

1 NEW JERSEY CLEAN AIR COUNCIL  
2 APRIL 2, 2003  
3 TRENTON, NEW JERSEY

4 "MOVING TRANSPORTATION IN THE RIGHT DIRECTION"

5  
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18 JEFF TITTLE  
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1 MR. BERKOWITZ: Good morning.

2 I would like to welcome everyone to this  
3 public hearing on moving transportation in the  
4 right direction, and I would ask that we all  
5 stand and join in the pledge of allegiance.

6 (Pledge of allegiance.)

7 This is the public hearing conducted by  
8 the New Jersey Clean Air Council which was  
9 formulated as a result of a legislative mandate  
10 which requires us to hold a public hearing once a  
11 year concerning air quality in the State of New  
12 Jersey and report our findings and make  
13 recommendations and that's the process we are  
14 involved in this morning.

15 I would like to take a minute and  
16 introduce the members of the New Jersey Clean Air  
17 Council.

18 (The members of the New Jersey Clean Air  
19 Council were introduced.)

20 MR. BERKOWITZ: We of the a very aggressive  
21 program today. We have a lot of information that  
22 will be presented regarding moving transportation  
23 through the State of New Jersey and minimizing  
24 impact on air quality.

25 Having said that, we would like to

4

1 introduce Bill O'Sullivan. Bill is our liaison to  
2 the Department. We are trying to replace the  
3 inimicable John Elston.

4 Chris Donnelly is another individual who  
5 comes before us.

6 I will just say this: This Council  
7 receives a lot of nurturing and a lot of attention  
8 from the Department and I think that's why the  
9 Council feels appreciated and feels we have a  
10 vital function to play in the scheme of things  
11 involving the DEP initiative regarding clean air.

12 First of all, we are losing one of our  
13 valuable representatives. Angela, can you come up  
14 please?

15 Angela Skowronek is our liaison who helps  
16 us with the daily work and this is her last time  
17 with us. On behalf of the Clean Air Council I wish  
18 to express our sincere appreciation for your  
19 commitment and dedication to this Council. You  
20 have served as liaison to the Department with  
21 competence, grace and diligence and we are  
22 extremely thankful and wish you continued success.

23 MS. SKOWRONEK: I would like to say a few  
24 words. I enjoyed my work with the Council. I think  
25 you do wonderful work and I wish you the best in

1 your endeavors in the future.

2 To make this hearing possible it took a  
3 lot of people behind the scenes and we would like  
4 to make sure that those people get credit as  
5 well. I just want to say thank you to everyone.

6 MR. BERKOWITZ: John Elston is an  
7 individual who most of you know. I had the  
8 misfortune of being John's boss for a period of  
9 three years of my life when I had to have a radar  
10 screen to keep track of where he was across the  
11 world.

12 John's commitment to this Council is  
13 incredible and uncommon. John has served this  
14 Council as the Department liaison for over  
15 thirteen, fourteen years. So, John, I would like  
16 to present this to you.

17 Presented to John C. Elston, in  
18 appreciation of your extraordinary work in  
19 promoting initiative to safeguard the quality of  
20 air for the people of New Jersey and in  
21 recognition of the energy, diligence and character  
22 you consistently demonstrated throughout your  
23 thirty-six year career in State government, the  
24 Clean Air Council of the State of New Jersey  
25 commends and congratulates you for your

1 outstanding commitment to the citizens of New  
2 Jersey and this country.

3 The Clean Air Council of the State of New  
4 Jersey, April 2, 2003.

5 Do you want to say something.

6 MR. ELSTON: This Council knows how I feel  
7 about them in the years I have been with them. I  
8 just respect your knowledge. I see a few new faces  
9 here. That's good as well because it brings in new  
10 ideas to be added to the great ideas put before us  
11 during the years.

12 I appreciate what you have done for me, I  
13 appreciate what you have provided to me.

14 If I can, I might want to say that in the  
15 world today of euphemisms and little one-liners  
16 and everything else you hear about clean air in  
17 various sound bites but I would like to give  
18 perhaps the Clean Air Council one, and that's  
19 " fresh air"; fresh because it provides fresh  
20 thinking.

21 And we all are very dogmatic about the way  
22 we do things by way of government but it provides  
23 a fresh way of looking at things.

24 With fresh ideas maybe we can really have  
25 fresh air. Some of our senior citizens like myself

1     need it nowadays and we will be relying on you in  
2     the future.

3             Thank you one and all and thank the  
4     Department.

5             MR. BERKOWITZ: There is a lot of work that  
6     goes into putting together this particular  
7     hearing. I would like to thank the Hearing  
8     Committee, Dr. Joe Satol (phonetic) who is not  
9     here, John Maxwell enjoying the climes of Italy,  
10    our Vice-Chair, Michael Egerton and Stephen  
11    Papenberg, thank you very much.

12            I would like to recognize Assistant  
13    Commissioner Sam Wolfe. I would say that Sam has  
14    taken upon himself to elevate the importance of  
15    the Clean Air Council just recently.

16            Sam I think has recognized the work that  
17    Clean Air Council has done. Help has provided  
18    input on this side of the table at various points.

19            Sam, as Assistant Commissioner we thank  
20    you for your commitment to this Council, we very  
21    much appreciate it.

22            I see the Commissioner is here. It is my  
23    pleasure to introduce Commissioner Bradley  
24    Campbell.

25            I have seen a lot of Commissioners in my

1 time. I have to tell you that I haven't seen one  
2 as energetic and capable as this Commissioner. He  
3 attended the University of Chicago Law School,  
4 doing his B.S., work at Amherst College.

5 He was with the United States Department  
6 of Justice, Environmental Resources Division,  
7 Associate Director of the White House Council on  
8 Environmental Quality. He was Regional Director of  
9 US EPA Region 3.

10 And now he is the Commissioner of the  
11 Department of Environmental Protection of the  
12 State of New Jersey.

13 Commissioner Campbell?

14 COMMISSIONER CAMPBELL: Thank you very much  
15 for the opportunity to be here this morning. I  
16 want to thank our newly reappointed Chairman,  
17 Jorge Berkowitz, for his leadership of the  
18 Council.

19 I want to talk this morning about a few  
20 challenges we have in terms of protecting clean  
21 air. First I would like to acknowledge and thank  
22 the Council for their support as to the concerns  
23 that New Jersey has raised in our challenge to the  
24 proposed weakening of sections under the new  
25 provisions of the Clean Air Act. Those are Federal



Campbell

1 standards that reflect the framers' original  
2 understanding-- the framers of the Clean Air Act,  
3 not the Constitution-- that older dirtier coal  
4 fired plants would essentially be grandfathered  
5 into the provisions, they wouldn't have to install  
6 new pollution controls at the time of enactment  
7 but when they were upgraded, when they  
8 substantially changed or modified operations, at  
9 that point they would have to go through a new  
10 source review and upgrade their facility.

