

NEW JERSEY
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



PRIORITIES AND ACTION PLAN

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THE STATE OF NEW JERSEY ENVIRONMENTAL POLICIES AND ACTION PLAN

I. INTRODUCTION

This document outlines the policy priorities of the Department of Environmental Protection (DEP) and initiatives that are planned and underway to address those priorities. The nature of the outlined initiatives is very diverse, ranging from regulatory and legislative efforts to management, outreach and education, and program coordination efforts. The purpose of outlining priority policies and initiatives in a single document is to provide internal direction for DEP managers and staff, to establish a touchstone to guide the DEP's activities over the next three years and to articulate the agency's overall direction to our external partners and stakeholders.

As a highly industrialized and densely populated state, yet gifted with an irreplaceable and precious complement of biodiversity and natural resources, New Jersey has had a long tradition of being a national leader in aggressively identifying and addressing new threats to public health and the environment. DEP's mission and programs are commensurate with the diversity of urban and natural-resource character of New Jersey in that the agency is charged with ensuring protection of and public access to the State's precious natural resources, developing and enforcing health- and ecological-based protective standards for environmental regulation, cleaning up contaminated sites and contributing to the overall quality of life for all New Jerseyans.

The policies and initiatives outlined in the document build upon the Governor's vision for environmental and public health protection while also acknowledging other priorities articulated by the Governor, including bolstering economic growth in New Jersey and creating more opportunities for affordable housing for our residents. Additionally, many of the Governor's environmental and public health commitments are aligned with efforts that are best addressed at a regional and/or national level, and, as such, those initiatives reflect priorities for New Jersey action as well as the leadership role that New Jersey can take at the national and regional levels to push for actions by other states, geographic regions and the federal government.

This document is not intended to be an inventory of all the programs and activities underway in the DEP. It does not reflect the critically important mission of many DEP programs and the day-to-day operations of the agency. It does not serve as a workplan for many of the core functions of the DEP, such as permitting, compliance and enforcement and standard setting. That this document does not specifically recognize each and every individual program in the DEP is not intended to diminish the value of those programs. Rather, this document accepts and acknowledges those core functions of the agency and, instead, highlights certain key policies and actions that are of particular focus for this administration.

This document has four sections. The first section is the vision statement for the DEP. The second section identifies the DEP's partners and affiliates that DEP works with to achieve its mission. The third section outlines eight broad policies that represent the DEP's current priorities, and the fourth section elaborates the action items pertaining to those eight broad policies.

As important as it is to articulate the DEP's policies and priorities for action, it is equally important to measure incremental progress and monitor the DEP's efforts to achieve its stated policies. Such measurement would assess environmental quality and public health trends and the success of strategies in achieving stated goals and would alert the DEP to the need for any strategic adjustment. Measuring progress may also point to the need for a redirection of an action item or to the need for additional action items. These assessments must be undertaken in parallel with implementation of the initiatives outlined in this document. As such, this document will

continue to evolve as the outlined action items are implemented, progress towards priorities is measured and new challenges emerge.

II. DEPARTMENT OF ENVIRONMENTAL PROTECTION VISION STATEMENT

As national leaders in the stewardship of natural resources, we preserve the ecological integrity of the Garden State and maintain and transform places into healthy, sustainable communities. Our dynamic workforce provides excellence in public service through innovation, education, community involvement and sound science.

III. DEP PARTNERS AND AFFILIATES

The DEP works closely with many other state agencies in achieving its mission, and, in particular, DEP operates in close partnership with the Departments of Agriculture, Community Affairs, Health and Senior Services, Transportation, the Offices of the Attorney General and Economic Growth, the Economic Development Authority and the Board of Public Utilities. Additionally, DEP works closely with many federal agencies including the Environmental Protection Agency, the Departments of the Interior and Defense and the Army Corp of Engineers. Additionally, DEP receives counsel from many state-based advisory committees as well as statutorily created boards and councils including the Clean Water Council, the Clean Air Council, the Drinking Water Quality Institute, the Fish and Game Council, The Natural Lands Trust and the Tidelands Council. The DEP actively participates in a number of regional state organizations that benefit the development of state as well as regional and national policies.

The DEP's efforts are greatly enhanced by our collaboration with the State's municipal and county governments and with regional entities, including the Delaware River Basin Commission, the Highlands Council, the Pinelands Commission and the Meadowlands Commission. DEP's efforts benefit greatly from an extensive list of stakeholders, including statewide environmental and conservation groups, friends of our parks, urban citizens and environmental justice activists, associations representing business groups, housing advocates, labor and clean energy advocates, as well as groups representing New Jersey residents who enjoy their rights to access the State's natural resources including parks, fisheries, and natural areas.

IV. POLICY CATEGORIES

There are eight categories of policies that the DEP has identified as current priorities and for which there will be a concerted focus over the next three years.

- A. *Stewardship* - Enhance stewardship of and access to lands, natural resources and historic structures, and expand the acquisition of open space.
- B. *Air Pollution* - Lead the country in addressing air pollutants that most affect New Jersey.
- C. *Clean and Plentiful Water* - Ensure an adequate supply of clean water to support our state's needs; aggressively minimize the potential for drought in New Jersey by ensuring that water is conserved, re-used and managed wisely; and protect and enhance the quality of our rivers, streams, lakes and coastal waters.
- D. *Sustainable Growth* - Maximize use of DEP resources to encourage sustainable growth and livable communities by incorporating consistent criteria for the protection of natural resources and development of smart growth and green design principles into DEP rulemaking, priority-setting and planning efforts, other state smart and economic growth priorities, and in regional and local planning efforts.
- E. *Public Health* - Ensure that existing and newly emerging environmental threats to public health and safety are evaluated and addressed. Educate the public about its role in environmental protection.
- F. *Enhancement and Restoration* – Dedicate coordinated resources on a targeted set of geographic initiatives to produce tangible improvements in environmental quality and public health.
- G. *Efficient Service* - Ensure timely, inclusive and efficient service to New Jersey residents and the regulated community.
- H. *Positive work environment* - Sustain and enhance a positive, inclusive, and professional work environment for all employees within DEP.

V. POLICIES

New Jersey maintains an extensive set of environmental and natural resources policies that address a wide array of complex issues. These policies guide day-to-day decision-making within the administration as well as to determine priorities for allocation of resources and longer range priority setting. This document outlines a subset of those policies that are of particular focus for the administration over the next three years because it is the successful implementation of action items addressing those policies that will be most effective in achieving the DEP's vision. The remainder of this report is a more detailed discussion of the action items on which the DEP will be concentrating its efforts over the upcoming three years related to the eight policies outlined above.

STEWARDSHIP

Enhance stewardship of and access to existing lands, natural resources and historic structures, and expand the acquisition of open space.

Despite being the most densely populated state in the nation, the fourth smallest in area and a state with a long industrial past, New Jersey boasts a rich diversity of breathtaking natural resources, ecosystems, prominent historic resources and permanently preserved open space. New Jersey has fascinating and significant historic resources that span the 18th, 19th, and 20th centuries, with more than 50 state sites administered to interpret their history. Our State spans from the Ridge and Valley physiographic province in the north and west to the Outer Coastal Plain along the south and east, encompassing a wealth of different forested, wetland, grassland and coastal habitats. That, combined with hundreds of miles of coastline and special areas such as the Pine Barrens, the Highlands, the Sourlands and the Meadowlands, support an abundant diversity of wildlife and natural resources. New Jersey is a biologically diverse state with an extremely rich native flora of more than 2,100 plant species of flowers, trees, shrubs and grasses. Geologic processes combined with hydrologic and topographic conditions have resulted in New Jersey's extraordinary botanical diversity. New Jersey provides habitat for an incredible number and diversity of wildlife species. There are more than 400 species of vertebrate wildlife that can be found within the state, due in large part to the state's geographic position within North America, as well as 134 freshwater fish and 336 marine finfish. New Jersey lies at the southern edge of the range of many northern species and the northern edge of the range of many southern species.

New Jersey also has a long tradition of being a steward to its precious and unique natural resources. New Jersey is home to 42 state parks, 11 forests, 3 recreation areas, numerous wildlife management areas and more than 50 historic sites and districts totaling more than 750,000 acres, places in which the DEP manages in trust for the public. New Jersey is home to a highly successful and popular Green Acres program, which, in partnership with other state and local programs, is charged with developing a system of interconnected open spaces, which will preserve and enhance New Jersey's natural environment and its historic, scenic, and recreational resources for public use and enjoyment.

