



## REPEAL FAST TRACK LAW!

On Monday, December 13, 2004, several legislators announced at a press conference in the State Capitol at Trenton the Fast Track repeal bill, S2157/A3650. Currently, there are 18 co-sponsors on the bill which include:

**Senators:** Shirley Turner (D-15), Leonard Lance (R-23), Robert Martin (R-26), Thomas Kean (D-21), and Ellen Karcher (D-12).

**Assemblypersons:** Reed Gusciora (D-15), John Rooney (R-39), Louis Manzo (D-31), Sean Kean (R-11), Robert Morgan (D-12), Bill Baroni (R-14), Linda Greenstein (D-14), Christopher Bateman (R-16), Steve Corodemus (R-11), Peter Biondi (R-16), Jon Bramnick (R-21), Kevin O'Toole (R-40), and David Russo (R-40).

This repeal bill is only a one-line statement ridding the State of New Jersey of this terrible legislation. The goal is to create a real smart-growth bill that would help to send development to regions in dire need of redevelopment and to areas with existing infrastructure, while discouraging sprawl and protecting environmentally sensitive areas.

The repeal bill has been some time in the making since the 50 plus environmental and social service organizations united in New Jersey to form the Save New Jersey (NJ) Coalition. The goals of Save NJ are repeal of the Fast Track Law and creation of real smart-growth legislation. Save NJ and citizens have made a lot of progress since the Fast Track legislation in June. In

that time, letters have been sent from the EPA, US Fish and Wildlife Service and National Oceanic and Atmospheric Association (NOAA) expressing their concerns that Fast Track violates federal law. Before Governor McGreevey left office, he issued an Executive Order to halt implementation of the legislation until public comments were received and the legislation was properly debated. Essentially, the Governor was admitting to the major flaws with the legislation and was looking to create a window of opportunity to correct it.

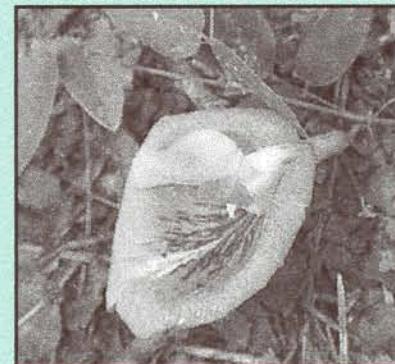
Although much support is being expressed throughout the state for repeal, swift and strong pressure is needed on all legislators. Unfortunately, Acting Governor Codey has so far stated he is only interested in modifying the existing legislation. To express your support for repeal there are several ways to take action.

The following are the top ten reasons that Fast Track should be repealed. Please use these freely to talk to the press, your legislators or local mayor.

**1. Threaten public health and safety-** The scope of permit programs included in this Fast Track would ease requirements for permits that involve, for example, discharge of radioactive and chemical weapons waste.

**2. Silence the public-** The 45-day timeline of the legislation prevents meaningful public participation and prevents local review (just as the leg-

**Clitoria mariana L. Butterfly-pea**



(c) Daniel Reed [www.2bnthewild.com](http://www.2bnthewild.com)

The above picture appeared in the last edition of our **Pinelands Watch** but without the credit to Daniel Reed and his wonderful web site where this flower can be viewed in color. For more information on this plant please visit [www.2bnthewild.com](http://www.2bnthewild.com).

The *Clitoria mariana L. Butterfly-pea* is one of the NJ State listed plants to be added to the CMP with the pending Pinelands amendments.

### S1 G5

Fairbrothers & Caiazza, in their report to the commission in 1980, listed it as "Undetermined," meaning they weren't sure whether it should be considered "Endangered" or "Threatened." Like others in that category, it was left off the final list of 54 plants. Subsequently, it was listed as Endangered in New Jersey.

Dicot

Family: Fabaceae

Perennial vine, herb

Flower: "Mid-July to mid-August."

Fruit: "Mid-August to mid-September."

Habitat and Misc. Notes: SPA. "Dry sandy ground; confined to the Pine Barrens and Cape May districts, except for one station in Hudson Co. Rare and local," -Stone. New Jersey is the northern limit of its range in the northeast.

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islative process did). Local environmental commissions and planning boards will have very little or no time to provide local information on permit applications.

