is about the
National Parks Service’s Land and Water Conservation
Fund State Assistance Program. Congress and the National Parks Service had to submit a Water Conservation Fund. Congress is expanding their interest in funding that from past years; they’re a little bit more interested in adding money to that. There’s three goals of the program, and I thought they were noteworthy in respect to working with states. One is to meet state and locally identified public outdoor recreation resource needs to strengthen the health and vitality of the American people; increase the number of protected state and local outdoor recreation resources and ensure their availability for public use in perpetuity; and encourage sound planning and long-term partnerships to expand the quantity and ensure the quality of needed state and local outdoor recreation resources.

There’s Federal interest in states preserving land. And in 2008, which is last year, the Land and Water Conservation Fund, through the National Parks Service -- what’s the term they used -- they apportioned $623,000 to New Jersey to buy land. This is a matching program, and I’m not sure what happened, but this Spring they reapportioned that up to $1 million. So right now, there is $1 million of Federal money that’s apportioned or obligated to New Jersey, to be matched for land preservation in the state.
In the past, the Garden State Preservation
Trust has brought home millions of Federal dollars and
thousands of acres of preserved public lands to our
state. Without an adequate State fund to leverage these
Federal Land and Water Conservation Fund Grants,
New Jersey will lose millions of Federal dollars and
thousands of acres of preserved land.

Thanks.

SENATOR SMITH: Thank you, Mr. Akers.

Enid Torok from the Parks and Recreation
Association?

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

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

I know we spoke quite extensively this
morning about urban park development in New Jersey.

Newark has been spoken about tremendously and that has
been a wonderful project; but you don’t want to forget
Camden, you don’t want to forget Jersey City, you don’t
want to forget Paterson. You don’t want to forget what we’ve done with a lot of the Green Acres money in the development of Liberty State Park. That’s all the inner-city things.

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

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

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

Thank you very much.

ASSEMBLYMAN McKEON: Thank you very much, Ms. Torok, and for your advocacy for parks and open space.

Maia Farish, who is the Chairperson of the New Jersey Historic Trust. Maia?

MAIA FARISH: Good morning -- it’s good afternoon, as somebody pointed out -- Chairman Smith and Chairman McKeon, and members of the Committees.

I am Maia Farish, Chair of the New Jersey Historic Trust, and I do appreciate the opportunity to testify at this joint hearing today. I’m also happy to be among our partners from the environmental community who are advocating with us for a predictable future for the Garden State Preservation Trust. The documented benefits of GSPT are great and various, as you heard already, but my comments today will represent the concerns of the New Jersey Historic Trust.

If the aim during these dire fiscal times for our state is to use every available dollar wisely, with the focus on job creation and economic stimulus, continuing funding for the GSPT is a wise investment.

Let me explain why: The New Jersey Historic Trust’s Capital Grant Program, which is funded by the GSPT, is a proven job generator. An economic study commissioned by
our organization in 1997 revealed that across all building and investment types, historic preservation in the form of building rehabilitation is a more potent economic pump-primer than new construction. The simple explanation for this is that new construction is 50 percent labor and 50 percent materials, rehabilitation is 60 percent to 70 percent labor. The studies show that historic preservation initiatives in New Jersey generated $580 million annually in direct economic activity and that -- and this is a quote from the study -- "Every $1 million spent on historic rehabilitation generates 38.3 jobs, $1.3 million in payroll and business earnings, and $202,000 in State taxes." And this is compared with 36 jobs, $1.2 million in income and $189,000 in taxes from new construction projects. The reports showed that even the same size investment in new highway construction creates fewer jobs, less income, less GDP, and lower State and local tax revenues than building rehab projects. Since 2000, the New Jersey Historic Trust's Grant Program has benefitted cities and towns to the tune of over $60 million, leveraging more than $120 million in reinvestment. There's also the civic impact of our grant program. Did you know that venerable golden dome in
whose shadow we now sit was restored with a $1 million
grant from the New Jersey Historic Trust?