DEP faces pressing challenges in meeting its significant stewardship responsibilities for New Jersey's remarkable natural and historic resources. Among these challenges are growing development trends, limited resources and an increased land base. Our challenges are exacerbated by increasing environmental threats like global climate change, endocrine disruptors, decline in forest health due to fragmentation and intrusion of invasive species, as well as pressures derived from increased visitation and recreational demand. These influences require the DEP to set priorities for those actions that most effectively help us meet our core mission. Key action of the next three years will include the following:

- *Implement New Jersey's newly created stable source of funding for improvement and maintenance at the State's parks, state-owned historic sites and wildlife management areas and enhance the public's ability to enjoy DEP's facilities.*

In November 2006, New Jersey voters approved Ballot Question #2, which provides a constitutional rededication of funds generated by the Corporate Business Tax to provide \$15 million a year until 2015 and \$32 million annually beginning in 2016 for maintenance and capital projects at New Jersey's parks, forests, wildlife management areas and historic sites. This is the first time that a stable source of funding has been identified in New Jersey for such projects and will provide a tremendous contribution to addressing the \$250 million in repairs and capital

improvements that have been identified as necessary at State parks, historic sites and wildlife areas. Now DEP's work turns to setting priorities for application of these funds and ensuring their efficient use to maximize capital improvements Statewide. As part of its efforts to apply the approved funds for priority projects, DEP will develop site specific needs assessments and strategic master plans to create a vision for our holdings in order to maximize the visitor experience, take advantage of a site's natural capital, and protect and interpret the resource. To ensure that the needs assessments strongly reflect the priorities of New Jersey's residents, a public outreach campaign will also be launched to solicit public input. DEP will also identify critical conservation/preservation needs and assess visitation trends at historic sites and state-administered lands to assess allocation of resources to support stewardship, public access and service needs.

In addition to setting priorities for the State's new stable source of funding for parks and wildlife and historic areas, DEP will also be continuing its ongoing efforts to establish and enhance access to beaches, bays, lakes and rivers and improve public access to DEP facilities to accommodate diverse visitors and user groups. Efforts will include expanding barrier-free access for the disabled, increasing fishing access, boat ramps, hiking trails, etc. on DEP-administered lands. DEP will create a state road map of historic sites to capitalize on the growing heritage tourism market.

- *Design, build and staff Trenton Capitol State Park System and Paterson Great Falls Park, phase 1. Aggressively work to finance and develop the comprehensive management and development plan at Historic New Bridge Landing.*

At present, Liberty State Park is New Jersey's only urban state park. DEP has begun and will continue with its plans to create three new urban state parks in an effort to provide a majority of New Jersey residents with easy access to the state park system. In November, Governor Corzine announced the winner of a national competition to design the new state park in Paterson which will showcase the natural beauty of the Great Falls, and highlight the City's Native American and industrial history. Efforts to preserve the historic New Bridge landing site began in 1995 with the establishment of the Historic New Bridge Landing Park Commission. In 2005, DEP announced acquisition of the BAPCO Holding Co., Inc. property located in the Borough of River Edge, which will become part of the newly designated Historic New Bridge Landing State Park. The Trenton Capitol State Parks System will be designed to connect current open space and historic sites to provide visitors with a unique opportunity to enjoy nature and the rich revolutionary war history of the greater Trenton area.

- *Work with the legislature to authorize a public referendum to finance Open Space Acquisition and Parks Development based on a review of open space priorities and objectives.*

The Green Acres Program was created in 1961 to meet New Jersey's growing recreation and conservation needs. From 1961 through 1995, New Jersey's voters overwhelmingly approved nine bond issues, earmarking more than \$1.4 billion for land acquisition and park development. On November 3, 1998, New Jersey voters approved a referendum that for the first time dedicated a stable source of funding for open space, farmland, historic preservation and recreation development in the form of the Garden State Preservation Trust. The Green Acres Program purchases land to protect environmentally sensitive open space, water resources and other significant natural and historical open space. Land purchased by Green Acres becomes part of the statewide system of parks and forests, wildlife management areas and natural areas. To date, more than 1.2 million acres of open space and farmland have been preserved in communities across the State. However, a new funding source must be identified and dedicated in order to continue that preservation work in the State. DEP has already begun and will continue to work with its preservation partners to consider possible funding sources for the State's next open space

preservation program. In preparation for legislative dialogue on Statewide preservation needs and priorities, DEP has already begun to review current land acquisition priorities, particularly those that protect and enhance groundwater recharge areas and critical water supply areas, protect flood prone properties to maintain stream corridor values and functions, mitigate future flood damages, enhance wetland buffer and riparian corridors, and are in the Highlands region. In addition, the DEP's natural capital report will serve to influence the priority ranking process for individual parcels and regional preservation initiatives and will serve to inform local officials as to the economic benefits of land preservation in their towns when making land use decisions.

- *Serve as a steward of the public's trust by working to ensure public access to natural resources*

New Jersey's 127-mile long coast along the Atlantic Ocean and 83 miles of shoreline along the Raritan and Delaware Bays are an ecological treasure and economic engine for the state. The allure of New Jersey's coastline has proven so great that the vast majority of its more than 8 million residents live within 30 miles of the coast. With the densest population in the country and a growing tourism industry, it has become increasingly important to preserve and enhance public access. In some instances, access to tidal waterways and their shores is being threatened by increased development but the shoreline belongs to all of us. The need for adequate public access is more than a luxury; it is a necessity and a legal right. This basic right is afforded to all under the Public Trust Doctrine, which establishes the right of the public to use tidal waterways and their shores, including the ocean, bays, and tidal rivers. The doctrine upholds that public rights to tidal waterways and their shores are held by the state in trust for the benefit of all of the people. Further, it recognizes and protects natural resources as well as recreational uses such as swimming, sunbathing, fishing, boating and walking along tidal waterways and their shores. The DEP has already proposed amendments to the Coastal Zone Management rules to ensure the public's rights to access. Upon adoption, the rules will incorporate public access provisions through DEP's land use regulatory, Green Acres and Shore Protection Programs. In addition to promulgating and implementing the regulations, DEP will work with coastal communities to develop public access plans that include beach/waterfront access, public parking and rest room facilities. Additionally, DEP will continue to work in partnership with the Attorney General's Office to provide for compliance and enforcement provisions of the regulations and the Public Trust Doctrine.

- *Reexamine existing resources of the natural and historic resource programs and consider new ways to use resources more effectively to improve stewardship, restoration and enhancement of and access to natural and historic resources.*

In a very restrictive budget climate, it is critical for DEP to re-examine all of the resources available to determine how to best apply those resources to maximize protection of natural and historic resources. Priorities for a re-examination of resources will include an assessment of the financial viability of the hunters and anglers dedicated fund and the long-term sustainability and goals of the programs and services supported by the revenue source and establishment of a stable source of funding for the Natural Resource Restoration program.

As part of its effort to re-examine and most effectively apply its resources, DEP will also consider how to best leverage financial incentive programs to improve integrity and maximize productivity of natural and historic resources on public and private lands. Toward this end, DEP will explore and assess the viability of tax incentive opportunities to stimulate private investment in historic buildings and communities and use private investment as a catalyst for revitalizing New Jersey's cities and towns. DEP will also work with its partners in other state agencies to more strategically apply funds available for natural resource projects under programs such as the New Jersey Conservation Reserve Enhancement Program which is designed to assist farmers in reducing nonpoint

source pollution caused by agricultural water runoff sources in an effort to improve water quality and the federal State Wildlife Grant program which provides matching federal funds to states for research, planning and management projects that target the conservation of species that are endangered, threatened, rare or have special conservation needs.

- *Undertake regulatory, legislative and programmatic initiatives that are expected to be most effective in delivering tangible results for protection of the State's precious natural resources and set priorities for protection of the most critical natural and historic resources on state-owned lands or in state possession.*

Several initiatives that DEP has targeted for the upcoming three years and expects will have significant and tangible impact on its ability to protect and steward the State's natural resources include: working with the legislature to develop incentives under the forest stewardship program to reward efforts by landowners to manage healthy forests and ecosystems; promulgation of regulations for the protection of threatened and endangered species habitat, and for governance of the natural resource restoration program; and implementation of the wildlife action plan to identify and protect species and habitats of greatest conservation need. In addition, DEP will adopt new Flood Hazard Area Protection Act regulations to preserve the natural and beneficial functions of floodplains and better protect people and property.

In terms of providing protections to the most critical natural resources on state-owned lands, DEP will launch a biodiversity inventory program on priority habitats within the 750,000 acres of state-owned lands in New Jersey, including state parks and forests, state natural areas, Natural Lands Trust preserves, and state wildlife management areas. The purpose of the inventory will be to identify natural resources on state-owned lands that are most critical and pressing for protection and DEP will work with private funders and the nonprofit sector to leverage DEP resources towards those priorities. To address the pressing issue of controlling invasive nonindigenous plant species on state-owned lands, DEP will identify critical areas of impact where invasive plant species are out competing native vegetation and implement appropriate control measures, such as initiatives underway to control Japanese sedge in Island Beach State Park. Similarly, DEP will review the capability of the Statewide Land and Building Management System program to create a tracking system of our land easements for enforcement purposes and develop a user-friendly inventory of New Jersey's most valuable historic assets to inform and expedite public and private development decision-making.

DEP has been fortunate to receive financial support from the Geraldine R. Dodge and William Penn foundations to undertake a highly innovative study to assess the economic value of services (i.e. flood retention) provided by the State's natural resources. DEP is undertaking a complementary assessment of the value of goods (i.e. commercial fishing, ecotourism) that are provided by the state's natural resources. The results of these efforts will improve the DEP's efforts to set priorities for conservation and to communicate the importance and value of protecting the State's biodiversity to the public. DEP anticipates the results in early 2007.

AIR POLLUTION

Lead the country in addressing air pollutants that most affect New Jersey.

