

ASSEMBLY, No. 4264

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 16, 2022

Sponsored by:

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Co-Sponsored by:

Assemblyman Mejia, Assemblywomen Tucker and Jimenez

SYNOPSIS

Establishes Liberty State Park Design Task Force; appropriates \$250 million.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/23/2022)

1 AN ACT establishing the Liberty State Park Design Task Force,
2 supplementing Title 13 of the Revised Statutes, and making an
3 appropriation.

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

7
8 1. This act shall be known and may be cited as the “Liberty
9 State Park Conservation, Recreation, and Community Inclusion
10 Act.”

11
12 2. The Legislature finds and declares that:

13 a. Liberty State Park, located along the waterfront of Jersey
14 City, is an urban oasis for New Jersey residents and visitors from all
15 over the world with internationally recognized landmarks including
16 the Statue of Liberty, Ellis Island, and the Manhattan skyline;

17 b. More than five million people from around New Jersey, our
18 nation, and the world visit the park each year to bask in the shadows
19 of Lady Liberty, and enjoy the park’s facilities with an average
20 750,000 annual visitors to the Liberty Science Center and around
21 700,000 annual visitors to the Statute of Liberty and Ellis Island
22 ferry service passengers;

23 c. In 1977, following an intensive multi-stakeholder community
24 development process that included 23 public input meetings
25 throughout the City of Jersey City as well as Newark, Hoboken, and
26 Trenton, a Master Plan was developed by the Liberty State Park
27 Study and Planning Commission, and approved by the Department
28 of Environmental Protection. Along with open space, natural trails,
29 and wildlife preservation areas, the Master Plan included various
30 recreational uses including an amphitheater, marinas, aquarium,
31 agricultural center, fishing piers, community gardens and
32 greenhouses, public pools, ball fields, ball courts, and tennis courts.
33 The Master Plan also contemplated a public transportation system
34 to allow members of the surrounding lower income community to
35 have free and unfettered access to the Park;

36 d. The Liberty State Park Study and Planning Commission
37 established Master Plan Guidelines, which stated that, “A park is
38 for the people! And people are both young and old, active and
39 contemplative, found in grounds and in solitude, artistic and
40 athletic, nature lovers, city dwellers, residents from neighboring
41 areas and visitors from afar. The park, in a manner similar to the
42 great parks being enjoyed today which were planned a century or
43 more ago, must continue to expand to meet the needs of all persons
44 visiting the park; the park must be a growing, living organism. The
45 Commission feels that Liberty State Park should be planned to
46 serve a multitude of recreational needs of various visitors to the
47 park. It will indeed be a green cornerstone for an entire urban
48 shore, a nature environment with urban convenience. It should have

1 a proper mixture of various types of recreation and leisure
2 activities”;

3 e. Development of Liberty State Park in accordance with the
4 1977 Master Plan was affected by the park’s industrial past due to
5 the presence of environmental contamination, as well as an overall
6 lack of funding and lack of input from minority communities;

7 f. During Superstorm Sandy in October 2012, an 11-foot storm
8 surge flooded Liberty State Park causing millions of dollars of
9 extensive damage to natural resources, open space areas, and
10 recreational spaces, such as walkways, picnic areas, playgrounds,
11 and certain historic structures. With almost a decade since
12 Superstorm Sandy, not only has the park not been fully restored nor
13 repaired, but there has not been an extensive adaptation and
14 resiliency plan implemented to prevent damage from future storms
15 and protect surrounding communities. Following a revision of
16 coastal flood maps in the wake of Superstorm Sandy, Liberty State
17 Park is located in a Special Flood Hazard Area as identified by the
18 United States Federal Emergency Management Agency with the
19 majority of the area in the high risk “AE Flood Zone” and high risk
20 coastal area “VE Flood Zone”;