11 Now a generation after that understanding  
12 was established there is the proposal to weaken  
13 those provisions for New Jersey which receives  
14 nearly one-third of its dirty air from air  
15 transported from Midwestern facilities. This is  
16 an enormously important health issue and an  
17 enormously important competitive issue to the  
18 extent that our ability to meet clean air  
19 challenges, to reach attainment of clean air  
20 standards, requires a further ratcheting down of  
21 emissions. The weakening of these standards, the  
22 weakening of requirements to clean up dirty plants  
23 up-wind essentially means that New Jersey  
24 companies down-wind, New Jersey facilities  
25 down-wind, have to bear the cost of controls that

Campbell

1     should have been installed long ago and in a sense  
2     the law breakers up-wind if the changes become  
3     final will essentially be able to operate at the  
4     expense of companies in New Jersey down-wind.

5             We appreciate the support of this Council.  
6     We are hoping on Monday when we will be having a  
7     hearing in Newark, we are hoping to have the  
8     Council testify. This is New Jersey's effort to  
9     have our voice heard in the regulatory process.

10            EPA had a series of hearings in five  
11     cities across the country but, sadly, New Jersey,  
12     despite the impact on New Jersey, was not chosen,  
13     so we are hoping to have this hearing so that New  
14     Jersey's views become part of the record, first,  
15     and secondly, to really use it as an educational  
16     opportunity so that the public can better  
17     understand the impact both to public health and to  
18     New Jersey's competitiveness if the proposal to  
19     weaken the requirements of current law are  
20     finalized.

21            I also want to thank and congratulate the  
22     Council for focusing clearly on transportation as  
23     it proceeds in its efforts.

24            If we look at transportation,  
25     transportation is contributing to perhaps a third

Campbell

1 of our clean air challenge in this State or our  
2 dirty air that results in nearly every New  
3 Jerseyan breathing dirty air for some part of the  
4 year, a third is from the transportation sector.

5 I would ask the Council to really focus on  
6 a couple of distinct issues.

7 First is the issue that dirty air from  
8 transportation is quite directly linked to  
9 pathogens.

10 The Governor's initiative on smart "  
11 growth" is to try to change the pattern of sprawl  
12 development of the State in which we lose fifty  
13 acres a day to developments and nearly forty  
14 percent of that is in the wrong places from a  
15 planning perspective. It is integral to continue  
16 the effort to reduce the emissions and dirty air  
17 contribution of toxics that have been contributed  
18 from the transport sector.

19 I think there are probably two very  
20 concrete ways in which changes in patterns of  
21 development in New Jersey will benefit clean air.  
22 First by changing those patterns of development,  
23 by having more efficient use of the land and by  
24 increasing the extent of repopulating some of our  
25 older suburban areas it will reduce the rate of

Campbell

1     increase in terms of the startling increases we  
2     have seen in per capita travel.

3             We know that people who live in village  
4     type developments can walk to work and walk to  
5     parks. In urban areas we know that those  
6     populations generate vehicle miles of travel per  
7     person, and the more we can reinforce our  
8     regulatory system to reform those habits, to  
9     reinforce the village type development I think the  
10    better we will be suited in meeting our clean air  
11    challenges.

12            There is a major challenge for the  
13    Department in terms of really integrating  
14    different parts of the Department and recognizing  
15    that what happens in our land use, what standards  
16    and approaches we take with respect to land use,  
17    with respect to wastewater, that the things that  
18    most affect patterns of development are very  
19    inextricably linked to the challenges in a  
20    regulatory sense in terms of clean air planning  
21    challenges that John Elston faced throughout his  
22    career here and the challenges that Chris Dolomy  
23    (phonetic) now faces in his stead, and I think  
24    that is an enormously important piece of it.

25            Second, and enormously important, is the

Campbell

1 effort to change the way we spend State funding so  
2 in fact we will be more focused on alleviating  
3 congestion and streamlining congestion projects in  
4 areas where those efforts are needed.

5 I think a concomitant of that is  
6 encouragement for growth development around  
7 existing mass transit infrastructure.

8 We have a wonderful light rail system  
9 being built in South Jersey but there are a lot of  
10 questions about whether there will be adequate  
11 ridership. Those are the areas where we should be  
12 encouraging new growth and development.

13 We have many developed areas where we  
14 desperately need to improve the transportation  
15 infrastructure to ease congestion and to expedite  
16 those projects, and yet often those projects get  
17 hung up in the regulatory maze.

18 There was a recently announced initiative  
19 to free up 16 of North Bridge (phonetic) and other  
20 transportation projects that have been fully  
21 funded but where for one reason or another they  
22 got stalled in the regulatory process not because  
23 there was an environmental problem but because the  
24 County Engineer didn't know which form to file and  
25 didn't have the proper assistance.

Campbell

1           So we have to expedite that recognizing  
2   that the emissions and particulates generated from  
3   the congestion that weren't addressed in the  
4   projects have a far greater impact than any of the  
5   issues that might have been worked out in the  
6   permanent process, so we have sort of taken that  
7   recognition to a new level.

8           So that's one sort of rubric of issues I  
9   would ask the Council to focus on.

10          The second is really the need to have and  
11   to formulate an aggressive strategy for addressing  
12   the particulates. We have tended over time to  
13   focus a great deal on air quality on the so-called  
14   four pollutants but I am fond of Bill O'Sullivan's  
15   reference to the fifth pollutant which is fine  
16   particulates and the tendency not to see the train  
17   coming in terms of the need to address those.

18          Again, as we get to and the 2.5 micron  
19   particulate standard come into effect we are going  
20   to have some serious challenges. I think the  
21   point now before we get to implementation of it is  
22   to think through how we are going to meet those  
23   challenges recognizing that in terms of air  
24   quality and human health this is most challenging.

25          I think we need to look now in some sense

Campbell

1 at advance implementation of that standard so that  
2 we can integrate new requirements in a way that it  
3 will of the a sort of minimal economic impact and  
4 we will be able to stage any changes we need over  
5 time and particularly we will look at what we need  
6 to do in terms of retrofits.

7           We are not going to retrofit everything in  
8 the State but there are targeted areas where if we  
9 are smart, if we look specifically at the types of  
10 specific sectors we need to address I think we can  
11 come up with a rational economically justifiable  
12 implementation strategy that will address the  
13 public health impact of fine particulates and also  
14 do it in a way that minimizes the burden on our  
15 businesses and especially minimizes the train  
16 wreck that we will hit if we do nothing to  
17 implement the 2.5 standard, do nothing to set a  
18 guidepath for meeting the 2.5 standard until the  
19 actual regulations kick in.