Included with my testimony is a list of historic funded
projects in your districts. Consider the economic impact
of these grants in your communities. Consider the
number of jobs generated, cultural and civic buildings
restored, tourism and other commercial traffic generated
through grants in your communities made possible by
GSPT. All of this economic activity would cease to
exist without GSPT.

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

Without a secure and predictable source of
funding for the Garden State Preservation Trust, the New
Jersey Historic Trust will lose its capacity to be a
critical long-term funding partner in creating jobs and
reclaiming the civic, cultural, and economic vitality of
our cities and towns.
Thank you very much for your time today.

SENATOR SMITH: Thank you, Ms. Farish.

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

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

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

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

While our members strongly support continued funding for open space and farmland preservation, our first concern, naturally, is for the Historic Preservation Grant Programs administered by the New Jersey Historic Trust. In the more than 20 years since the Historic Trust has been dispensing major grants -- since the
passage of the 1987 quality of life bond issue -- it has not only helped save hundreds of buildings throughout the state, but it has helped turn our historic sites into major engines for economic development, heritage tourism, and job creation.

To give you an example of this dynamic at work, I wish to reference the impact of the Historic Trust funding on my own organization in Cape May. Grants from the Historic Trust have transformed the three historic sites that we administer, of which two are owned by the State of New Jersey and the third by the City of Cape May. It’s no exaggeration to state that without the 50 percent funding provided by the Historic Trust, the $2 million restoration of our area’s most popular historic attraction, the Cape May Lighthouse, would probably never have happened.

Similarly, grants from the Historic Trust have helped underwrite major upgrades to our Victorian house museum, the Emlen Physick Estate, including providing important ADA access. Just this past year, a grant from the Historic Trust helped propel the $1.3 million restoration of our newest historic site, the World War II Lookout Tower near Cape May Point, which just opened to the public on March 27.

Besides allowing us to tell important pieces
of our area’s history, these historic sites have also
proved vital to our local tourist economy. Last year,
more than 100,000 people visited the Lighthouse and the
Physick Estate. This year, we’re anticipating another
60,000 people will climb the World War II Tower. Such
visitation has led to significant job creation over the
20 years since we’ve been receiving Historic Trust
funding in my own organization alone, adding some 20
full-time jobs with benefits and some 80 part-time jobs.
Even more pronounced though is the role that
these historic sites have played in stretching the
tourism season in our area, attracting visitors
throughout the year and helping fuel all kinds of
businesses and their suppliers. The owner of one Cape
May bed and breakfast inn, the Queen Victoria, for
example, calculates that fully 60 percent of his
business, which supports a year-round staff of 15, is
derived from the nine off-season months, business which
he totally attributes to the powerful pull of our
historical and cultural attractions.
When our example in Cape May is extrapolated
statewide, you can see that New Jersey has made no wiser
investments since 1987 than in the Historic Preservation
Grant Programs of the New Jersey Historic Trust. We
hope that you will make every effort to see that funding
for historic preservation, open space, and farmland
preservation will continue this wise investment in the
years ahead.

Thank you for your attention.

ASSEMBLYMAN McKEON: Thank you very much, sir.

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

JEFF TITTEL: I thought I was going to be

last. Thank you. I also have a printed copy of my

statement that I will pass to the Committee.

I won’t spend a lot of time talking about

the benefits of open space, because I know the Committee
members have heard me for all too many years talking
about the importance of saving open space, and what it
means to the state, the protection of water quality,
ecotourism, and all the other public benefits -- urban
parks and so on and so forth.

