July 30, 2019

New Jersey Department of Environmental Protection
401 E. State Street
Public Hearing Room
Trenton, NJ 08625

Dear Department of Environmental Protection:

The Waterfront Alliance is submitting the following comments for the public access rule-making process for (S1074) based on recommendations made through its waterfront Access Task Force. The task force represents a diverse group of over 200 leading organizations and agency representatives from the NY-NJ region, and aims to promote more equitable public access in the region through key policy and practice measures, aiming to break down both “physical walls” to the waterfront as well as “equity walls” that inhibit access to quality and inclusive waterways.

1. NJDEP should consult local public access advocates to understand broader goals for promoting access and resilience along New Jersey’s tidal waterways.

Please refer to comments submitted by Hackensack Riverkeeper, NY-NJ Baykeeper, the Rahway Community Action Organization, Great Swamp Watershed Association (Passaic), Future City Inc, Raritan Riverkeeper, Jersey City Parks Coalition, Bayonne Nature Club, NY-NJ Bike Walk Coalition (Hudson County), Hudson River Waterfront Conservancy, Hudson River Fishman’s Association, Newark Riverfront Revival, Ironbound Community Corporation.

These organizations represent a range of communities and have long fought for greater and cleaner access to waterways serving millions of Jersey residents. The purpose of the Access Task Force is to amplify these organizations’ missions to advocate for public access in their own localities.

2. Ensure a high standard for the design of waterfront public access equitably across all jurisdictions.

New Jersey’s public access legislation affects all tidal waters in the state and plays a critical role in maximizing both social, environmental, and economic benefits for New Jersey. Open space access, recreational opportunities and sustainable practices on the waterfront are a social and environmental justice issue.

The Waterfront Alliance’s Waterfront Edge Design Guidelines (WEDG®) provides a framework for waterfront design that maximizes the potential for resilience, ecology, and access at the water’s edge. As a LEED-like rating system and set of design guidelines, WEDG serves a real-time decision-making tool that distills the complexity of waterfront design and management into easy to use tools and case studies. The Access Task Force supports the use of WEDG as a useful reference and framework to inform Coastal Zone Management Program
requirements for waterfront design, community engagement, and quality access. *Above all, the Task Force recommends that NJDEP use WEDG to re-envision the potential for requirements and guidance not just for access to but access into and from the water.* Examples of WEDG strategies relevant to this rule-making include:

- Conducting analyses to ensure we are picking the right designs for the context
- Using best practices to engage community stakeholders throughout the design process to create a welcoming and equitable waterfront for all
- Ensuring our public spaces will be resilient and provide safe and healthy recreation despite a changing climate
- Promoting native ecosystems and living shorelines
- Providing robust programs that enhance the local historical, cultural, and environmental context, promote diverse community stewardship, and ownership
- Improving access to the site by expanding and encouraging sustainable public transportation options
- Enabling safe and direct access with the water to enhance human wellbeing and connection with our waterways
- Supporting diverse and sustainable maritime activity.

3. **Coordinate public access rule-making with forthcoming NJ Coastal Resiliency Plan to ensure that the quality and quantity of waterfront public access is managed over time**

The Access Task Force recommends that the NJDEP Office of Policy Implementation coordinate closely with the Office of Climate and Flood Resilience and the Office of Coastal and Land Use Planning to ensure the resilience of public access areas, currently at the frontlines of climate change and vulnerable to sea level rise and coastal storms. This can be accomplished through integrating resiliency into public access rulemaking for new development and supporting municipalities in their adaptation by providing grants and technical support, building off of the Resilient NJ program. The Task Force also recommends that the Hudson River Waterfront Walkway Conservancy be given state funding to manage the long-term maintenance of public access along the Hudson River.