20           I think there is a real opportunity to  
21 demonstrate once again New Jersey's leadership on  
22 clean air issues by being pro-active and looking  
23 rationally at what we need to do, looking across a  
24 number of sectors, thinking through how we can be  
25 environmentalists and how we put those

Campbell

1 requirements in place.

2 Finally, I would ask you to consider and  
3 think through how this ties in with more regional  
4 approaches as to protecting from air pollution.

5 All of our utilities in the State and I  
6 think most of the leading clean air thinking agree  
7 that we need to look more at the regional  
8 approach, particularly as the Federal government  
9 largely abrogates its leadership in clean air  
10 protection.

11 And we need to think through and the  
12 Council needs to think through what that means,  
13 what are the pitfalls and opportunities that we  
14 should be looking for, what does it mean  
15 specifically as to the transportation sector, what  
16 are the opportunities for greater mechanisms as to  
17 the regional approach so that New Jersey can move  
18 forward in meeting these challenges not on its own  
19 but in partnership, bipartisan partnership with  
20 other states in the region.

21 I have already had initial discussions on  
22 these issues with Commisioner Crotihoc (phonetic)  
23 in New York who has provided wonderful leadership  
24 on behalf of Governor Pataki and also with Mr.  
25 McGinty in Pennsylvania where I think there is a



Campbell

1 lot of enthusiasm that this is the right path. I  
2 think the intellectual work in defining that path  
3 and actually doing the concrete thinking about it,  
4 what it involves, how to do it, still lies ahead.

5 And as to these as well as the other  
6 issues I look forward to the leadership and  
7 insight of the Council's assistance as we move  
8 forward.

9 MR. BERKOWITZ: Thank you very much.

10 Any questions?

11 MR. LIBRIZZI: Obviously looking at the  
12 regulatory system that would encourage these  
13 approaches that you are considering, which I think  
14 are very good, it will require some streamlining  
15 process and it also requires inter-agency  
16 cooperation.

17 Is there thinking in that context in  
18 regard to establishing a sustainable relationship  
19 between the agencies so that this thing becomes  
20 business as usual?

21 COMMISSIONER CAMPBELL: Absolutely, and I  
22 think one of the hallmarks of that approach has  
23 been to work on an integrated basis, not merely  
24 inter-agency basis, and to try to put in place  
25 changes in the regulatory structure that

Campbell

1 essentially codify the inter-agency nature of what  
2 we are doing in developing a blueprint for  
3 intelligent growth. For a landscaped regulatory  
4 map for DEP we went directly to Transportation and  
5 said, what do we need to do to have this addressed  
6 adequately as to transportation needs?

7           Ultimately we want all that to be  
8 incorporated into not just the State map but also  
9 the Transportation Master Plan. Indeed each of  
10 the agencies will be dealing, essentially working  
11 from a common decision platform about what the  
12 right areas are that need to be expedited and  
13 where we expedite our requirements after that.  
14 There are areas, for example, as to encouraging  
15 growth that development is in the right places and  
16 transportation access needs to be addressed as  
17 well, so that they are expediting the process on  
18 their side, too.

19           I think it is very encouraging in that  
20 sense but it is also an institutional challenge  
21 for the DEP in some cases to recognize that the  
22 environmental policy isn't the only policy that  
23 needs to be honored.

24           MR. BERKOWITZ: Any other questions from  
25 the Council?

Campbell

1 ( No response.)

2 MR. BERKOWITZ: Commissioner, we thank you  
3 very much. We know you and your capable staff will  
4 represent New Jersey well in these efforts.

5 W. Dennis Keck, Department of  
6 Transportation, Assistant Commissioner, Planning  
7 and Development.

8 Mr. Keck received his degree from Newark  
9 College of Engineering, B.S., in Civil  
10 Engineering, and completed his Master's degree at  
11 Brooklyn Polytech in 1977 with a Master's of  
12 Science degree in Transportation Planning.

13 Mr. Keck has over thirty years of  
14 experience with the New Jersey DOT and we thank  
15 you for being here.

16 MR. KECK: It is good to be here. We have a  
17 little power point presentation and we are trying  
18 to overcome some technical difficulties.

19 I have copies of my presentation and I am  
20 more than willing to move forward and make the  
21 presentation without the power point.

22 These are some of the things I wanted to  
23 talk about today, transportation and mobile  
24 source trends. I wanted to talk about travel  
25 demand and vehicle miles of travel. Commissioner

Keck

1 Campbell talked about that a a little bit.

2 In particular I want to talk about  
3 transportation, land use and air quality and how  
4 they intermesh with one another, and I want to  
5 talk about what the DOT is trying to do to address  
6 those types of issues.

7 And clearly when we start to talk about  
8 those things there is a tremendous linkage between  
9 transportation and land use. It is an issue that  
10 has been talked about ever since I have been in  
11 government in transportation for over thirty  
12 years, it was talked about thirty years ago and it  
13 continues to be an issue of debate.

14 But if we just looked at trends in travel  
15 and demographics over the last thirty years what  
16 we would see is a good news-bad news type of trend  
17 in terms of how the environment has been affected  
18 by transportation.

19 If we look at population and if we look at  
20 vehicle miles of travel we will see that over the  
21 last thirty years the population in this State has  
22 increased by thirty-three percent, we will see  
23 that vehicle miles of travel has increased by  
24 almost one hundred fifty percent over that time.

25 Registered vehicles, tremendous increase,

Keck

1     seventy percent. Vehicle miles of travel, the  
2     number of registered drivers has increased  
3     dramatically, over seventy percent in the last  
4     thirty years.

5             But on the other side of the equation, if  
6     we look at just VOC what we see are decreases over  
7     the last thirty years, almost fifty-nine percent  
8     decrease in VOC and forty percent decrease in  
9     things like PM CO.

10            So it is a good news-bad news and clearly  
11     what is happening in these increases, despite the  
12     increases in population, increases in employment,  
13     tremendous increase in vehicle miles of travel, we  
14     are still seeing reductions in terms of emissions  
15     and that is because of fuel, that's because of  
16     technology, quite frankly.

17            If we look at travel and economic growth  
18     and population, again, if we were to look at the  
19     slide chart, which maybe we will see, Americans  
20     have been traveling more than ever between 1980  
21     and 1996, the number of passenger miles increased  
22     by 1.4 trillion, so people are traveling more than  
23     ever.

24            About ninety-six percent of all passenger  
25     miles takes place in personal vehicles so

Keck

1 obviously there is a love affair with the  
2 automobile in this country. Certainly New Jersey  
3 is part of that love affair.

4 But despite the rapid growth, route miles  
5 and highway funding basically remains fairly  
6 constant.

7 What we have seen is in the last thirty  
8 years or so vehicle miles of travel have more than  
9 doubled, but route miles of the increased by maybe  
10 by three percent. In essence our transportation  
11 system is pretty much here. There aren't a lot of  
12 brand new projects and new roadways anymore being  
13 looked at, there are some, but that's a very small  
14 component. Most of the system is there.