21 g. On October 29, 2019, Governor Phil Murphy signed
22 Executive Order No. 89 establishing new requirements aimed at
23 building Statewide and community resilience, including the
24 development of a Statewide Climate Change Resilience Strategy,
25 which declared that “New Jersey is especially vulnerable to the
26 impacts of sea level rise, increased flooding and other aspects of
27 climate change, with potentially disastrous consequences for public
28 health and safety” and acknowledged that “minority and low-
29 income communities are disproportionately affected by climate
30 change, including by the health effects of higher temperatures and
31 increased air pollution and by the displacement of coastal and low-
32 lying neighborhoods from sea level rise and flooding”;

33 h. Liberty State Park has the strong potential to promote the
34 goals of Executive Order No. 89 as well as the overall purposes and
35 objectives of the “State Park and Forestry Resources Act,”
36 P.L.1983, c.324 (C.13:1L-1 et seq.), the “New Jersey Green Acres
37 Land Acquisition Act of 1961,” P.L.1961, c. 45 (C.13:8A-1 et seq.),
38 and other State laws concerning State parks and forests, and the use
39 of lands for recreation and conservation purposes, by providing
40 equal access to Liberty State Park for public use and enjoyment of
41 conservation areas, open space, and recreational areas, especially to
42 those local residents disproportionately affected by climate change
43 and the COVID-19 pandemic;

44 i. On September 23, 2021, the Department of Environmental
45 Protection created the Liberty State Park Design Task Force for the
46 purposes of developing conceptual and design plans to improve
47 conservation and recreational opportunities in Liberty State Park,
48 and, while the task force has made some progress towards those

1 goals, it is clear that Liberty State Park is in need of significant
2 improvements and future maintenance plans that can only be
3 achieved with the support of the Legislature; and

4 j. The Legislature hereby finds and declares that Liberty State
5 Park requires critical investments to accommodate short-term and
6 long-term action items that will improve conservation and
7 recreational opportunities within the park and provide for the
8 continued maintenance of the park, and such investment is in the
9 best interest of the citizens of this State and that the provision of
10 recreational programs to all segments of the public enhances the
11 public health, prosperity, and general welfare, and is a proper
12 responsibility of the State.

13

14 3. As used in this act:

15 “Commissioner” means the Commissioner of Environmental
16 Protection.

17 “Department” means the Department of Environmental
18 Protection.

19 “Task force” means the Liberty State Park Design Task Force
20 established by the commissioner by administrative order dated
21 September 23, 2021 and established pursuant to section 4 of this
22 act.

23

24 4. a. There is established in the Department of Environmental
25 Protection a Liberty State Park Design Task Force as a permanent
26 entity created to assist the department with developing both:

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

30 (2) a long-term master plan for Liberty State Park that (a)
31 improves park facilities, programs and amenities, (b) creates new
32 transportation and mobility services to the park to ensure equal
33 access for all community residents to the park and within the park,
34 (c) further preserves the park’s natural resources and wildlife and
35 protects against climate change, and (d) includes plans for the
36 department to generate revenue and other funds, donations, or
37 endowments to ensure adequate reserve funds for the ongoing and
38 future maintenance of the park.

39 b. In carrying out its responsibilities, the task force shall give
40 due consideration to the natural, historic, cultural, recreational,
41 economic, and scenic resources, and the local, State, and national
42 significance of Liberty State Park. The task force shall (1) reflect
43 the diversity of the Hudson County and the Jersey City community,
44 (2) give due consideration to the creation of recreational, cultural,
45 and economic opportunities and access to the park for all residents,
46 and (3) consider how the local community, especially minority and
47 local small business owners can participate and benefit from the
48 improved park.