New Jersey has long been a leader in efforts to protect its residents from harmful air pollutants at a local, regional and national level. Through establishment of stringent health-based standards, considerable progress has been made to control stationary source air pollutants over the past three decades. DEP remains committed to finding strategies that prevent pollution at its source rather than after it has been generated. While DEP stands committed to continuing to update, implement and enforce existing stationary source regulations, it is clear that some of the most pressing challenges facing New Jersey's efforts to improve air quality include threats from mobile and regional sources as well as threats that are global in nature. In collaboration with other states, New Jersey has been aggressive in undertaking legal remedies to force action on the part of the federal government to address regional sources and to prevent the federal government from weakening federal air pollution control standards that would seriously affect New Jerseyans. New Jersey has aggressively taken the lead in doing its part to combat global warming through innovative policies to reduce its carbon footprint and is aggressively pushing for mandatory federal action to combat global climate change. Five key action items will be priorities over the next three years.

- *Reduce emissions of ozone precursors and fine particulates to attain the Clean Air Act health standards and visibility goals*

The federal Clean Air Act established health-based emission standards for several pollutants, including ozone and particulates, and requires states to meet these standards by certain dates. Ground level ozone (sometimes called smog) is formed from pollutants contained in emissions from automobiles, industry and other sources. Ozone can lower resistance to diseases, such as colds and pneumonia, and can also damage lung tissue, intensify heart and lung diseases (such as asthma) and cause coughing and throat irritation. While considerable progress has been made in New Jersey over the past 10 years to implement strategies to control ozone causing emissions, the air quality in New Jersey does not meet the federal health-based standard.

Fine particulate matter, also referred to as PM 2.5, is a mixture of fine liquid and solid particles, such as dust, smoke, mist, fumes or smog, that pollutes the air and causes serious health problems. The fine-particulate problem in New Jersey comes from sources such as diesel-powered engines that directly emit particles and from upwind power plants that emit gases that are converted to particles as they travel downwind to New Jersey. Air quality in New Jersey exceeds the particulate standard, and, as such, New Jersey intends to propose reasonable particulate matter control measures statewide for all relevant stationary and mobile sources.

DEP must continue to work on finding ways to reduce air pollution in the state. These strategies are being developed and will be included in the state implementation plans, which are submitted to EPA. These plans include strategies to control pollutants from all potential sources, including electric generating facilities, industry, mobile vehicles, and consumer products. Over the next three years New Jersey will develop and submit state implementation plans.

- *Demonstrate New Jersey's national and global leadership in the effort to reduce greenhouse gas emissions and, in collaboration with other state agencies, help to make New Jersey a leader in energy efficiency and renewable energy and development of innovative clean energy sources.*

DEP will continue to be proactive in developing programs specifically designed to reduce greenhouse gas emissions. New Jersey has been and will continue to be a leader in the development of the Regional Greenhouse Gas

Initiative (RGGI). DEP will propose its regulations to implement the RGGI CO₂ cap-and-trade program for the electric-power sector and is currently implementing its regulations establishing the New Jersey clean cars program. DEP is and will continue to work with other state agencies to implement policies that result in reductions in greenhouse gases, including working closely with the Board of Public Utilities to expand the Cool Cities program, develop regulations for appliance energy efficiency standards, implement the recommendations of the Blue Ribbon Panel on Offshore Wind recommendations and incorporate innovative policies to reduce greenhouse gas emissions in the state's Energy Master Plan; working with the Director of Energy Savings to increase the State's energy efficiency programs and reliance on green power sources; and working with the Department of Community Affairs to revise the statewide building codes to expand and improve incorporation of energy efficiency, renewable energy and green building design incentives. Additionally, DEP will work with stakeholders to develop and implement programs to achieve Governor Corzine's goals for greenhouse gas reductions in New Jersey beyond the electric power sector. New Jersey will continue to aggressively advocate for federal regulatory action on greenhouse gas reductions and will provide leadership to the growing consortium of states that are implementing mandatory greenhouse gas reduction initiatives.

DEP will provide assistance to projects in New Jersey that implement practices that reduce greenhouse gas emissions. DEP will provide one stop compliance assistance for projects that incorporate innovative green design, for efforts to site renewable energy manufacturing facilities to New Jersey and for local governments' efforts to promote energy efficient, renewable and green building projects. DEP will apply funds available under the 2001 PSE&G consent decree to implement energy efficiency and renewable energy pilot projects and programs and will look for opportunities to apply Supplemental Environmental Project funds to additional projects that result in measurable reductions of greenhouse gas emissions.

DEP will partner with other state and local agencies and work with the scientific community to understand and address the impacts of global warming on New Jersey's communities, environment and economy. The DEP will work with the Department of Banking and Insurance, the Governor's office and the insurance industry executives to identify and implement strategies to limit the financial impact of storms and sea level rise as a result of climate change and how the State can best ameliorate these impacts. DEP will continue to partner with New Jersey's scientific community to better understand the state's vulnerability to climate change impacts and identify and implement strategies for adaptation and impact reduction.

➤ *Reduce emissions and exposure to diesel exhaust*

Every year, hundreds of New Jerseyans die prematurely and scores of others suffer asthma attacks or other debilitating respiratory illnesses from harmful diesel soot. New Jersey made considerable progress in its efforts to tackle this pollutant at its source over the past several years through enactment of a law that cuts exposure to harmful diesel soot emissions in school buses and to reduce diesel soot from garbage trucks, transit buses and publicly owned on-road and off-road diesel vehicles and equipment. Additionally, New Jersey voters approved a ballot question in 2005 that funds DEP's diesel program from a portion of revenue from the existing Corporate Business Tax. Over the next three years, efforts to reduce emissions and exposure to diesel exhaust will continue to be a priority for DEP. Attention will be focused on implementing the new state retrofit law including expediting the retrofit of school buses and the retrofit of all vehicles in urban areas. In addition to implementing the new state law, additional diesel efforts will focus on enhancing the three-minute idling restriction, expanding the State's diesel truck inspection program to include light and medium duty trucks, promulgating regulations to require use of Ultra Low Sulfur Diesel for on and off road vehicles and reducing sulfur in home heating oil.

- *Address air transport of pollutants from other states through regional collaborations and legal actions*

Air pollution reaches New Jersey from other states. New Jersey will continue to be a leader in working with other states to develop model regional rules and strategies to control pollution sources on a regional basis. New Jersey is very active in the Ozone Transport Commission, which includes states from Maine to Virginia. In the next three years this organization will move to develop regional rules dealing with electric generating units, boilers and other industrial sources. Efforts to include Midwestern states will continue.

As part of New Jersey's strategy to ensure air quality meets all standards, it is often necessary to take legal action. Such actions include appealing federal rules and decisions among other state actions. While such actions are often a last resort, they are an important component of the overall plan to improve air quality.

- *Pursue regulatory and non-regulatory measures to minimize or eliminate sources of mercury and other air toxics in the environment.*

Air toxics are pollutants that are likely to be emitted into the air in quantities that are large enough to cause adverse health effects. These effects cover a wide range of conditions from lung irritation to birth defects to cancer. Sources of air toxics are diverse and include incinerators, dry cleaners, gas stations and consumer products. Not many environmental pollutants have the toxic effect of mercury, which, as a neurotoxin in humans harms the development and function of the central nervous, cardiovascular and reproductive systems and in wildlife can decrease ability to reproduce, impair growth and development and cause abnormal behavior and death. For the past two decades, New Jersey has been aggressive in identifying and removing mercury at its source so as to not allow its further contamination of the State's air, land and water. Over the next three years, DEP will undertake three major efforts to continue to eliminate mercury contamination at its source. DEP will adopt and implement the dental amalgam rule under NJDPES. In addition, DEP will implement the provisions of the state's regulations to control and prohibit mercury from coal fired electric generating units, which will result in emissions below the established regulatory caps of more than 300 pounds of mercury per year in 2010 and 120 pounds of mercury per year beginning in 2018. Third, DEP will continue to implement New Jersey's 2005 law requiring removal of mercury switches from automobiles prior to their final disposal.

CLEAN AND PLENTIFUL WATER

Ensure an adequate supply of clean water to support our state's needs. Aggressively minimize the potential for drought in New Jersey by ensuring that water is conserved, re-used and managed wisely. Protect and enhance the quality of our rivers, streams, lakes and coastal waters so they are fishable, swimmable and support healthy ecosystems.

Water is the spring of life. It nurtures our bodies. It sustains our most precious natural resources. It is a constant source of rejuvenation and recreation for many New Jerseyans. It inspires our art and our imaginations. Yet the quality and availability of water is oftentimes taken for granted. As a steward of New Jersey's water resources, DEP is charged with ensuring that adequate supplies of clean drinking water are available for New Jerseyans; with protecting, restoring and enhancing water resources; with expanding opportunities for the public to access and enjoy water resources; with setting protective standards for human consumption; and with making certain that protections are in place to support precious natural resources that depend on a supply of clean and plentiful water.