**3. Force municipalities to approve bad projects-** Developers will apply to planning boards with all state permits in hand, putting pressure on the municipality to approve projects or zoning changes regardless of their merits.

**4. Increase sprawl-** DOT and NY/NJ Port Authority projects will get expedited DEP permit review, which will lead to more sprawl, less cohesive planning, and less community involvement.

**5. Extend sewers without any local approval-** Water Quality Management Plan amendments will be automatically issued as permits by rule without any DEP or municipal input, allowing developers to lay sewer lines into areas not zoned for growth.

**6. Allow developers to Pay to Pave-** Permittees can hire consultants to write and approve their applications without appropriate government oversight. There are no ethics provisions and the consultant can be the brother or employee of the permit applicant.

**7. Close the courthouse doors to the people, the state and the environment-** Polluters can appeal permit decisions to the Office of Administrative Law (OAL) but the public and the state cannot. The presumption of validity is shifted away from the state agency and it will be easier for the polluter to get a permit denial overturned. The OAL decision is final and cannot be appealed to the courts.

**8. Establish two classes of citizens-** The law subjects residents of "growth areas" to weaker oversight and ignores the constitutional requirement for equal protection for residents from different areas of the state. Further, wealthy developers get Fast Tracked while small builders get further side-tracked.

**9. Violate the state constitution and federal law-** The law violates federal Clean Water Act agreements and the public's right to due process.

**10. Give the State power to unilaterally designate "Smart Growth Areas"-** The DCA, DEP and Ombudsman can arbitrarily designate areas for growth, essentially condemning land for redevelopment. This essentially guts

home rule and undermines local zoning and planning.

**What you can do?**

- Write your legislators and tell them to support the Fast Track repeal bill (S2157/A3650). You can find the name, address and telephone number for your senator and assemblypersons at [www.njleg.state.nj.us](http://www.njleg.state.nj.us). On the side bar of the website there is an option to find your legislator by municipality, district, or name.

- Write a letter to the editor expressing your support and/or ask your legislators or local officials to do so as well.

- Call your local mayor and ask him or her to support repealing Fast Track by pushing the legislators or signing onto a petition that Save NJ has put together for municipalities. For more information contact PPA at 609-859-8860 or [jaclyn@pinelandsalliance.org](mailto:jaclyn@pinelandsalliance.org).

- Attend a local town hall or press conference where you can express to the press and your local elected officials and legislators your support for Fast Track repeal. Currently, two to three events will be held in Gloucester, Ocean and Monmouth counties for the month of January. Watch the local newspapers, the Save NJ website - [www.savenj.net](http://www.savenj.net), and/or contact PPA at 609-859-8860 ext. 22.

*The following two tables list the municipalities and local elected officials calling for repeal. Look for your town and write or call expressing your support on this decision. If your town is not listed, talk to your local elected officials about their position.*

Municipality	County	Municipality	County
Township of Boonton	Morris	Holmdel Township	Monmouth
Township of Byram	Sussex	Township of Montgomery	Somerset
Township of Bethlehem	Hunterdon	Saddle River	Bergen
Township of Chatham	Morris	Wall Township	Monmouth
East Amwell Township	Hunterdon	Township of Warren	Somerset

Title	First Name	Last Name	Municipality	County
Mayor	Michael	Kaplan	Norwood	Bergen
Mayor	John	Inscho	Liberty	Warren
Mayor	Lilli	Bury	Colts Neck	Monmouth
Mayor	Eileen	Swan	Lebanon	Hunterdon
Mayor	Ben	Spinelli	Chester	Morris
Mayor	Glenn	Sisco	Kinnelon	Morris
Mayor	George	Garrison	Commercial	Cumberland
Mayor	Harry	Zikas	Alpha	Warren
Mayor	James	Pine	Eagleswood	Ocean
Mayor	Walter	Eckez	South Hackensack	Bergen
Mayor	Stephen	Schueler	Bradley Beach	Monmouth
Council President	John	O'Brien	Glen Gardner	Hunterdon
Mayor	Woody	Kerkesloge	Madison	Morris
Mayor	Tim	Konopka	Howell	Monmouth
Council President	Les	Summel	Ewing	Mercer
Mayor	Wenke	Taule	Ringwood	Passaic
Mayor	John	Getz	Delaware	Hunterdon
Mayor	Jeff	Marshall	Raritan	Hunterdon

