

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 4264**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 27, 2022

The Assembly Budget Committee reports favorably Assembly Bill No. 4264, with committee amendments.

This bill, as amended, would establish a Liberty State Park Design Task Force within the Department of Environmental Protection (DEP).

The task force would have 23 members, as enumerated in subsection c. of section 4 of the bill. The task force would be charged with providing advice to the DEP on developing:

(1) short-term action items designed to improve public use and enjoyment of conservation and recreation areas within Liberty State Park; and

(2) a long-term master plan that includes the (a) improvement of park facilities, programs, and amenities, (b) creation of new transportation and mobility services to the park to ensure equal access for all community residents to the park and within the park, and (c) further preservation of the park's natural resources and wildlife and protection against climate change.

In carrying out its responsibilities, the task force would be required to give due consideration to the natural, historic, cultural, recreational, economic and scenic resources, and the local, State, and national significance of Liberty State Park. The task force would also: (1) reflect the diversity of the Hudson County and the Jersey City community; (2) give due consideration to the creation of recreational and cultural opportunities and access to the park for all residents; and (3) consider how the local community can participate and benefit from the improved park.

The bill would direct the task force to present recommendations to the DEP on developing short-term action items designed to improve conservation and recreational opportunities in Liberty State Park, including immediate plans to address:

(1) the need for environmental justice and social equity to ensure equal access to the park for public use and enjoyment of conservation areas, open space, and recreational areas;

(2) the preservation of natural resources through a resiliency plan that allows the park to withstand rising sea levels and future flooding;

(3) wildlife management and habitat restoration planning for the protection of native and endangered species and migratory birds;

(4) transportation and mobility planning to improve access for all community residents to the park and within the park;

(5) upgrades to park facilities, programs, and amenities, and the development of new recreational and athletic facilities suitable for all age groups, provided that the task force would not recommend the construction of a casino in the park and that any recommendation for the construction of renewable energy facilities is limited to rooftops and parking areas; and

(6) cultural and arts opportunities in the park.

The bill would also direct the task force, no later than nine months after the bill is enacted into law, and after holding at least three public meetings at which members of the public may participate and submit written comments, to submit to the DEP, after consideration of the public comments, recommendations to consider in the development of a master plan that outlines long-term plans and capital projects designed to address the aforementioned issues and provide for the continued maintenance of the park.

The bill would authorize the DEP to utilize the amount of \$50 million appropriated from the federal "Coronavirus State Fiscal Recovery Fund" (SFRF) established pursuant to the federal "American Rescue Plan Act of 2021," Pub. L. 117-2, and any other similar type of federal law that may be enacted, in the Fiscal Year 2023 appropriations act, to support activities identified by the Liberty State Park Design Task Force, and approved by the department, primarily to improve recreational, cultural, and transportation activities and maintain and upgrade scenic and wildlife habitats and areas at Liberty State Park.

The bill would expire 24 months after the date of its enactment.

#### COMMITTEE AMENDMENTS:

The committee amendments to the bill:

(1) make changes to the bill's findings and declarations;

(2) change the task force to a temporary task force that will expire 24 months after the bill is enacted in to law;

(3) increase the number of members of the task force from 17 to 23 by adding add six public members, two appointed by the Governor, two appointed by the Senate President, and two appointed by the Speaker of the General Assembly;

(4) change the designated co-chairs of the task force from the Deputy Commissioner for Environmental Justice and Equity and the Director of Parks and Forestry to the Assistant Commissioner for State Parks, Forests, and Historic Sites and the Administrator of Urban State Parks and Initiatives;

(5) remove a requirement that the master plan include plans for the DEP to generate revenue and other funds, donations, or endowments to ensure adequate reserve funds for the ongoing and future maintenance of the park;

(6) clarify that the task force would not be responsible for submitting a master plan to the DEP but would provide advice and recommendations to the DEP for action items and the master plan;

(7) provide that the task force would not recommend the construction of a casino in the park and that any recommendation for the construction of renewable energy facilities made by the task force would be limited to rooftops and parking areas;

(8) require the task force to hold at least three public meetings at which members of the public may participate and submit written comments, which the task force is required to consider prior to submitting recommendations to the DEP and require that of the three public meetings, one would be required to take place on a weekday in the evening and at least one would be required to take place on a weekend during the day;

(9) add a requirement for the DEP, within 45 days after completion of the master plan for Liberty State Park, to submit to the Governor and the Legislature a written report identifying the additional capital funding priorities for the park; and

(10) delete the \$250 million appropriation from the bill and instead authorize the DEP to utilize the amount of \$50 million appropriated from the federal "Coronavirus State Fiscal Recovery Fund" (SFRF) established pursuant to the federal "American Rescue Plan Act of 2021," Pub. L. 117-2, and any other similar type of federal law that may be enacted, in the Fiscal Year 2023 appropriations act, to support activities identified by the Liberty State Park Design Task Force, and approved by the department, primarily to improve recreational, cultural, and transportation activities and maintain and upgrade scenic and wildlife habitats and areas at Liberty State Park.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.