This is a daunting mandate, and New Jersey faces many challenges in ensuring an adequate supply of clean water. The greatest threat to New Jersey's water resources is overdevelopment based on land use patterns that do not necessarily recognize areas of pristine water quality and sources of water supply. Additional challenges include global climate change, new and emerging threats from industrial contamination and increasing consumption trends among New Jersey's residents. Through regulations, permitting, compliance, education and planning, DEP is aggressively working to develop a future for New Jersey that embraces clean and plentiful water. The upcoming three years will be significant in terms of actions that DEP will take to set protective drinking water standards, ensure adequate drinking water supplies and protect, restore and maintain the quality of New Jersey's water resources. Comprehensive natural resource-based planning can be the cornerstone to guiding appropriate development and permitting decisions and to ensure more predictable and consistent decision-making. Key policies and action items include:

- *Complete the statewide Water Supply Master Plan and implement regulatory, education and compliance strategies to integrate its provisions into key DEP decision-making and programs as well as into local government and intergovernmental planning.*

Finalization of the statewide Water Supply Master Plan will be a major undertaking for DEP as well as major contribution to protection of water quantity and water quality in New Jersey. Among other things, the Plan will update water supply availability for each of the 150 water supply planning areas utilizing the most up to date USGS and NJGS models to identify areas in current and projected surplus/deficit for the entire State. DEP will use the plan as the basis to ensure consistency of water supply and water quality management planning by proposing comprehensive amendments to the Water Quality Management Planning, NJPDES, and Water Allocation Rules. Among other things, these rules will implement measures to reduce water supply demands on a routine and emergency basis by requiring local government adoption of model water use ordinances and strengthening unaccounted for water loss reductions by requiring water audits and the setting of water loss reduction goals. The reach of the Plan will go far beyond its integration into DEP regulations. It will also have a significant impact on local and regional planning efforts, and it can add an important contribution to support Governor Corzine's economic growth goals. Additionally, DEP will use the finalization of the plan as an opportunity to initiate a public education campaign to promote water conservation.

One key element of how the plan will be used by DEP will be in the development of strategies to address areas of current and projected water supply deficit. DEP will use the plan to reassess Critical Areas 1 and 2 recovery and

identify water supply strategies to utilize available resources and/or improve water supply management to ensure sustainable supply. Additionally, the DEP will use the plan to develop state guidance on the development of safe yield analyses and ensure that all safe yields have been reviewed and updated as permits are renewed or safe yields requested.

In addition to identifying areas of water supply deficit, DEP will use the Plan as one of its pillars in integrated water supply planning with other state-planning objectives. DEP will work in coordination with the Highlands Council to ensure compatibility between the Highlands Regional planning efforts and DEP water supply planning efforts during adoption of the Highlands Regional Master Plan and municipal conformance. Similarly, DEP will work closely with the Governor's Office of Economic Growth to assess available water supplies for targeted projects. DEP will ensure that the plan endorsement process of the State Planning Commission fully considers water supply planning and protection.

Finalization of the Water Supply Master Plan also presents an ideal opportunity for the DEP to undertake actions to promote reuse of treated wastewater to maintain potable supplies for human use and ecological resource protection. DEP will implement the construction of 10 water supply demonstration projects by 2010 for a savings of 2 million gallons of potable water/day and will include provisions in the proposed amendments to the WQMP rules and water allocation rules to require water reuse feasibility studies and promote reuse throughout the state.

Another important set of actions that will be based on the adoption of the statewide Water Supply Master Plan are DEP's efforts to safeguard the State's available water supply sources against catastrophic losses. DEP will assess all major New Jersey water supply infrastructure interconnections and provide recommendations to enhance access to the State's supply through additional interconnections that will lead to capital improvement projects to mitigate water supply related emergencies including: mitigating droughts in the northeast portion of the State through the routine transfer of 10 million gallons of water per day from the Raritan to Passaic River basins and pursuing construction of the Confluence Pump Station to increase available supply up an estimated 49 mgd to further safeguard the Northeast and Coastal North Regions in emergency situations.

- *Ensure the protection of public health by reviewing, updating and expanding existing safe drinking water requirements, as necessary.*

As new science emerges, it is essential for DEP, in coordination with the Drinking Water Quality Institute, to conduct ongoing reviews of existing drinking water standards and to propose revisions as necessary to ensure that they are consistent with health effects data, analytical methods and available treatment technologies. Three areas of new standards development by DEP and the Institute are proposal of a new drinking water standard for perchlorate by spring 2007; development of strategies to regulate radon in drinking water by December 2008; and implementation of studies to evaluate the treatment of currently unregulated contaminants by July 2008.

- *Manage flooding to reduce property damage and increase surface water buffers to enhance function and value.*

In conjunction with federal, state and local partners, the DEP will pursue implementation of recommendations contained in the Governor's Delaware River Flood Task Force report. A cornerstone of DEP's implementation of the Task Force report will be the adoption of proposed amendments to the Flood Hazard Area Control Act rules, which increase surface water buffers, limit fill in floodplains and create new riparian buffer requirements of 50, 150 or 300 feet to be determined based on the resource value and sensitivity of the water body being

protected. These riparian buffer standards will also be incorporated in the Water Quality Planning Rules to enhance riparian buffer protection through other DEP permit reviews and local ordinances. To address current and ongoing flooding incidents, DEP will continue to partner with the DRBC and the New Jersey State Police Office of Emergency Management on flood loss reduction initiatives, including hazard mitigation planning, flood mitigation training of local officials and technical support to municipal officials.

➤ *Set Aggressive Water Quality Enhancement Goals*

Considerable progress has been made by DEP in undertaking efforts to strengthen New Jersey's water quality standards, yet more work is needed and these efforts will continue to be a priority over the next three years. DEP will develop an enhanced Category One anti-degradation designation process based on sound science and make it available publicly. DEP will use that process to guide its ongoing efforts to designate critical water segments for Category One status. In addition, DEP will evaluate the need for effects-based revisions in nutrient surface water quality criteria.

DEP will also improve the quality of information it uses to make water quality decisions as well as the public's access to that information. New data that will be developed will include the completion of microbial source track-down projects to improve water quality in Lower Delaware, Navesink, Toms River, Wildwood, Maurice River and Parvin Lake and develop improved methods to assess coastal water ecological health. DEP will integrate a new subwatershed approach for tracking all department-wide water quality actions and improvements (e.g., DWM, DWQ, EIT, GA) and complete 14 stressor identifications to identify causes of freshwater biological impairments. Expanded public access to water quality information will be provided for the Ambient Water Data Information Exchange Project, real-time coastal water quality information and development of New Jersey's first Coastal Water Condition Report.

➤ *Set scientifically sound standards for water quality and work with local governments to integrate water quality management planning provisions into local and regional plans.*

Development of the statewide Water Supply Master plan and adoption of new rules for Water Quality Management planning will be significant contributions to protection of New Jersey's water quality and quantity and will form the basis for integration of clean and plentiful water provisions into regional and local planning. The DEP will propose and adopt revised Water Quality Management Planning Rules that support the DEP's overall planning objectives including sensitive resource protection such as threatened and endangered species habitats and natural heritage priority sites; water quality protection and enhancement including a nonpoint source control strategy; and cumulative water supply impact assessment from unregulated diversions (private wells diverting less than 100,000 GPD).

In addition to adopting the Water Quality Management Planning rules and proactively working with local planning entities in their implementation, DEP will continue comprehensive watershed restoration plan implementation in the Wreck Pond (pathogens and TSS), Pequannock River (temperature), Lake Hopatcong (total phosphorus), D&R Canal Tributaries (TSS and nutrients) and the Long Swamp Creek (pathogens and TSS) watersheds. Plan implementation is toward meeting the EPA goal of measurable statistically verified water quality improvement in all watershed segments by 2012 with the ultimate goal being full restoration from impaired status in 2002 to unimpaired status in 2012.

➤ *Develop and implement measures to protect and enhance the quality of surface and ground waters.*

DEP will continue implementation of nonpoint source controls identified in TMDLs or watershed restoration plans, using 319(h) federal grant funding and through partnerships with the Department of Agriculture and local watershed groups, in additional watersheds to meet EPA's New Jersey goal of fully restoring 40-50 stream segments from impaired status in 2002 to unimpaired (except Hg) in 2012 and to meet the 80-100 waterbody/pollutant restoration goal by 2012. Because many impairments are the result of existing land use patterns and human behavior associated with those land uses, such as fertilizer application, herbicide and pesticide application, water use and pet waste, DEP will complement its efforts with a public education campaign.

DEP will prepare and adopt an additional 50 total maximum daily loads to address lakes impaired by pathogens and the Passaic River and Wanaque Reservoir total phosphorus impairments. TMDLs shall include source and load identification, Waste Load Allocations and Load Allocations with required reductions to achieve water-quality standards and an implementation plan. DEP will implement phosphorus controls through issuance of NJPDES draft permits within six months of TMDL adoption. For waters not targeted for phosphorus TMDLs, impose appropriate water-quality-based effluent limits through the issuance of NJPDES permits at the time of permit renewal on an ongoing basis.

Adopt and implement amendments to the NJPDES regulations to reduce releases of mercury and PCBs to the environment by issuing NJPDES permit modifications that require major facilities by discharging to PCB-impaired surface waters to monitor their effluents using an approved analytical method and to pursue the implementation of PCB Pollution Minimization Plans.

In addition, the DEP will propose and adopt amendments to the Standards for Individual Subsurface Sewage Disposal Systems rules to encourage the use of innovative and alternate systems that will better protect groundwater quality.

