

# SENATE, No. 2807

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 6, 2022

**Sponsored by:**

**Senator BRIAN P. STACK**

**District 33 (Hudson)**

**Senator NICHOLAS J. SACCO**

**District 32 (Bergen and Hudson)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/16/2022)

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



**S2807 STACK, SACCO**

9

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.