15 Yet we see continued growth in vehicle  
16 miles of travel.

17 If we look at other trends, if we look at  
18 just the people that are driving alone, we see  
19 small increases.

20 If we look at car pools we are seeing a  
21 twelve percent decrease. Recently just in the last  
22 few years we have seen decreases.

23 If we look at public transportation there  
24 has been a major increase in the use of public  
25 transportation, going up by about twenty-nine

Keck

1     percent just between 1990 and 2000.

2             In the last ten years we have seen  
3     dramatic increases. Bicycle usage is going up, we  
4     have seen a hundred percent increase in bicycles  
5     over the last ten years.

6             Walking has decreased. Part of that,  
7     again, you get to the land use issues here, it is  
8     working together with the private sector in terms  
9     of how we develop and how we can make it easier to  
10    walk between buildings so you don't have to get  
11    back in your car and drive down the main highway  
12    or drive down the road to get to a restaurant  
13    which is right next door.

14            Those are some of the issues we need to  
15    work on in the public sector and municipalities.

16            Clearly we have seen more people working  
17    at home.

18            You see the growth of the vehicle miles of  
19    travel, in terms of population it has been  
20    relatively flat and in terms of funding it has  
21    been relatively flat.

22            And you can see some recent New Jersey  
23    trends in just the last ten years, again some of  
24    the things I was talking about.

25            Next slide.

Keck

1           The simplified message here: Vehicles are  
2     getting cleaner because of technology-- we talked  
3     about that-- but people are driving more and  
4     driving longer distances and so VMT is an issue we  
5     need to continue to address.

6           The DOT mission is about balance. The  
7     Department of Transportation is concerned about  
8     safety, infrastructure, environment and we are  
9     concerned about mobility; and how do we balance  
10    those factors?

11          Clearly in the State of New Jersey we have  
12    an aging infrastructure, we are an old State, we  
13    have tremendous congestion, we are a multi-modal  
14    State. We are one of the few States in the nation,  
15    if you look at the DOT's capital budget this year,  
16    it is almost fifty-fifty in terms of investment in  
17    public transportation versus investment in  
18    highways and other modes like aviation and rail  
19    freight.

20          So there is a real struggle in terms of  
21    how do we deal with the fragile environment, how  
22    do we deal with safety, how do we deal with the  
23    aging infrastructure and how do we try to decrease  
24    congestion?

25          We try to promote programs that provide



Keck

1 choices and reduce vehicle miles of travel. I  
2 will talk about Smart Growth, transportation and  
3 land use connection, support transit and reduce  
4 travel demand, support innovative programs, and  
5 implementing programs.

6 We are doing a number of things in our  
7 capital program right now to try and help support  
8 the Governor's initiative on Smart Growth.

9 The Department of Transportation has been  
10 and continues to be very active in the State  
11 Planning Commission and a partner with the DEP in  
12 terms of how we try to make this a reality.

13 Fix it first, limit highway capacity  
14 increases, congestion relief, stop subsidizing  
15 sprawl and rebuilding suburban corridors.

16 Smart Growth and transportation:

17 Concentrate growth and redevelopment areas  
18 of our older urban and suburban places.

19 And protect open space, increase  
20 transportation options and availability and reduce  
21 automobile dependency.

22 We are trying to implement these policies  
23 through a number of ways. The Governor recently  
24 held for the first time, for the first time I  
25 believe in my recollection that a Governor

Keck

1 actually held a transportation forum in New Jersey  
2 in New Brunswick that he spoke about a number of  
3 Smart Growth principles.

4 Fix it first: We want to try to direct our  
5 resources more toward safety and system  
6 preservation.

7 We are trying to reduce our backlog of  
8 deficient bridges. In the State of New Jersey we  
9 have over six thousand bridges but I will tell you  
10 that it is a tremendous challenge. About  
11 twenty-five hundred of those are on State highway  
12 systems. The vast majority of the others are on  
13 the County systems and Authority systems, but we  
14 face tremendous burdens.

15 Some of this infrastructure is very old,  
16 some of it is very, very difficult to address  
17 because it is in urban areas where you have  
18 tremendous challenges in terms of addressing the  
19 environment, addressing people and addressing  
20 mobility.

21 We have just ten bridges in our program  
22 and the cost of repairing those bridges could  
23 easily exceed two billion dollars. So it is a  
24 tremendous challenge that we face, and yet some of  
25 these are absolutely critical.

Keck

1           We have tremendously aging infrastructure  
2   in our State and we face major challenges as to  
3   how do we continue to preserve that  
4   infrastructure.

5           We also have recently done an analysis of  
6   our interstate highways. A lot of our interstate  
7   highways were built back in the early  
8   nineteen-sixties. Much of the pavement is  
9   starting to wear out. Just repairing pavement,  
10   forgetting about adding lanes, but just repairing  
11   pavement on the ground today over the next ten  
12   years could cost easily 1.9 billion dollars, just  
13   to repair the pavement that is taking a beating  
14   today. We are talking about preservation of what  
15   we have.

16          Next slide, please.

17          One of the things we want to do is limit  
18   new capacity. Quite frankly, we still have a maze  
19   of projects that have been in our capital program  
20   pipeline for years. They are trying to address  
21   major congestion points in our State. We have  
22   them, you can go to any one of the twenty-one  
23   Counties and point them out. Any of us that  
24   utilizes the public transportation system or  
25   highway system knows we have major capacity

Keck

1 issues.

2 But what we have done in our capital  
3 spending program, no more than four percent of our  
4 total 2.5 billion dollar capital program will be  
5 used on major new capacity projects. We have got  
6 tremendous demand, we have tremendous needs. We  
7 need to balance those needs in a way that makes  
8 the most sense, so we are again looking to  
9 withhold and to hold off on spending a lot of our  
10 capital resources on major new capacity because we  
11 have such pressing needs and we need to balance  
12 those needs.

13 We want to stop subsidizing sprawl. We are  
14 working again with the Office of Smart Growth and  
15 the DEP on Smart Growth criteria and to redesign  
16 and defer some of our local projects that have  
17 sprung up, we are looking to partnerships with  
18 municipalities on how we can work together with  
19 the private sector so that projects don't result  
20 in further suburban sprawl.

21 A good example, Hillsborough. There was a  
22 long-standing project to bypass Hillsborough, a  
23 project that has been in the capital pipeline for  
24 the past twenty years. It was being designed with  
25 four interchanges, one at each end and two in the

Keck

1 middle.

2 Those two interchanges in the middle quite  
3 frankly were there because the local municipality  
4 saw the opportunity to grow.