DEP will also strengthen the Combined Sewer Overflow control strategy by pursuing the completion of pathogen control feasibility studies for 250 CSO discharge points and taking enforcement action where necessary. As a complement, DEP will require the implementation of pathogen controls upon establishment of TMDLs for waters impacted by CSO discharges. For NY/NJ Harbor, the pathogen TMDL is currently scheduled for completion by December 2008.

SUSTAINABLE GROWTH

Maximize use of department resources to encourage sustainable growth and livable communities by incorporating consistent criteria for the protection of natural resources and development of smart growth and green design principles into DEP rulemaking, priority setting and planning efforts, other state smart and economic growth priorities, and in regional and local planning efforts.

The DEP's statutory authority, expertise and resources are underutilized tools to direct land use patterns in New Jersey in ways that protect natural resources and that can result in sustainable, livable communities in those places that are environmentally appropriate for growth. Key to the state's effort to tap the DEP's authorities, expertise and resources is the establishment of a consistent set of natural-resource and environmental criteria that can be incorporated into planning and land-use priority setting at the state, regional and local level. The benefits to the development community and property owners of such an approach are that it will enable clear and predictable decision-making early in the permit process. A cornerstone of those criteria is recognition of water and wastewater capacity consistent with the State Water Supply Master Plan and the Water Quality Management Planning rules. Additional elements include recognition of threatened and endangered species habitat, wetlands, natural areas and other resources. These criteria can best be applied using the most up-to-date data which highlights the importance of the DEP's current effort to analyze patterns of land use change from 1986 to 1995 to 2002 based on new digital imagery. In addition to informing state, regional and local land-use priorities and planning, establishment of the consistent set of natural resource and environmental criteria is also a basis for setting priorities for funding programs administered by DEP.

While identifying those areas that are environmentally appropriate for growth is a key element of sustainable development, the actual design of those communities and projects is equally important. The state can provide incentives, coordination and technical expertise to encourage incorporation of smart-growth and environmental-justice principles, green building design technologies, and energy efficiency and renewable energy into planning and individual project design.

➤ *Incorporate sustainable growth and environmental protection criteria into state, regional and local planning.*

In a home rule state, DEP recognizes the important contribution its regulatory standards make to protecting New Jersey's environment. DEP also recognizes that the impact of those contributions can be magnified when they are consistently applied through relevant DEP programs, when they are incorporated into other state smart and economic growth initiatives, and when DEP works in partnership with regional and local planning entities to fully incorporate them into local and regional planning. As a result, DEP has begun and will continue to coordinate those elements of key rules that affect local and regional planning. In particular, the DEP will incorporate a common set of planning criteria in Water Quality Management Planning regulations, regulations to protect Threatened and Endangered Species habitat and regulations that establish CAFRA center designation criteria under the Coastal Zone Management rules.

DEP's efforts to incorporate sustainable growth and natural-resource protection into the state's priorities for smart and economic growth will center on several action items, including working closely with the Governor's Office of Economic Growth to build environmental and sustainability criteria into state economic development initiatives. The DEP will continue to work closely with the State Planning Commission to revise its regulations for Plan Endorsement to ensure that those regulations reflect, at minimum, the planning requirements of DEP's regulations and that they also incorporate all available regulatory and non-regulatory criteria and data that can drive effective local and regional planning.

The DEP's efforts to work in partnership with local and regional planning entities will focus on proactive efforts to assist counties and municipalities in meeting their obligations under the Water Quality Management Planning rules and with counties and municipalities that are participating in the State Planning Commission's Plan Endorsement and cross-acceptance processes. The DEP will extend itself to regional and local planning entities and provide its resources and data to help those entities assess how they can effectively meet their compliance obligations in a way that is consistent with their own master planning priorities.

- *Ensuring consistency with state and local development and redevelopment objectives, apply DEP's consistent set of natural-resource and environmental criteria as the basis for targeting development and redevelopment projects for department-wide prioritization and coordinated review and aggressively advance integration of smart-growth and environmental-justice principles, green building design technologies, and energy efficiency and renewable energy into those projects.*

DEP has developed a preliminary draft framework to target development and redevelopment projects for department-wide prioritization and coordinated review. That framework (sometimes referred to as a checklist or scorecard) is consistent with the natural resource and environmental criteria DEP is also applying in its regulatory and planning efforts. A preliminary draft GIS application has also been developed to complement the framework. At the heart of the framework is the utilization of innovative and environmentally protective wastewater, water supply and land-use planning techniques to support development and redevelopment projects that minimize land consumption and environmental impacts. A pilot effort is underway in DEP to apply that framework to a targeted set of Portfields sites in the New York-New Jersey harbor area. DEP is implementing that pilot in consultation with the Economic Development Authority and the Governor's Office on Economic Growth.

Following completion of the Portfields pilot by September 2007, DEP will then revise the preliminary draft framework as necessary and begin its broader implementation within the DEP. The DEP's intent is to use the framework as the common basis throughout the DEP for setting priorities for coordinated reviews, technical and financial assistance, and access to DEP's expertise in programs such as brownfields, one-stop, sustainable communities, water-quality-management planning and water-supply planning and state plan coordination. Priorities for the department-wide prioritization and coordinated review will be development and redevelopment projects that meet the criteria of the framework and that also deliver enhanced environmental benefits whether through sustainable design, improvement in environmental quality of life, creation of meaningful local jobs, creation of opportunities for local residents to enjoy access to parks and open space, or development of local affordable housing. During the initial pilot of the framework on Portfields projects, the DEP will also look at ways to strengthen the framework's ability to reflect projects and project design that consider ways to reduce secondary and cumulative environmental impacts and minimize nonpoint source pollution, air emissions, ecological impacts and aquifer or stream flow modifications. Broader implementation at this phase will involve DEP management actions, including reallocation of resources, training and organizational reassignments. Similarly, during the initial pilot of the framework, DEP will also be examining how to tailor its programs that offer financial assistance to local governments and developers to incorporate criteria consistent with the framework.

DEP will work with the development community to highlight success stories to promote future sustainable community design and to promote green design in the private sector.

- *Expand DEP efforts to promote incorporation of sustainable or green project design into local planning, individual projects, state investments and state policy.*

For those projects and communities that have been identified as DEP priorities through application of its consistent natural resource and environmental criteria, DEP will also offer incentives, technical expertise and direction regarding green project design. This will include providing expertise on green building design standards (e.g. LEED), wastewater reuse, energy efficiency and renewable energy. DEP is already working in partnership with several New Jersey municipalities to incorporate sustainable growth and green design principles into their local master planning and those efforts will continue. In addition, DEP will continue to educate local authorities, designers and developers on green and sustainable building design.

In addition to working with targeted communities to promote sustainable and green building design, DEP will work with the Governor's office and other state agencies to propose changes in New Jersey's Building Codes to include green building design standards and to advance legislation that promotes sustainable and green building design. DEP will continue to work with local communities and associations of state and local governments to consider regulatory and incentive-based initiatives that DEP can undertake that would most effectively support integration of sustainable and green building design into local decision-making through model ordinances, master planning, establishment of best practices and guidance documents. Additionally, DEP will more aggressively promote and incorporate sustainable and green project design into its natural and historic resource capital projects, including projects in state parks, projects developed using Green Acres funds and in capital projects in Wildlife Management areas.

PUBLIC HEALTH

Ensure that existing and newly emerging environmental threats to public health and safety are evaluated and addressed. Educate the public about its role in environmental protection.

A critical element of DEP's mission is to proactively identify, reduce and communicate public health risks and threats from environmental sources. DEP applies currently available public health and scientific data on an ongoing basis to establish new and revise existing health based standards as needed and to undertake statewide and geographic studies to identify areas of concern. DEP works in partnership with the State Department of Health and Senior Services, other state agencies, and county and local health agencies to address those areas of concern. DEP works closely with affected communities to inform residents of environmental health concerns. Particular challenges facing DEP in its efforts to protect environmental public health is the need to take a broader view, particularly in urban communities, of overall or cumulative impact of environmental contamination. With little science and regulatory guidance for assessing cumulative impact in other states or at the federal level, DEP is considering how to best address cumulative impact as well as assessing possible shortcomings in its current regulatory framework to address cumulative impact. Similarly, over the past several years, research has pointed to the importance of indoor air contamination as a source of exposure of environmental contaminants. DEP is working closely with the state Department of Health and Senior Services to determine policies that may be needed to more effectively address this emerging source of public health concern.

Universal to all of DEP's efforts to provide protections for public health is the need to improve the agency's communication with residents – both statewide and affected local residents – about public health concerns. Communication is key, not only to helping residents make informed decisions, but also in developing effective strategies to reduce risks. The DEP's priorities to enhance its communication efforts goes beyond risk communication, however, DEP recognizes that an important role it can play in New Jersey is to help educate the public about personal behavioral changes that contribute to achieving the DEP's overall priorities (i.e. water consumption, diesel idling).

- *Enhance efforts to expand and improve the public's access to data about environmental threats and apply those data in innovative ways to set agency priorities and identify areas of environmental health concern.*

DEP collects a wide array of data from regulated sources, monitoring stations, local governments and many other sources. These data provide the foundation for decision-making and priority setting within the agency. Ensuring data quality and public access to the data has and continues to be a high priority for DEP. Additional priorities for DEP is to apply those data in innovative ways to set priorities for the agency, measure progress towards goals and identify areas of environmental concern. DEP is using existing data to target enforcement, permitting and cleanup priorities and technical assistance toward areas of greatest public health concern.