# PINELANDS COMMISSION 2005

## MEETING SCHEDULE

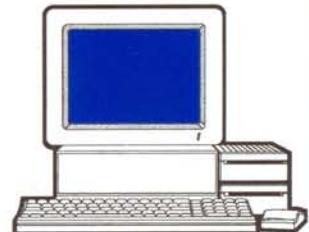
Friday, January 14, 2005 (9:30 a.m.)  
Thursday, February 10, 2005 (7:00 a.m.)  
Friday, March 11, 2005 (9:30 a.m.)  
Friday, April 15, 2005 (9:30 a.m.)  
Friday, May 13, 2005 (9:30 a.m.)  
Friday, June 10, 2005 (9:30 a.m.)  
Friday, July 8, 2005 (9:30 a.m.)  
Friday, August 12, 2005 (9:30 a.m.)  
Friday, September 9, 2005 (9:30 a.m.)  
Friday, October 14, 2005 (9:30 a.m.)  
Thursday, November 10, 2005 (7:00 p.m.)  
Friday, February 10, 2005 (9:30 a.m.)

Pinelands Commission Meetings are open to the public. For meeting location call the Commission at 609-894-7300



## RESOURCES

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### NEW JERSEY AUDUBON SOCIETY

[www.njaudubon.org](http://www.njaudubon.org)

### NEW JERSEY CONSERVATION FOUNDATION

[www.njconservation.org](http://www.njconservation.org)

### SIERRA CLUB, NEW JERSEY CHAPTER

[www.sierraactivist.org](http://www.sierraactivist.org)

### THE NATURE CONSERVANCY

[www.nature.org/newjersey](http://www.nature.org/newjersey)

### THE FORKED RIVER MOUNTAIN COALITION

[www.frmc.org](http://www.frmc.org)

### LEAGUE OF WOMEN VOTERS

[www.lwv.org](http://www.lwv.org)

### GARDEN STATE ENVIRONET

[www.gsenet.org](http://www.gsenet.org)

### ASSOCIATION OF NEW JERSEY

### ENVIRONMENTAL COMMISSIONS

[www.anjec.org](http://www.anjec.org)

### NEW JERSEY ENVIRONMENTAL FEDERATION

[www.cleanwateraction.org/njef](http://www.cleanwateraction.org/njef)

### SAVE BARNEGAT BAY

[www.savebarnegatbay.org](http://www.savebarnegatbay.org)

### ALLIANCE FOR LIVING OCEAN

[www.livingocean.org](http://www.livingocean.org)

### STATE OF NEW JERSEY

[www.state.nj.us](http://www.state.nj.us)

[www.state.nj.us/pinelands/](http://www.state.nj.us/pinelands/)

[www.state.nj.us/dep/](http://www.state.nj.us/dep/)

## Regulatory Update

**Critical Habitat Protections Rule** - The New Jersey Endangered and Non-Game Species Conservation Act (ENSCA) was enacted in 1973, which made it illegal to kill endangered wildlife throughout the state of New Jersey. Since this time, rules have not been created to protect the habitat of endangered animals. The only place where these animals can receive this type of protection is throughout the Pinelands as a result of the Pinelands Protection Act. Unfortunately, these animals do not live by the arbitrary boundaries that have been created. Protections need to be put in place by the Department of Environmental Protection. PPA, NJ Audubon Society, NJ Environmental Federation, NJ PIRG, and NJ Sierra Club plus others are pushing the DEP and the Governor to propose rules to protect critical habitats for endangered animals. We are also asking mayors throughout the state to sign on to a letter that we will be sending to the Governor and DEP on January 30, 2005. So far we have approximately 40 mayors signed on.

For more information on which mayors have endorsed this letter and for information that can be sent to your mayor please visit the following website <http://www.njaudubon.org/Conservation/HabProRule.html> or feel free to contact PPA at [jaclyn@pinelandsalliance.org](mailto:jaclyn@pinelandsalliance.org) or 609-859-8860 ext. 18.

We need your help in contacting your mayor and asking them to support this cause.