5 We said, Wait a minute, what is the real  
6 purpose of this?

7 The purpose is to provide a bypass, the  
8 purpose is not to create and induce further  
9 growth, so those two interchanges of the been  
10 changed.

11 That's just one example of a project that  
12 is going to move forward but it is a project that  
13 we have changed the design.

14 Next slide.

15 In terms of urban centers and suburban  
16 corridors, we are going to redevelop some of our  
17 urban centers and redesign/ rebuild some of our  
18 suburban strip areas. Much of our highways, Route  
19 46, Route 22, are tremendously congested today,  
20 they have a lot of safety problems and it is  
21 because of the strip commercial development along  
22 them.

23 Our proposed five year program does  
24 contain funding for some key projects in these  
25 areas. But, again, when you are looking at how we

Keck

1 can work together with local municipalities in  
2 terms of designing these things and how can we  
3 again create accessibility, a lot of the safety  
4 problems are created by numerous driveways and  
5 numerous points of conflict, how can we better  
6 design those so that we can still support the  
7 economic growth that has already occurred but at  
8 the same time trying to improve mobility and  
9 safety?

10 We are going to try to support New Jersey  
11 Transit. Our capital program, in looking at the  
12 2.5 billion, it is only a fifty-fifty split with  
13 New Jersey Transit. One of the things we are  
14 encouraging is the concept of transit village,  
15 that is working with municipalities and saying,  
16 Hey, let's look at this asset that you have in  
17 your town called a train station and, you know  
18 what, this can really be a magnet for really  
19 changing your land use and your zoning and looking  
20 at not just making the train station a departure  
21 point to someplace where you go to work from but  
22 it can be a destination, a really tremendous asset  
23 to your municipality if we work together on land  
24 use planning.

25 So we have tried to work with some of our

Keck

1 municipalities to really change that focus and  
2 also increasing some of our local aid programs in  
3 terms of providing more dollars to have more  
4 municipalities to do the planning and to do some  
5 of the changes and try to encourage growth around  
6 rail stations.

7           Sounds simple, doesn't it? Sometimes you  
8 can lead the horse to the trough but trying to get  
9 him to drink is easier said than done.

10           But one thing we have done, we have  
11 established last year about seven transit  
12 villages, now we have established our eighth,  
13 Metuchen, and our goal is to double that this  
14 fiscal year.

15           We are working with municipalities to talk  
16 about how we can do that, how we can encourage  
17 compact mixed use development within walking  
18 distance of some of these stations.

19           The other goal is we need to increase  
20 parking, again, Park-and-Ride. What is more of an  
21 incentive for the use of public transportation  
22 than being able to get to the station and having a  
23 place to park?

24           Again, easier said than done.  
25 Engineering-wise Park-and-Ride is easy. I am an

Keck

1 engineer; I can build it.

2 I will tell you they become tremendous  
3 issues for municipalities who, again, don't  
4 particularly like the impact caused by them. It  
5 is amazing how many times simple straightforward  
6 projects become caught up in, " Not in my back  
7 yard. "

8 One of the commitments of DOT is to add  
9 twenty thousand new parking spaces over the next  
10 five years. We are up to that challenge working  
11 with the Authority, working with Transit to try to  
12 provide that. And what better way to do that than  
13 having a better place to park so you can use the  
14 train, so you can use the bus?

15 Some innovative programs that we are  
16 also trying to work on are context sensitive  
17 design: " Hey, it is not DOT's project, it is our  
18 project. " It is about how you work together to  
19 try and say, " What are we trying to address? "

20 One is the transportation context. Another  
21 context is the environmental context, and another  
22 one is what is the community trying to do, what is  
23 the population, do you have a lot of senior  
24 citizens, what are the demographics we are trying  
25 to address?



Keck

1           We are trying to change how we address our  
2 projects. We are doing a lot more for the bicycle  
3 program.

4           The number of applications we get for  
5 these types of programs far exceeds the dollars we  
6 are providing. We need to look at how we can do  
7 more of that. We need strengthened access permit  
8 control. The DOT has been a leader in this, we are  
9 one of the few states in the nation that has  
10 adopted a code of access. It was legislation  
11 passed in the late nineteen-eighties and  
12 legislation passed in the early nineteen-nineties.  
13 We want to go back and look at that access process  
14 to see how can we make it more Smart Growth  
15 friendly so we are now focusing on that process.

16           That will be a project in terms of how we  
17 provide better access to the development that  
18 occurs along our major highways.

19           Again, we are looking to try to reduce  
20 travel, and while a lot of these strategies aren't  
21 the magic answer, we need basically to look at all  
22 of the strategies at our disposal to try to  
23 resolve the problem.

24           Ride sharing, van pools, alternate work  
25 schedules, telecommuting, we put forth eight

Keck

1 different transportation management areas in our  
2 State and we work with the private sector at the  
3 County level to try to encourage each of these.

4 The Department spends almost five million  
5 dollars a year supporting transportation  
6 management associations with the goal of looking  
7 at these types of initiatives.

8 Lastly, let me just close quickly, meeting  
9 the challenge, how do we address air quality,  
10 congestion, land use and sprawl? It requires  
11 multi-faceted solutions.

12 It requires new partnerships; we couldn't  
13 do it alone. Clearly we need to have partnerships  
14 with municipalities and Counties with our  
15 environmental partners.

16 Innovation: We need to look at all  
17 different strategies our disposal.

18 Those are some of the things the  
19 Department of Transportation is trying to do to  
20 try to be supportive of some of the major  
21 challenges. It isn't easy but we are trying to the  
22 best of our ability to meet the challenges and to  
23 play a key role in the State.

24 MR. MANGANELLI: Maybe you can help me sort  
25 out a couple of things here.

Keck

1           You were mentioning in a number of your  
2       suggestions a regional approach, yet you talked a  
3       lot about what you need to do with municipalities.

4           As you well know there is a bill being  
5       introduced doing away with Municipal government  
6       versus County government, and I am trying to sort  
7       this out, whether it would be doing away with  
8       Municipal government and go on to a regional  
9       approach?

10          A lot of the things you are talking about,  
11       the public transportation, is really regional, yet  
12       you are trying to design it so you have the local  
13       people walking to that so that there is a train  
14       station which will serve the whole region and then  
15       we have the problem with parking.

16          I would like to hear from you which  
17       direction are you going in, are you going in  
18       regional, are you going in local; which is the  
19       better way to do it?

20          MR. KECK: I wish I had the answer but I  
21       really don't.

22          I think clearly for a long time back in  
23       the nineteen-eighties the Department of  
24       Transportation proposed a piece of legislation  
25       called the County Municipal Planning Partnership

Keck

1 Act, and if we are talking about having  
2 Municipalities work through their County  
3 government to of the a more regional approach so  
4 that you don't have one Municipality planning all  
5 this development right at their neighbor's border  
6 and the next Municipality fighting with their  
7 neighbor, we don't want that, so the concept was a  
8 regional approach.