On an ongoing basis, DEP is improving public electronic access to its data through NJEMS, Data Miner and other tools. DEP will set a list of new data that will become available publicly or made more accessible electronically via NJEMS/Data Miner, etc. based on seeking input from the public on what data they want new or enhanced access to (i.e., MMR, IEC sites, etc.).

DEP is partnering with the state Department of Health and Senior Services on an innovative national pilot program to apply existing environmental and public health data for the purpose of environmental health surveillance to identify potential areas of environmental public health concern. A considerable part of DEP's role in the

partnership is to make its relevant data, oftentimes collected for purposes of compliance and enforcement, amenable to integration with public health data. As part of this, DEP is enhancing its efforts to conduct chronic disease environmental health tracking by undertaking pilot projects with UMDNJ and DHSS on specific areas of concern, enhancing DEP's data to make it amenable for health tracking purposes and expanding efforts to make relevant data publicly accessible to health agencies, the DHSS and academic institutions. For example, DEP is using the latest data and analytical tools, including improving emission inventories electronically using NJEMS, GIS, and EPA's RAIMI air-dispersion model, to assess potential impacts from environmental hazards and exposure.

- *Undertake legislative, regulatory and management initiatives to more effectively ensure the protectiveness of site remediation remedy selection, use existing environmental and public health data to apply site remediation resources to sites of greatest public health concern, and to increase the transparency of decision making under the site remediation programs.*

New Jersey has the most comprehensive, and longstanding, state site remediation program in the nation, with a very wide scope of jurisdiction covering homeowner underground storage tanks, large industrial sites, brownfields redevelopment, child care facilities and schools. There are approximately 17,000 sites currently undergoing or awaiting remediation at the DEP. The program's magnitude is extensive and its effectiveness is essential to the protection of human health and the environment as well as the revitalization and redevelopment of New Jersey's industrial base.

High-profile cases over the past several years point to the severe limitations in the level of resources currently available to the DEP's site remediation program as well as to shortcomings in current state statutory authority. The combination of resource constraints and limitations in authority hamstringing DEP's ability to effectively achieve its site remediation mission. Without question, the greatest challenge currently facing New Jersey's site remediation program is the State's ability to provide the extensive resources that are needed to effectively and efficiently ensure that sites are remediated in ways that are protective and timely. Recognizing that the availability of adequate resources is the key hurdle facing DEP's site remediation program, the DEP is reviewing all possible management options for how to best deploy the resources and authorities currently available to it. This review includes examining innovative programs in other states, considering broader use of the private sector and local governments, maximizing public notice and participation and issuing more definitive, scientifically sound standards.

Incidents of child care centers being developed in former industrial sites prompted Governor Corzine to call for stricter environmental and safety standards for day care centers in which developers of proposed day care centers are required to certify that the proposed site was not formerly used for industrial operations and, if it was, to certify that the site currently complies with soil and environmental indoor air requirements established by DEP and the Department of Health and Senior Services, respectively. As part of the Governor's initiative, DEP is aggressively undertaking inspections at day care centers statewide. Similarly, growing public concern over increasing use of caps in residential scenarios when high levels of contamination are left on site has prompted DEP to reexamine the appropriate application of caps as a remedy in residential and sensitive population scenarios.

As a result of DEP's internal reexamination, significant reformation of the site remediation program is underway which will result in legislative, regulatory and organizational changes with the following objectives: increased public notification of remediation activity, increased public access to DEP site remediation data, stronger compliance and enforcement, greater accountability for maintenance and monitoring of restricted use remedies by persons conducting remediations, increased use of permanent use of remedies that are protective of human health and the environment now as well as in the future, and realignment of available resources to sites that are of greatest public

health concern. DEP will work closely with all stakeholders to ensure that program changes deliver greater accountability and remedies which remain protective over time while not stalling economic recovery for New Jersey.

Similarly, the DEP has begun and will continue to work closely during 2007 with all stakeholders on legislative initiatives to restore previous and enhance existing authorities, expand enforcement capabilities, ensure for the effective use of the available resources in the Site Remediation Program and to ensure measures are available to deliver broader options for remedy selection. DEP is increasing the responsiveness, effectiveness and transparency of electronic systems to track approved institutional and engineering controls and uses such systems to enhance oversight and compliance with approved remedial actions and end uses. The DEP is developing and using the latest data and analytical tools to improve site remediation sites tracking and prioritization using NJEMS, GIS and Data Miner and to facilitate access to department data so the public can assess potential impacts from environmental hazards and exposures.

- *Ensure that DEP's health-based standards reflect the most recent science and provide adequate safety for public health and the environment and continue to proactively identify new sources of environmental health concern in New Jersey.*

The science that supports DEP's health-based standards is constantly evolving and New Jersey has always been proud of its assertive efforts to revise existing health-based standards as new science emerges as well as to initiate consideration of the need for standards for new environmental health concerns. Key to these efforts is being current in scientific advances as well as policy and regulatory developments in other states and at the federal level. With the extensive number of health-based standards that are now promulgated in New Jersey, a more recent challenge has surfaced which is the need for the DEP's scientists to develop protocols to ensure that the health and /or ecological basis for standard setting are consistent across programs. Communication between programs ensures that they are all using the most current scientific information and, to that end, an internal standards consistency workgroup has been created. This standards consistency workgroup will be an important component of the DEP's consideration of policies for integrating cumulative health impacts into DEP decision-making. New and revised health based standards for drinking water are referred to in the Clean and Plentiful Water section of the document. Another program where revisions to health-based standards will be undertaken by DEP is through the readoption of the DEP's pesticides regulations in which DEP will consider options for strengthening protections for sensitive and vulnerable populations through water and soil exposure routes. Finally, two emerging areas where DEP is assessing public health impacts and possible health-based policies are nanotechnology product development and manufacturing and endocrine disruptors. For each, DEP will provide an assessment of potential environmental and public health risks in New Jersey and make recommendations about the need for state-based environmental health policies.

- *Protect the citizens of New Jersey from unnecessary exposure to radiation from ionizing and nonionizing sources and establish, implement and enforce radiation protection measures and standards as applicable to the nuclear power industry.*

DEP has numerous programs that provide for protection of the public from unnecessary exposure to radiation and the release of hazardous substances. Sources of ionizing radiation in New Jersey include radon, medical x-ray, radiation therapy, radioactive materials, contaminated sites, nuclear power plants and transportation. Sources of nonionizing radiation include radiofrequency radiation, lasers, electromagnetic fields and microwaves.

The enactment of the Energy Policy Act of 2005 extended the Nuclear Regulatory Commission's (NRC's) authority to include all of the radioactive material that was previously regulated by states. However, the NRC is authorized to enter into agreements that transfer regulatory authority over certain materials to the states. If New Jersey does not enter into such an agreement and become an Agreement State, the State's existing regulatory program for radioactive materials would be preempted and the NRC would take over regulation of the approximately 465 users of naturally occurring and accelerator produced radioactive materials. As liaison to the Domestic Security Preparedness Task Force for the nuclear sector, the DEP could find itself in a difficult position to adequately fulfill its various outreach, compliance and monitoring responsibilities. Further, if New Jersey does become an Agreement State, it would no longer be preempted by the NRC concerning decommissioning of NRC licensees. Therefore, on May 23, 2006 Governor Corzine formalized New Jersey's intent to become an Agreement State.

The DEP will work on the development of an implementation plan consisting of a timeline, budget and training needs. The application package will be submitted by the summer of 2008. As part of the application package, it must be shown that the State's regulations are adequate and compatible with the NRC's regulations. As such, the DEP's rules on installing, using, handling or storing sources of radiation will be amended. The amended rules will be proposed in August of 2007 with adoption to following by July 2008.

- *Target DEP efforts to establish a coordinated effort on protecting the health of urban residents from environmental causes and ensure that DEP's efforts to support economic growth and redevelopment in urban areas results in improved urban environmental health.*

New Jersey has a long industrial history which is an important part of the state's heritage but which has led to pollution and contamination, particularly in our urban areas, that affects quality of life and health of urban residents and which thwarts the State's efforts to redirect growth to urban and older suburban areas. A key element of developing sustainable communities in urban areas is to take an innovative and fresh look at those environmental sources of greatest public health risk to residents and to creatively apply the authorities already at DEP's disposal. DEP already is and will continue to be engaged in community-based studies of environmental-related health impacts in some urban communities. As part of its consideration of policies to consider cumulative health impacts, DEP will also review existing statutes, rules and permits to identify gaps in authority for requiring additional risk reduction actions. In addition, DEP will develop a standard list of community-based, air toxics risk reduction strategies based on lessons learned from completed and current urban air-toxics studies. As a complement to its diesel reduction efforts, DEP will also coordinate its efforts New Jersey's two major ports to deliver tangible environmental improvements.