- 1 c. The Liberty State Park Design Task Force shall consist of 17
2 members as follows:
- 3 (1) the department's Deputy Commissioner for Environmental
4 Justice and Equity, or the deputy commissioner's designee, who
5 shall serve ex officio;
- 6 (2) the department's Director of Parks and Forestry, or the
7 director's designee, who shall serve ex officio;
- 8 (3) the Superintendent of Liberty State Park, or the
9 superintendent's designee, who shall serve ex officio;
- 10 (4) the Bureau Chief of the department's Office of Natural
11 Resource Restoration, or the chief's designee, who shall serve ex
12 officio;
- 13 (5) the president of the Friends of Liberty State Park, or the
14 president's designee, who shall serve ex officio;
- 15 (6) the president of Liberty State Park for All, or the president's
16 designee, who shall serve ex officio;
- 17 (7) the mayor of Jersey City, or the mayor's designee, who shall
18 serve ex officio;
- 19 (8) the director of the Jersey City Department of Recreation and
20 Youth Development, or the director's designee, who shall serve ex
21 officio;
- 22 (9) the Hudson County Commissioner for District 3, or the
23 commissioner's designee, who shall serve ex officio;
- 24 (10) the chief of the Hudson County Division of Parks, or the
25 chief's designee, who shall serve ex officio;
- 26 (11) the superintendent of Jersey City Public Schools, or the
27 superintendent's designee, who shall serve ex officio;
- 28 (12) the president of the NAACP, New Jersey State Conference,
29 or the president's designee, who shall serve ex officio;
- 30 (13) the president of the NAACP, Jersey City Branch, or the
31 president's designee, who shall serve ex officio; and
- 32 (14) four residents of Jersey City selected by the co-chairs of the
33 task force and approved by the commissioner.
- 34 d. The task force shall be co-chaired by the department's Deputy
35 Commissioner for Environmental Justice and Equity, or the
36 designee thereof, and the department's Director of Parks and
37 Forestry, or the designee thereof. The task force shall meet at the
38 call of the co-chairs. At least nine members of the task force shall
39 constitute a quorum for the transaction of task force business.
- 40 e. The department shall provide primary staff support to the task
41 force.
- 42 f. The task force shall be entitled to the assistance and service of
43 the employees of any State, county or municipal department, board,
44 bureau, commission, authority, or agency as it may require and as
45 may be available to it for its purposes, to employ stenographic and
46 clerical assistance, and to incur traveling or other miscellaneous
47 expenses as may be necessary in order to perform its duties, within

1 the limits of funds appropriated or otherwise made available to it
2 for its purposes.

3 g. The members of the task force shall serve without
4 compensation, but may be reimbursed for necessary expenses
5 incurred in the performance of their duties, within the limits of
6 funds appropriated or otherwise made available to the committee
7 for its purposes.

8 h. The task force shall be subject to the provisions of the
9 “Senator Byron M. Baer Open Public Meetings Act,” P.L.1975,
10 c.231 (C.10:4-6 et seq.).

11 i. A true copy of the minutes of every meeting of the task force
12 shall be prepared and made available to the public. The minutes
13 shall also be made available on the department's Internet website.
14

15 5. a. The task force shall present the department with
16 immediate action items designed to improve conservation and
17 recreational opportunities in Liberty State Park, including
18 immediate plans to address:

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

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

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

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

29 (5) upgrades to park facilities, programs, and amenities, and the
30 development of new recreational and athletic facilities suitable for
31 all age groups; and

32 (6) cultural and arts opportunities in the park.

33 b. No later than six months after the date of enactment of this
34 act, the task force shall submit to the department a master plan that
35 outlines long-term plans and capital projects designed to address the
36 items enumerated in subsection a. of section 4 of this act and
37 paragraphs (1) through (6) of subsection a of this section.

38 c. The task force shall:

39 (1) give comments and receive recommendations from the
40 community to assist the department in implementing any action
41 item identified pursuant to subsection a. or b. of this subsection and
42 ensure broad community engagement in the park's management and
43 planning activities;

44 (2) work with New Jersey Economic Development Authority and
45 local economic organizations to create community economic
46 benefits that provide new business opportunities and training and
47 hiring programs for local residents, businesses, and contractors;

1 (3) work with local environmental organizations and local
2 governmental entities to develop plans to maintain and upgrade
3 natural and scenic wildlife areas and trails, and improve flood
4 mitigation and resiliency efforts in the park;

5 (4) work with local recreational and amateur sports organizations
6 to develop plans to maintain and upgrade recreational facilities in
7 the park;

8 (5) work with local transportation advocates and local
9 governmental entities to develop and maintain plans to improve
10 access to and within the park;

11 (6) seek available funding for land acquisition, protection, and
12 management of wildlife preserves; and

13 (7) maintain and restore the ecology of the waterways, including
14 the estuary, shorelines, and nursery habitat for aquatic species.
15