What I wanted to talk about is how do we get
there? I think that is going to be more critical than
the need, because we know there is a need. Every member
of this Committee could probably spend at least $100
million in their own districts and still want more. We
know that there’s a need. We know that this Committee
cares a lot about open space, so the question is, how do
we get there?
I think that one of the things that we have
to look at is the times that we live in. We are going
through a tremendous economic crisis. Some of you
who are at the Budget Committee meetings or sit at the
Budget Committee meetings of the various houses know
that we’re facing layoffs, potentially 14 days worth of
furloughs. We’re seeing the DEP budget cut by 30
percent in two years between the 2008 budget and what
was proposed for 2010. Last year, thanks to many of the
members of this Committee, we kept the State Parks
open, but yet the natural resources budget is going to
be dropping 15 percent from last year.

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

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

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

If we go down the road and bond, where are we going to get the money? Currently, the DEP budget spends $40 million a year for debt service and the DEP budget is going to be down 30 percent over two years. If we have to pay for general obligation bonds -- this
coming out of the DEP budgets -- what programs do you want to cut: safe drinking water, cleaning up the contaminated sites, diesel retrofits, parks? So that’s a big question to ask. That’s why we think that if you bond, you have to have a funding source for that bonding, whether you go out and dedicate the tax sales like we did in the past, whether you find another funding source-- One of the things that may not be -- that we looked at that might even be another alternative besides the water fee -- which we think is the most prudent because the public knows that buying open space protects their drinking water, knows by paying a little bit extra they help protect that drinking water.

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

We think that you have to look long-term.

In 1998, there was, in front of the same Committee, a proposal to do a $340 million bond or to hold out for a stable source. The environmental community at that point held out for a stable source; and Governor Whitman,
at that time, said that we have to sustain open space to
keep it viable in New Jersey and we have to have a
dedicated long-term solution. I think that message from
back then still goes, and I hope that this Committee
takes a look at other alternatives because, again, we
need to have open space preserved in New Jersey. It has
so many benefits for so many people. But also we have to
make sure that we do it right, that we don’t burden
people unnecessarily given this downturn, but we know
where the money is coming from and we know where the
money is going.

Thank you.

ASSEMBLYMAN McKEON: Thank you, Jeff.

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

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

I’m going to summarize my comments. I do
support all of the comments that my colleagues have
stated.

My name is Mark Zakutansky. I’m representing
the New Jersey Highlands Coalition. We are a coalition
of non-profit organizations and individual members,
consisting of small and large organizations, working
towards achieving the resource protections envisioned by
the State Legislature in the passage of the 2004
Highlands Water Protection and Planning Act.

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

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

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

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

Senator Gordon?
SENATOR GORDON: Thank you, Mr. Chairman.
I want to also just thank all the witnesses
that were here.
I think we’re all in agreement that we need
to preserve open space, preserve our historic properties
that add so much to our state.
I would add an element that has not been
discussed today, but was a component of the 2007 Bond
Act, which is the Blue Acres funding. We need to
provide funding for flood control, flood protection.
I think the heart of the issue, as was raised
by Jeff Tittel, is how do we get it, how do we pay for
it? We need a long-term source. I, for one, think that
in this environment it’s very difficult to ask people to
pay a water tax; but I’d like to think that there’s a
way we can find a funding source while at the same time
promote good energy and environmental policy. I’m not
sure we’re selling all that many SUVs anymore, and I
don’t know how much revenue we could generate by a tax
on SUVs, but perhaps we could look at some kind of
funding mechanism tied to mileage of vehicles. Perhaps
we should look at a funding mechanism tied to the
promotion of the most efficient heating systems. I
think there’s -- we can be creative about this and find
the money we need to preserve the land that we need to.
Thank you very much.

SENATOR SMITH: Thank you, Senator.

Senator Beach?

SENATOR BEACH: Yes, I'd just like to thank all the people who testified. It was certainly enlightening. I appreciate it.

SENATOR SMITH: Senator Van Drew, any comments?

SENATOR VAN DREW: Thank you, Chairman.

I, as well, would like to thank the people who testified.