- *Coordinate efforts with the Office of Homeland Security and Preparedness and other state agencies to fulfill DEP's role as liaison to the chemical, petroleum, nuclear, water, wastewater, pharmaceutical and biotechnology and dams sectors of the Infrastructure Advisory Committee.*

The Office of Homeland Security & Preparedness is the state's lead agency to administer, coordinate, lead and supervise New Jersey's counterterrorism and preparedness efforts. The office coordinates homeland security efforts across all levels of government, the law enforcement, and emergency response communities, as well as the private sector. Efforts are most closely integrated with existing programs administered by the New Jersey State Police, Office of Emergency Management. DEP plays an integral part in the Office of Homeland Security & Preparedness' efforts as the liaison to the chemical, petroleum, nuclear, water, wastewater, pharmaceutical and biotechnology and dams sectors of the Infrastructure Advisory Committee. Considerable work has already been

completed through collaborative interagency efforts in cooperation with the private sector. DEP will continue this work for its lead sectors and Priorities for the next three years to build on those efforts including the following action items:

- ❖ DEP will be completing site inspections and reviews for all 157 sites covered by the Best Practices Standards at TCPA/DPCC Chemical Sector Facilities, as well as Phase II site visits for Tier 1, 2 and 3 facilities.
- ❖ It will develop worker training curricula for delivery within the pharmaceutical and biotechnology and dams sectors;
- ❖ Complete contingency plans for avian influenza response in conjunction with the Department of Agriculture. Focus areas include decontamination, transportation and disposal technology assessment;
- ❖ Complete contingency plans for Pandemic Influenza response in cooperation with the Department of Health and Senior Services;
- ❖ Conform DEP's "Be Ready Guide" to the Federal Template for Continuity of Government plans and schedule DEP tabletop and functional exercises.
- ❖ Expand the "Biowatch" monitoring program for 365-day-per-year collection of filter samples at all north and south Jersey sites under Department of Homeland Security-sponsored program;
- ❖ Complete logistical arrangements to link DEP's NJEMS database with the Office of Homeland Security and Preparedness CATS database and Law and Public Safety's EPINET database.

ENHANCEMENT AND RESTORATION

Dedicate coordinated resources on a targeted set of geographic initiatives to produce tangible improvements in environmental quality and public health.

In addition to applying resources to its statewide efforts, DEP's expertise and resources can be an important force in delivering tangible change to specific geographic areas of the State and, as such, it is imperative that the agency maintain ongoing efforts in a targeted set of special places to produce measurable improvement in public health, natural resource protection and the ability of residents to enjoy the natural environment. Key to these efforts is a highly focused approach from DEP that coordinates and deploys all available resources from the many diverse programs within the agency. Whether that approach is coordinated through DEP's Environmental Justice, Policy and Planning, Coastal Management, Brownfields or Compliance and Enforcement programs is irrelevant; rather, what is critical is that DEP bring to bear, in an integrated fashion, all the expertise and resources it has to apply to these targeted special places to produce measurable results.

- *Implement urban river initiatives that have components of public access, urban habitat and forest stewardship, restoration, acquisition and partnerships with conservation groups and local governments.*

Many of New Jersey's urban communities host working waterfronts that are a vibrant part of the state and local economies. However, some of these same communities are the home to beautiful waterfronts that deprive local residents the opportunity to enjoy access to water views either as a result of neglect, lack of access, contamination due to an industrial past or limited local planning that takes advantage of waterfront resources. Working in cooperation with local governments, DEP will undertake several urban waterfront initiatives in which resources from various DEP programs (i.e. compliance, land use, green acres, natural resource damages among others) are coordinated to maximize acquisition, preservation, creation of easements for the establishment of urban waterfront greenways that provide meaningful opportunities for public access to the waterfront. Negotiations are already started in partnership with conservation groups and local officials to create a Rahway River Greenway. Additionally, a task force with members from state agencies and the public are already deliberating on recommendations for three-year goals for the Hudson River Waterfront Walkway and specific actions to achieve those goals. At least one additional urban waterfront initiative will be launched over the next three years.

- *Undertake urban environmental quality-of-life initiatives in conjunction with local governments, local activist and community groups that establish measurable goals for two and three year achievements.*

An important element of DEP's efforts to protect pristine natural resources is to assist urban communities with redevelopment and local planning efforts that create attractive livable cities that provide local opportunities for residents to enjoy natural settings. DEP will work with several urban communities to examine specific development and redevelopment opportunities and local master plan development in an effort to maximize opportunities to enhance and restore natural resources. DEP is assisting the City of Pleasantville, Atlantic County, in the implementation of their municipal redevelopment plan with an emphasis on wildlife habitat enhancement and public access to the waterfront along Lakes Bay. Similarly, in conjunction with municipal, county and other state agencies, DEP is working to facilitate Portfields development and redevelopment in the northern waterfront with significant wetland restoration, public access components and other public health and quality of life improvements. DEP is also working closely with Atlantic City in its re-examination of its master plan to promote regional natural resource protection, coastal policies and sustainable community design.

- *In collaboration with our partners in statutorily established councils, direct DEP resources to ensure a single point of contact with DEP to coordinate policy development related to the jurisdiction of these organizations and be responsive to efforts where local governments have invested in development of regional planning.*

DEP works in close partnership with the Highlands Council, Pinelands Commission, Meadowlands Commission and the Delaware River Basin Commission to coordinate implementation of regulations and standards and to maximize resources to ensure the most effective protection of natural resources in those regions. DEP has been providing extensive technical, staffing and policy assistance to the Highlands Council to develop its first Regional Master Plan. DEP will enter into a global Memorandum of Agreement with the Pinelands Commission to cover issues regarding wetlands, forest protection, forest fire programs, threatened and endangered species habitat protection and other policy considerations. Additionally, DEP will propose a rule under CAFRA to establish protocols for review of natural resources as part of the Commission's application review and the two agencies will execute an MOA to implement those protocols. DEP will support special designations for the Sourlands through the State Planning Commission and provide coordinated DEP one point of contact for Sourlands planning issues. Finally, under the umbrella of DRBC, DEP is working with the State of Pennsylvania in moving forward with a Special Protection Waters designation for the lower Delaware River.

- *Undertake initiatives to better understand and protect our ocean resources.*

Our coast helps drive our tourism economy, which brings in more than \$36 billion a year. In fact, one out of every six jobs in New Jersey is related to the Coastal Zone making coastal revenues our State's largest economic sector, \$4.5 billion comes from commercial and recreational fishing and aquaculture alone. Despite our dependence on ocean resources and the critical role that they play in our economy, we are lacking in basic information on the living resources of the ocean, including spatial and temporal information regarding ocean uses and living natural resources. Such information is essential to develop management strategies for our coastal and ocean waters that take into account the interrelationship of various components of the ecosystem. The DEP intends to gather and analyze such data and develop ocean policy. The DEP's efforts will be coordinated through its implementation of the Coastal Management Program's NOAA approved five-year strategy for New Jersey's coast.

EFFICIENT SERVICE

Ensure timely, inclusive and efficient service to New Jersey residents and the regulated community.

The value of DEP's policies is only as successful as the effectiveness and efficiency by which they are implemented. The most brilliant regulation or policy has limited value if it is not implemented in a way that is measurable, understandable, predictable and transparent. In this information age, a linchpin to implementation of all DEP's policies is quality assurance of data collected and developed, electronic issuance of data on an ongoing basis, application of data in new and innovative ways to monitor compliance, set priorities, identify new and emerging environmental threats and to measure progress toward goals.

The implementation of the action items laid out in this section will be regularly monitored by the DEP's existing One-Stop Directors group which will serve as an ongoing quality council. The group will be expanded to invite representatives of the Office of Information Resource Management, Natural and Historic Resources and other program areas not currently represented. Membership will also expand beyond the director-level participants to ensure staff representation.

- *Wherever possible, evolve to electronic submittal and work processing for application receipt, permitting, compliance monitoring and reporting, and providing public access to information to enhance transparency.*

Over the past 10 years, DEP has made great advances in upgrading its electronic capabilities which has significantly improved the efficiency of the DEP's services and transparency of the DEP's decision-making. However, these advances are strongest in some programs and not others and, as a result, priorities for the next three years will be to upgrade electronic processing in programs that are lagging behind, expand electronic reporting in those programs where to do so results in significant program efficiencies, and enhance electronic systems to improve processing time and public access to data. Key action items include:

- ❖ DEP will prepare a master schedule and implement electronic permitting for Land Use, Air, SRP, Water Quality and Water Supply as well as common features such as link to iMap and allow for draw and submit my project digitally, electronic attachments, and payments to reduce burden on permittees and staff while improving processing times and access to data;
- ❖ DEP will implement electronic submittal for reporting requirements, laboratory analysis and monitoring results of drinking water, water quality, ground water and soils to reduce reporting burden and improve data quality, timeliness and use;
- ❖ DEP will make itself fully NJEMS integrated and will ensure that NJEMS is integrated with the future statewide Business Portal to reduce burden on permittees and staff while improving processing times and access to data, and to provide timely notification of application and data deficiencies and review status.
- ❖ DEP will develop a strategy for regulatory revisions to require electronic submission of permit applications and reports where possible and appropriate.

- *Develop or refine processing procedures to eliminate redundant or unnecessary steps, and designate time frames for all licenses, registrations, permit actions and planning approvals to provide predictability.*

Inconsistency in permit processing leads to confusion on the part of the regulatory community as well as the public. Through its work on the permitting dashboard project, DEP has already tentatively identified 12 standard tasks that are common to all DEP permits. By doing so, DEP is able to assess operations of each license, registration, permit and approval across the agency and eliminate redundant or unnecessary tasks. DEP will fine-tune that tentative list of twelve standard tasks and apply uniform definitions on when to start and stop the permit clock in all relevant permit programs. DEP will undertake a similar effort to review and fine-tune 12 standard tasks and time frames for agency approvals, such as Watershed Management Plans, Solid Waste Plan Amendments and approvals issued under the Site Remediation Program and, where possible, will establish time frames for all licensing and registration functions.