9 And I think the regional approach is one  
10 that works well.

11 Unfortunately our State is a home rule  
12 State and the right to guard that home rule status  
13 is one that all of the Municipalities have long  
14 upheld as their right, so I don't have an easy  
15 answer to your question.

16 I think your question is really a key  
17 issue certainly that I don't know that any of us  
18 in this room can individually solve but I think we  
19 need to clearly look at how do we coordinate  
20 planning to provide a regional type of plan that  
21 supports all of the growth from the individual  
22 components that make up that plan.

23 I think that's really one of the issues  
24 that we still face in terms of State employees and  
25 public servants trying to work together to see how

Keck

1 we can make this work better.

2 I really don't of the the answer.

3 We do try to work with individual units  
4 where we can on projects but we also try to really  
5 look at the regional context to make sure that it  
6 fits within some parameters of the regional  
7 context:

8 MR. LIBRIZZI: How does State government  
9 define " regional "; is it County, multi-Town?

10 MR. KECK: You know, it depends.

11 I mean you can define regions by-- there  
12 are three major metropolitan planning  
13 organizations in the State of New Jersey whose  
14 goal is to do long-range transportation planning.

15 We have three metropolitan planning  
16 organizations which are Federally supported and  
17 mandated under Federal law covering the entire  
18 State of New Jersey, which is unique.

19 We are the only State in the nation that  
20 has three adjacent metropolitan planning  
21 organizations that cover the entire State. In most  
22 cases you don't have that.

23 Yet you have twenty-one Counties. Some of  
24 those Counties are very progressive and have good  
25 planning departments and really do I think good

Keck

1 regional planning and work with their  
2 Municipalities.

3 Others do not.

4 So it is a mixed bag, it really is a mixed  
5 bag.

6 I think from a regional perspective that  
7 is one way to go. There is a contention that  
8 planning can't stop at County boundaries. It would  
9 depend on the infrastructure that is already in  
10 place. You are within zones.

11 MR. LIBRIZZI: I think the DOT is to be  
12 congratulated for the efforts you told us about  
13 but my question is this: Is technology available,  
14 is there interaction between the DOT and DEP such  
15 that your projects can be evaluated as to the  
16 potential of improving air quality?

17 You mentioned Route 22 with all those  
18 stores and a thousand and one driveways.

19 Is it possible for DEP to tell you that if  
20 you were to succeed in reducing the driveways by  
21 ninety percent or whatever it would be there would  
22 air quality improvement and reducing by X parts  
23 per million of CO or some measure of success that  
24 would result by these local urban types of  
25 improvements?

Keck

1           Otherwise it may well be that you are  
2           doing something good for the nerves of the drivers  
3           on Route 22 but you are not doing anything for air  
4           quality.

5           Is there an opportunity to evaluate the  
6           success in the areas when you are talking about  
7           these projects?

8           MR. KECK: Yes, and we do that on a  
9           state-wide basis, we have a number of state-wide  
10          models we have worked with DEP on for years, and  
11          Bob Miller is here, he is one of our Bureau Chiefs  
12          who assists in planning.

13          We work on state-wide models that try to  
14          predict exactly what the impact is of traffic from  
15          a certain type of improvement and how that affects  
16          our air quality in terms of a state-wide  
17          perspective.

18          But I will tell you that it is not  
19          something that you can predict that accurately  
20          becasue there are so many factors that enter into  
21          it, but clearly we understand and know what  
22          certain types of projects will provide benefits  
23          for and certain types of projects that will not,  
24          so we try to gear our strategies accordingly.

25          But when you get down to the micro-level

Keck

1     it is very difficult because there are so many  
2     factors in terms of the Municipalities.

3             It is difficult to say this is good or  
4     this is not good for air quality. It is easier I  
5     would say to know in five years since you rebuilt  
6     Route 22 what the improvement is and you say there  
7     has been a change of X, Y, or Z, but we don't know  
8     if it was because of that housing development  
9     north of Route 22, so if you knew what is there  
10    today would remain there you might be able to but  
11    conditions are constantly changing.

12            I was recently at a public hearing down in  
13    Wildwood and they asked, how come the Department  
14    of Transportation never built the Route 65  
15    Freeway?

16            You can argue from an air quality  
17    standpoint if you built that freeway maybe you  
18    would of the an air quality benefit, but you are  
19    going through some of the most sensitive  
20    environmental areas on the whole East Cost, and  
21    you have to weigh all of the factors in terms of  
22    benefits and in terms of environmental impact.

23            Clean air clearly is one, but you can't  
24    forget about the others in terms of how we make  
25    the decision, and that's why that project never



Keck

1 moved forward, because of that sensitivity that we  
2 face.

3 MR. PAPENBERG: Being from South Brunswick  
4 Township we actually straddle three Counties so  
5 obviously we have a lot of challenges when it  
6 comes to any type of planning.

7 One of my recommendations which I am sure  
8 you are very familiar with and are interacting  
9 with is the League of Municipalities. That is the  
10 group that Municipalities turn to more often than  
11 not on these issues, so I would encourage you to  
12 continue working with the League both as to  
13 Counties and as to Towns as to these challenges.

14 The other point I have is, one of my pet  
15 peeves-- and I have discussed this with the  
16 Council, it has come up time and time again-- is  
17 in our our Municipality we have Route 522 which  
18 actually bisects the Municipality east and west.

19 The way it was constructed it separates a  
20 residential community from an area where there  
21 were parks, and you had talked before about the  
22 fact that families in order to of the access to  
23 parks or recreation of the to take a car.

24 Is there something now that would require  
25 when a highway is constructed that there has to be

Keck

1 incorporated some type of access to allow people  
2 to cross the highway without being harmed, such as  
3 a bridge of bypass?

4 MR. KECK: There are no rules or  
5 regulations but the DOT looks at those factors  
6 much more today than it ever did in the past.

7 The only context we used to look at was  
8 the transportation mobility and capacity, and all  
9 those other factors were just being brushed aside.

10 We don't do that today. There has to be a  
11 balance here and the balance is about the  
12 environmental context, community context and the  
13 transportation context. All of those need to be  
14 weighed, and we do that much more now.

15 MR. LIBRIZZI: If something like that  
16 occurs and the community was very adamant about it  
17 that could be a stopper?

18 MR. KECK: That could be a stopper. There  
19 is nothing that stops projects faster than a  
20 community saying, " We don't like the project. "

21 The fact is you have so many demands, so  
22 much to do with so little dollars to meet the  
23 demands, that there is nothing to stop something  
24 faster than the community saying no.