I think we're all on the same page as far as the need. What all these issues hold in common, whether it is farmland preservation, whether it is Green Acres and open space, whether it is Blue Acres, or whether it is the Historic Trust -- once we lose them, we can never get them back, they are gone forever. So certainly it is moral that we figure out a method, a mechanism to do this and it would be good to get it done in perpetuity.

I would also echo the comments that Senator Gordon said, that this is a very unusual economy. And in this unusual economy-- And I understand the desire to do so, but the sense of increasing yet another tax or fee again upon the economic engine that drives the
revenues that come into this State, at the end of the day could be counter-productive. I think it is a road that, currently, we can’t go down.

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

And I would say that the second most important piece of this is that whatever does happen, as well, would require some sure -- and I hate to use this word of lockbox, or safety mechanism. I wouldn’t use the words poison pill anymore, because poison pills are obviously not adhered to as well in the budgetary processes. But there needs to be, constitutionally, a dedication of these funds so they are never raided or never used for anything else; because we have learned time and again, Republican and Democrat, that unfortunately these funds are always diverted to other
causes, and other needs, or other uses -- at times
may be appropriate; at times, some of us would
argue, inappropriate.
I think those are important elements here,
and regardless of what happens, even if it is in the
short-term, we must figure out a way -- and again, even
in the short-term of time of emergency -- to continue
to ensure that we do make these issues a priority.
Thank you, Chairman.
SENATOR SMITH: Thank you, Senator Van
Drew.
Let me thank the members for the their
participation today, and the witnesses, and Chairman
McKeon and the members of the Assembly Committee.
We are going to be focusing our attention on
this in our May meetings. And I'm hoping that we achieved
our goal today, which is to lay out for the people of
New Jersey how serious this crisis is -- and it needs to be
addressed, and it needs to be addressed now.
With that being said, Chairman McKeon, let
me turn it back over to you.
ASSEMBLYMAN McKEON: Senator Smith, thank you,
as always, for your leadership.
And I'm going to start with our guest,
Assemblyman DiMaio, and welcome and thank you for being
here today. If you have a comment, we would be happy to all accept it.

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

As someone who lives in a very sensitive part of the state, I represent a great deal of the people that are affected by the Highlands. A great deal of our industry in Hunterdon County has to do with agriculture.

There's no doubt that we need to find a way to fund the Trust Fund; how we do it is going to be a little tricky.

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

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

ASSEMBLYMAN McKEON: Thank you for being here with us.

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

ASSEMBLYWOMAN VAINIERI HUTTLE: Thank you,
Mr. Chairman; and thank you, Senator Smith.

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

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

Coming from Bergen County, sitting on the Open Space Trust Fund, we know how valuable it is, in talking about matching grants, if there is a way to use some of those monies without a match. There are obviously a lot of variables.
I know that in hard times, the State Trust Fund is like oxygen to all of us in the state. We certainly can’t live without it. I think Jeff said it correctly; we listened to the testimony today supporting it, we all support it, but how are we going to have monies to sustain it? I think that’s what this Legislature and this Environment Committee has to grapple with. Certainly, there has to be voter approval, but I think it’s a necessary -- it’s a necessary fee, it’s a necessary program. I think we need -- we’re all committed to try to grapple with this challenge.

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

Thank you.

ASSEMBLYMAN McKEON: Thank you very much.

Assemblyman Coutinho?