- *Continually improve and institutionalize efforts across DEP to use state-of-the-art systems to improve the efficiency of business operations, to share information across program to make better decisions and ensure accountability and to share information more effectively with the public, regulated entities and other agencies to provide greater transparency.*

DEP has already developed excellent systems for collection, maintenance and sharing of information and now it is critical that these systems be used consistently across DEP to maximize efficient use of resources, sharing of information across programs to improve decision-making and to provide greater public access to the data used by DEP to make decisions. The core systems include DEP Data Miner and iMapNJ. Data Miner allows DEP staff and managers, as well as the public, to search for information on DEP-regulated sites by location, name, or identification number and to obtain public documents quickly and easily by clicking on links to a wide variety of information, including enforcement actions, incidents, inspections and violations; environmental monitoring, permitting, licensing and registrations. iMapNJ allows users to apply these data in a geographic format and to overlay multiple data layers to understand linkages between data. DEP will continue to enhance DEP Data Miner with new reports, documents, graphs and charts and will develop an inventory of program data, in enterprise data systems, not available in Data Miner and develop schedule for making the data available. DEP will also consolidate DEP iMapNJ Tools and implement Internet version of iMap ArcIntelligence to provide one complete Web accessible, interactive mapping tool to both DEP and the public, allowing for access to any environmental data geospatially.

DEP is an active participant in the Exchange Network which provides a flow of data to federal systems, other states, and sister agencies. The Network provides reporting efficiencies and improved data sharing. DEP is in the process of developing new and automated data flows and web services to reduce double data entry (e.g. Federal reporting), state to state sharing (e.g. Ambient air), and automated data synching (e.g. Business Portal).

DEP will rely more heavily on enterprise data systems as day-to-day business tools to do its work, maintain and share information across media, manage staff and programs, and use its data to make better decisions. DEP is compiling an inventory of existing enterprise systems and tools that should be used by all DEP program areas to promote department-wide data availability and consistency and will discontinue systems that are duplicative, especially mainframe systems to provide cost savings. On an ongoing basis, DEP will develop and implement data quality standards and system/tool integration requirements that promote data integration, data quality and consistency, and data sharing.

- *Develop uniform procedures for major permit reviews to streamline the process and provide better assistance to applicants.*

Efficient operations lead to better, more informed, more defensible decisions. Several key strategies and principles will be applied across-the-board in permitting programs to lead to efficient decision-making. DEP will prescreen applicants prior to pre-application meetings to reduce staff time dedicated to pre-application meetings and to only send those programs to pre-application meetings which represent areas of interest/confusion by the applicant. DEP will infuse more of a concurrent review and comment protocol for permit applications as opposed to a discrete, iterative process grounded in rounds of notice of deficiency letters. To facilitate this concurrent review protocol, DEP will maintain an open dialogue with applicants on areas of deficiency throughout the review process to shorten overall review times. Additionally, for permit applications that are severely flawed, DEP will develop uniform procedures to say no and suspend review as early as possible to preserve limited resources.

As discussed in the Sustainable Growth section of this document, DEP will apply a consistent set of natural resource and environmental criteria as the basis for targeting development and redevelopment projects in areas environmentally appropriate for growth for department-wide prioritization and coordinated review. For those targeted projects, DEP will provide a case-manager approach for prioritized projects where a single point of contact coordinates permit review with an inter-agency team from applicable program areas for which the case manager is empowered to make necessary decisions.

DEP will institutionalize development of critical path schedules for major, multi-media project reviews. As part of this effort, DEP will identify critical permits needed and assess feasibility of approval prior to engaging in multiple program reviews which represent inefficient use of staff time should fatal flaws exist with the more critical elements of the application.

- *Enhance existing internal business practices and fiscal responsibility through streamlining business operations and refinement of internal controls procedures.*

The follow key areas are priorities for DEP review of fiscal operations to ensure accountability, efficiency of operations and adherence to state and federal requirements:

- ❖ DEP will conduct an inventory of all existing programs to identify all functions which functions that involve direct revenue transactions and DEP will develop appropriate procedures to ensure compliance with all applicable Treasury circulars related to financial management.
- ❖ DEP will inventory all “leases and concessions” associated with DEP programs and ensure procedures are consistent with applicable law and state standards.
- ❖ DEP will use internal and/or external auditing services to review programs with the highest potential for vulnerability from an internal controls perspective.
- ❖ DEP will modify the annual internal controlscontrol procedure each year to avoid cookie-cutter program responses and instill more substantive review of procedures with identification of remedial measures to correct deficiencies.

- ❖ DEP will streamline the procurement function across programs to improve standardization of products and services being procured, reducing costs through bulk purchasing, and minimizing possible risk with the misuse of procurement, whenever possible.
- ❖ DEP will create a true procurement function by empowering the buyers in its Division of Budget & Finance to help with every step in the procurement function. As part of this enhancement of the procurement function, DEP will identify an energy coordinator, as envisioned in the Governor's circular on the subject, to help procure energy efficient products and take other proactive measures to reduce energy consumption within DEP offices.
- ❖ DEP will identify all forms, records and transactions that require DEP employees and stakeholders to provide their Social Security numbers and change all such blank forms, records and transactions accordingly. Similarly, DEP will identify all existing records that have employees' and stakeholders Social Security and credit card numbers, copies of checks, etc., and develop procedures for safekeeping of such sensitive information throughout DEP.

POSITIVE WORK ENVIRONMENT

Sustain and enhance a positive, inclusive and professional work environment for all DEP employees.

DEP has a highly engaged workforce with very diverse expertise and training. Challenges that face DEP in sustaining a viable work environment include the need to develop succession plans recognizing that a considerable portion of the agency will retire over the next 10 years, the need to ensure that all DEP employees adhere to the highest possible standards of ethical conduct, the need to ensure equal access to hiring and promotional opportunities for all DEP employees, the need to encourage professional development to not only motivate employees but to also ensure that technical staff are constantly in touch with new advances in their areas of expertise, and the need to find innovative ways to motivate employees in highly tight budget times. Over the next three years, DEP will focus on four key objectives to continue to enhance its work environment:

- *Encourage professional development through formal and informal training, mentoring and use of the lateral mobility program.*

DEP will identify the training needs to meet the priorities outlined in this document, including technical training to help employees hone their technological competencies and learn the latest advances, tools and techniques of their trade/profession; professional, managerial and administrative training; and leadership training. As part of its training effort, DEP will identify if well-qualified employees are available to serve as trainers for specific courses and will develop in-house training courses in a DEP University concept for all training needs. In addition, DEP will use the PAR review process to identify employees' training needs and offer in-house training for common areas of need.

- *Achieve diversity in all programs, and at all management levels of DEP, that fully reflects the diversity of the state of New Jersey.*

DEP has made considerable progress over the past four years in elevating the importance of diversity in hiring and promotional opportunities throughout the agency. The next sets of challenges for the DEP are to make diversity a priority within every program area and ensure that an inclusive work environment exists to tap the unique knowledge and skills employees possess. These efforts require that senior management be held accountable for the achievement of the DEP's diversity objectives. Strategies to achieve those objectives will include:

- ❖ Activating a Diversity Task Force comprising all Assistant Commissioners, a representative from each of the minority and women employees' interest groups, the Directors of Human Relations and Equal Employment Opportunities.
- ❖ Developing a Corporate Succession Plan keeping in mind diversity as an integral component of the decision process.
- ❖ Adhering to a policy that any managerial/bureau chief/section chief/supervisory vacancies will be filled, or acting, rotational or provisional appointments will be made by the Director of Human Relations, in consultation with the program management, utilizing the Succession Plans and any promotional lists already approved by the DOP.
- ❖ Developing detailed Diversity Action Plans to promote recruiting and hiring from diverse sources.

- *Enhance and improve internal communications throughout the agency.*

With a workforce of more than 3,000 employees in the Trenton campus, four regional offices, and a multitude of offices in state parks, forests and wildlife management areas, internal communication is always a challenge at DEP. To facilitate and improve internal communications, DEP will explore the use of employing electronic tools, such as TV monitors in the lobby and biweekly messages delivered to all employees PCs to convey important management and policy information. In addition, DEP will encourage employee interest groups' communication with all levels of management and plan multiple agency-wide events and programs during the year.

- *Maintain an ethical work environment within the DEP.*

It is critical that DEP provide employees with the tools they need to be aware of their obligations under state and federal ethics requirements. Key strategies that DEP will undertake over the next three years to educate employees about their obligations in this area include: DEP will require all employees to take in-person/on-line training/refreshers courses on ethics and DEP will provide periodic ethics tips in concert with the State Ethics Commission via Postmaster to keep the issue in the forefront. DEP will ensure that all employees are aware of their designated Ethics Officer who can assist in answering questions and interpreting ethical standards. Additionally, DEP will develop an Employee Code of Conduct that would include guidelines for ethics as well EEO/diversity/sexual harassment matters and expected professional behavior norms.