25 Unless a project has tremendous need and

Keck

1 extraordinary justification we are typically going  
2 to say, " Okay, we are not going to move forward  
3 on that project and we will go somewhere else. "

4 We have been extraordinarily responsive to  
5 these types of issues and building crossings for  
6 highways where people do have to drive to get  
7 across the highway, we have cut down on that.

8 We don't of the the confrontational  
9 battles we had years ago. Most difficulties of the  
10 been worked out on a negotiated level, and as I  
11 said, the quickest way to stop a project or a  
12 large portion of it is to of the the Municipality  
13 saying no.

14 I really believe that everything that I  
15 have shown here is truly working and is becoming  
16 very effective public policy. We are not perfect  
17 but we are trying to change because the  
18 realization is that unless we partner we are just  
19 not going to be successful so we are really trying  
20 to do more partnering with communities in order to  
21 get things done.

22 MR. LIBRIZZI: At this point in time both  
23 sides are blaming each other, the Municipalities  
24 are the only ones who raise any money because we  
25 have the local property taxes so they have the

Keck

1 ability to impact the sociological faric of the  
2 State.

3 You mentioned the County several times and  
4 you have some pretty innovative ideas but I don't  
5 understand how this translates down to the County.

6 Can you in fact dictate through regulation  
7 these concepts that are developed at the County?  
8 They of the their Planning Board, they have a  
9 Highway Department.

10 MR. KECK: There are certain things that we  
11 through a regulatory process can dictate to the  
12 County in terms of access on a State highway major  
13 development which comes in and the access is on a  
14 County road or on a Municipal street.

15 MR. LIBRIZZI: How does or does the State  
16 government promote County or Municipal access  
17 standards?

18 MR. KECK: One of the answers is we are  
19 looking at access standards to see how we want to  
20 try to change that in the future. Maybe you want  
21 to apply some of those access standards to some of  
22 the State roads as well. That's one avenue we are  
23 going to investigate. A lot of the Counties have  
24 been very progressive as well. They have a lot of  
25 ideas and we have worked well with them, not all,

Keck

1 but a lot of them of the, recognizing that this is  
2 in the Municipalities and the Counties best  
3 interest because they are facing infrastructure  
4 and congestion and some of those dilemmas and they  
5 know they need to try to help solve those problems  
6 and we can only do that by working together.

7 MR. LIBRIZZI: The Commissioner mentioned  
8 that the State government is looking at this map.  
9 The question becomes in my mind, is the County  
10 also looking at the map in the same context as the  
11 State government.

12 MR. KECK: I am sure everybody is looking  
13 at the map.

14 MR. LIBRIZZI: But maybe not in the same  
15 way?

16 MR. KECK: The Counties have been for a long  
17 time, it has come to the forefront now, but issues  
18 with the State Planning Commission are something  
19 that I think all the County and Municipal  
20 governments have been concerned, about and the  
21 dialogue continues, and I think that's healthy for  
22 New Jersey.

23 MR. EGENTON: As Vice-Chairman of the Clean  
24 Air Council I happen to be familiar with  
25 environmental and transportation issues and there

Keck

1 is a connection, and I want to thank you on behalf  
2 of the Council for detailing it with your great  
3 presentation here today and laying out the efforts  
4 of your Division and we appreciate your efforts  
5 and Commissioner Jack LaTier (phonetic).

6 We will present our findings in a formal  
7 presentation in July and send it to the  
8 Commissioner. There is a strong link between your  
9 Department and the DEP and the efforts as to  
10 congestion and Smart Growth and proper planning.

11 MR. BERKOWITZ: We thank you very much for  
12 a very informative presentation. You can count on  
13 hearing from us.

14 Don't be ashamed that you don't know the  
15 answer to Dr. Manganello's questions.

16 MR. KECK: He is asking the right  
17 questions.

18 MR. BERKOWITZ: The next speaker is Joseph  
19 Maraziti. Mr. Maraziti was the Chairman of the  
20 State Planning Commission, and I will tell you  
21 that if you take a look at the words that are used  
22 commonly today, revitalization of urban areas,  
23 refocusing our growth to prevent sprawl, these are  
24 not new words, they appear in the enabling  
25 legislation and we congratulate Mr. Maraziti for

Maraziti

1 putting so many urban and suburban sprawl  
2 questions in the public forum.

3 I think Mr. Maraziti has done a great  
4 service in this State in providing the public  
5 debate as to addressing these issues.

6 MR. MARAZITI: Thank you.

7 Good morning, members of the Commission  
8 and members of the public. I appreciate the  
9 opportunity of coming before you but I am humbled  
10 before this group because I am going to talk about  
11 a lot of things that you probably know a lot more  
12 about than I do.

13 I thought I would start my presentation  
14 and divide it into just sort of an overview  
15 conversation about the issues as I see them,  
16 having been on the State Planning Commission for a  
17 number of years, and then talk a little more  
18 focused about them, but the main thing I want to  
19 do is take questions and engage in conversations.

20 The very first slide that will be up  
21 there, I hope, is one that is designed to  
22 demonstrate-- well, it will be the second one-- is  
23 designed to demonstrate that everything is  
24 changing; we are in a constantly changing  
25 environment.

Maraziti

1           We have an opportunity to help shape the  
2       changes that are being made that we don't even  
3       see. We don't see half of the changes that really  
4       affect our lives as they are happening.

5           And one of the things I hope that happens  
6       is that we get to that slide, but I appreciate  
7       your help because I don't know how to do that.

8           That's not the slide, it is the next one.

9           I don't know if you can all read that. I  
10      will read it because I like it every time I read  
11      it.

12          This is from a New York Times book review  
13      about a back. It points out that: "

14          Only fifty years ago"-- that's not very  
15      long ago for somebody of my age--" the United  
16      States was a very different place. The population  
17      contained a small and declining number of  
18      foreign-born, the result of strict immigration  
19      quotas installed in the nineteen-twenties. Ellis  
20      Island would close for good in 1955. Most blacks  
21      still lived in the South, where where racial  
22      segregation was the law. Blue-collar workers  
23      outnumbered white-collar workers in this country.  
24      The first Levittown had yet to be built. Few  
25      couples got divorced. There were no supermarkets



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1 or shopping malls, almost no four-lane highways or  
2 air conditioning, no television or ball-point  
3 pens. More than half of the nation's farm  
4 dwellings had no electricity. Tobacco companies  
5 placed cigarette advertisements in medical  
6 journals."

7           These are things that happened in our  
8 lifetime without our really perceiving that they  
9 are going on and this will continue as we are  
10 standing here today; changes will be affecting in  
11 Jersey.

12           I got interested in State planning because  
13 I saw this as an opportunity for the citizens of  
14 New Jersey to come together and decide what we  
15 want the change to do for us, because it will come  
16 one way or the other.