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

Of course, I represent one of the most urban
districts in the state. I think it’s very important, as
you have this discussion -- this is not just a rural and
suburban issue, this is clearly an issue that affects
the entire State of New Jersey. I was very pleased by
the presence of testimony of the Greater Newark
Conservancy. That was really the comments that I
was going to bring to the Committee today -- to make
sure that we take the urban areas into consideration,
as well, when we talk about open space. Because, clearly,
the issue of green space and parks for our youngsters in
urban areas is of vital importance. In fact, I sit on the
Essex County Open Space Trust Fund, and the whole issue
of open space preservation is very important to me on a
personal level, as well as to those of my constituents.
I agree that we need a permanent,
constitutionally dedicated source, and it needs to be
approved by the voters.
The one issue that I would bring to the
Committee -- because I am sitting in: as you are going
through this in the upcoming months, there is the matter
of timing. There is a very unique opportunity now,
given the collapse of the market. The one opportunity
that comes is that property values have come down. This
is especially true in urban areas, where I have seen
projects fail because the local government can’t pay the
price to acquire land to build urban parks. At this
goal, given the collapse of the real estate market,
there could be some opportunities there that, once
things come back, wouldn’t be there.
I will obviously be following what this
Committee does, and I will be fully supportive of all
efforts to support open space preservation; and I just
ask you to remember that this truly is an issue that
affects the entire state.
Thank you very much.

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

ASSEMBLYWOMAN GREENSTEIN: Thank you both,
Chairmen, for having me here today; and thank you to all
the speakers.
I think we’ve heard so many points of
agreement here today. We have a few problems, of course
some of them major, but nevertheless, our points of
agreement are so much stronger.
The biggest thing that we have going for us
is we have strong public support for these types of
initiatives. I think we need to have a long-term,
stable, dedicated source approved by the voters. I hope we won’t do a short-term approach to this while our economy is at its worst, but I still think that the time has passed to do this. This Committee has always been wonderful in this area and I would support that approach.

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

Thank you.

ASSEMBLYMAN McKEON: Assemblywoman, thank you very much.

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

And Senator Jeff and Senator Bob, it’s always fun to get together with you. I think I ask you here more often than not just to get to enjoy both of your company.
And Senator Smith, my esteem for you has been growing; and personally, you're a wonderful leader and the state is lucky to have you.

I'll take just a minute or two to give you what my thoughts and comments are. The one thing -- first off, we're dealing with an issue here, and although there's some question as to exactly how we fund it, it's very rare that you have a hearing in this great diverse state and literally hear nothing from a partisan perspective or from a regional perspective that's anything other than the support of this amazing program that we know as the Garden State Preservation Trust.

Look at that as a baseline of something so unique -- as to why it's so important for us to move forward and why it's so right to do.

Executive Director Swan reminded some of us -- and I look to you, Senator Smith -- of our moral obligation to fund what we said we would, as it relates to money to purchase the land that is, basically, not developable; and to preserve the watershed in our Highland region. Think of that in dollars and cents. I'll never forget the study from Rutgers that came out six years ago that said if we continue to develop in the Highlands Region as we did at the rate of 5,000 acres a year, within 30 years time -- it's already been seven or eight years -- we would -- it
would cost us, just to provide clean water to the people
in the state, $40 billion dollars. Putting that in
perspective, our entire budget is projected under $30
billion. What that tells you is, if we don’t do this New
Jersey will be an economic wasteland in our lifetimes.
This isn’t something that we have a choice on, it’s
something that we have to do.
That segues me to how we do it. I
wholeheartedly agree with the position -- at least the
stated position at this point -- of the Sierra Club. We
really should be doing something that’s a permanent
source of funding as it relates to open space --
permanent. For the next 20 years, if we spend $200
million a year, we will probably buy up whatever open
space is left to preserve, truth be told. So permanent
means what really is for some finite period of time.
As with everything else though, where does
the money come from? I, for one, advocated a fee that
went along with water. It made the most sense that $30
on the average user per year, with caps on commercial
users, was the right thing to do. I’m also very
practical to know that, notwithstanding the lack of
partisanship here, I can see the 10-second blurb in the
commercial, “They’re even taxing our water now.” I
realize that’s not going to happen this year; however,
it's untenable, there's so much at stake not to move forward in some way.

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

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

SENATOR SMITH: We're adjourned.

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

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

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

MOLLY HALLINAN
Shorthand Reporter