16 6. Nothing in this act shall be construed to amend, repeal, limit,
17 or otherwise affect the authority or ownership interests of the
18 Department of Environmental Protection pursuant to the "State Park
19 and Forestry Resources Act," P.L.1983, c.324 (C.13:1L-1 et seq.),
20 the "New Jersey Green Acres Land Acquisition Act of 1961,"
21 P.L.1961, c. 45 (C.13:8A-1 et seq.), or any other law concerning
22 State parks or forests or the use of lands for recreation and
23 conservation purposes.
24

25 7. There is appropriated from the General Fund to the
26 Department of Environmental Protection the sum of \$250 million to
27 support activities identified by the Liberty State Park Design Task
28 Force to improve recreational activities and maintain and upgrade
29 scenic and wildlife habits and areas at Liberty State Park.
30

31 8. This act shall take effect immediately.
32
33

34 STATEMENT
35

36 This bill would establish a Liberty State Park Design Task Force
37 within the Department of Environmental Protection.

38 The 17-member task force is charged with assisting the DEP in
39 developing:

40 (1) short-term action items designed to improve public use and
41 enjoyment of conservation and recreation areas within the park; and

42 (2) a long-term master plan that (a) improves park facilities,
43 programs and amenities, (b) creates new transportation and mobility
44 services to the park to ensure equal access for all community
45 residents to the park and within the park, (c) further preserves the
46 park's natural resources and wildlife and protects against climate
47 change, and (d) includes plans for the department to generate
48 revenue and other funds, donations, or endowments to ensure

1 adequate reserve funds for the ongoing and future maintenance of
2 the park.

3 In carrying out its responsibilities, the task force is to give due
4 consideration to the natural, historic, cultural, recreational,
5 economic and scenic resources, and the local, State, and national
6 significance of Liberty State Park. The task force is to (1) reflect
7 the diversity of the Hudson County and the Jersey City community,
8 (2) give due consideration to the creation of recreational, cultural,
9 and economic opportunities and access to the park for all residents,
10 and (3) consider how the local community, especially minority and
11 local small business owners can participate and benefit from the
12 improved park.

13 The task force is directed to present the DEP with immediate
14 action items designed to improve conservation and recreational
15 opportunities in Liberty State Park, including immediate plans to
16 address:

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

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

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

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

27 (5) upgrades to park facilities, programs, and amenities, and
28 development of new recreational and athletic facilities suitable for
29 all age groups; and

30 (6) cultural and arts opportunities in the park.

31 The bill further directs the task force, no later than six months
32 after the bill is enacted into law, to submit to the DEP a master plan
33 that outlines long-term plans and capital projects designed to
34 address the aforementioned issues and provides for the continued
35 maintenance of the park.

36 Lastly, this bill appropriates \$250 million from the General Fund
37 to the DEP to support activities identified by the Liberty State Park
38 Design Task Force to improve recreational activities and maintain
39 and upgrade scenic and wildlife habits and areas at Liberty State
40 Park.

41 On September 23, 2021, the DEP Commissioner created, by
42 Administrative Order, a 17-member Liberty State Park Design Task
43 Force for the purposes of developing conceptual and design plans to
44 improve conservation and recreational opportunities in Liberty State
45 Park. This bill expands on the DEP's action by establishing in
46 statute that task force as a permanent entity.

47 The 1,200-acre Liberty State Park, located in Jersey City, is
48 situated along the mouth of the Hudson River where it meets the

1 Upper New York Bay, and has the Manhattan skyline, the Statue of
2 Liberty, and Ellis Island as its backdrop. It represents one of the
3 last remaining contiguous open green spaces along the highly
4 developed Northern New Jersey/New York City waterfront. The
5 park is also the only location in New Jersey with ferry service to the
6 Statue of Liberty and Ellis Island. The park is home to the historic
7 Central Railroad of New Jersey Terminal, the NJ Empty Sky 9/11
8 Memorial, the Liberty Science Center, a nature center, a waterfront
9 promenade, a marina, and picnic and play areas, among other
10 amenities.