17           The next slide, please.

18           You know all these things: We are the  
19 most densely populated State, growing at a rate of  
20 forty-five thousand people annually. Thirty states  
21 will experience more growth than New Jersey in  
22 the next twenty years.

23           More residential building permits in Ocean  
24 County in the last decade than any other County.

25           One half of New Jersey agricultural land

Maraziti

1 lost since 1950.

2 We have the highest density of local  
3 government in the United States.

4 The next slide.

5 This is an illustration of I think the  
6 very powerful influences and changes we will be  
7 experiencing in the next ten, twenty, thirty  
8 years. This shows that as some people say New  
9 Jersey will become the route of travel as the flow  
10 of cargo from Southeast Asia comes through the  
11 Suez Canal and arrives in the United States on the  
12 East Coast where New Jersey is the gateway to the  
13 continent on the east side of the country.

14 As you see as to the increase in the flow  
15 of cargo, today eighty percent of that shipping  
16 goes to Los Angeles, in 2020 it is predicted it  
17 will be down to seventy-three percent. Then those  
18 numbers shift even more dramatically.

19 What that means for new Jersey is that we  
20 will have enormous influx of commerce arriving at  
21 Port Newark, Port Elizabeth and when the harbors  
22 are deepened ships like Maersk's which docked only  
23 half loaded because of the depth problem I am told  
24 that when there is no longer a problem a ship like  
25 that of Maersk will offload cargo that will

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1     require a caravan of twenty-eight miles long of  
2     tractor-trucks to move it out of the port.

3             That's an enormous impact on clean air,  
4     highways and everything else.

5             And as I understand it that cargo will  
6     arrive in an incompletely manufactured state,  
7     there will still be some more processing that will  
8     be required. It will have to go someplace for the  
9     final, whatever is going to happen to it, and the  
10    likelihood is that it will go to Pennsylvania,  
11    which means our highways will be conduits to  
12    Eastern Pennsylvania where the jobs will be.

13            Then when they are completely manufactured  
14    they will come back to the market, primarily the  
15    New York Metropolitan Region.

16            That's something I think we need to be  
17    better prepared for than we are. We need to be  
18    able to capture that process so we don't lose  
19    jobs, we don't have traffic or congestion  
20    problems.

21            All of us of the heard how we will of the  
22    a million more people in the next twenty years but  
23    more than one million more people than now are  
24    expected to be living in this State in the next  
25    twenty years.

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1           I think the most important statistic is  
2   that the expectation of jobs will grow by some  
3   eight hundred sixty thousand jobs. That means  
4   unless things change eight hundred thousand more  
5   cars on the roads in the morning and eight hundred  
6   thousand more cars on the roads in the evening.

7           The next slide.

8           We have this in the State Plan. I have  
9   copies of the State Plan in back on the table  
10  there if anyone would like to have a copy of it.

11          These are the roads that show heaviest  
12  congestion, severe congestion. I think things are  
13  probably going to get worse. I don't think things  
14  will get better in the short term, I think it will  
15  get a lot worse before it gets better.

16          We are all talking about sprawl and I  
17  thought it would be helpful to of the a  
18  definition: A pattern of development characterized  
19  by inefficient access between land uses or to  
20  public facilities or services and a lack of  
21  functional open space characterized by being  
22  automobile dependent, single use, resource  
23  consuming, discontinuous, there is no connection  
24  with anything, and it is a low-density development  
25  pattern.

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1               Next slide.

2               What I thought we would do is put up  
3 something to show what we are talking about  
4 graphically when we are talking about alternatives  
5 to sprawl. These are graphics that come out of the  
6 State Plan. You can get a sense from it of what  
7 we are trying to show.

8               The first slide is showing existing  
9 conditions of development looking through Central  
10 New Jersey up to New York Harbor, you can see Long  
11 Island and Connecticut on the other side, that's  
12 what it looks like today.

13              The current trends if we keep doing what  
14 we are doing, which we will probably do unless  
15 something dramatic happens-- my message today is  
16 be bold in all of your decision-making-- unless  
17 something happens that is what we will have in  
18 twenty years.

19              In twenty years, that's the condition on  
20 the right side at the top, you can see spots of  
21 green for preservation but basically it is paved  
22 over.

23              Now, an alternative is this one down here  
24 which is designed to show the same population, the  
25 same number of uses but in a more concentrated

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1 center base kind of design so there is more  
2 compactness to it and the alternative to sprawl  
3 that is laid out in the State Plan and the State  
4 planning concept, the State Plan is not  
5 anti-growth, the State Plan is designed to say  
6 there is a different way to grow and it is a  
7 different place perhaps in many cases so we can  
8 maintain the future of this State that attracted  
9 all of us to either come here or want to stay  
10 here.

11 They are going to be obliterated unless we  
12 do something quickly and dramatically.

13 The eight goals of the State Development  
14 and Redevelopment Plan, I want to talk about the  
15 first one-- I don't know what happened to the  
16 numbers-- what should be number 1 is to revitalize  
17 New Jersey's cities and towns.

18 And you will note it says cities and towns  
19 because it recognizes that there are many  
20 developed older communities in New Jersey that are  
21 also suffering from the neglect and the  
22 abandonment that essentially our largest cities  
23 suffer.

24 So the goal of the Plan, the first stated  
25 goal of the Plan, is to revitalize the State's

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1 cities and towns. That's what we have mostly  
2 turned our backs on and abandoned and we can't  
3 afford to do that.

4 The second one is conserve the State's  
5 natural resources and systems.

6 I thought I would put up here the policies  
7 on air resources that obviously for this audience  
8 are set up in the State Plan, and the first one is  
9 state-wide coordination, and that is in developing  
10 the State implementation plan to involve County  
11 and regional governments.

12 And the other is to involve other States  
13 and the Federal government into this broader issue  
14 as well.

15 The next slide.

16 To continue, I want to talk about land use  
17 patterns because this is part of our policy on air  
18 resources, and that is, as you can see, to  
19 establish and maintain growth management programs  
20 at all levels of the government but promote center  
21 based land use patterns that reduce automobile  
22 dependency, shorten automobile trip lengths and  
23 encourage use of alternative modes of  
24 transportation.

25 That is really the centerpiece of what we

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1 have to do in order to avoid the problems that I  
2 told you about as well as to do it with clean air  
3 and clean water, so it comes down to a common  
4 solution to these problems, and that is the  
5 interconnectedness between land use problems,  
6 clean water and air resources is something we have  
7 not paid enough attention to until Governor  
8 McGreevey and Commissioner Campbell's putting them  
9 in the forefront, and everybody is beginning to  
10 talk about it and beginning to get it, and once  
11 people get it I believe the right things will be  
12 done about it.

13 The policies that we have in the State  
14 Plan with respect to air resources, reduce vehicle  
15 miles traveled and being conscious of global  
16 warming and ozone depletion.

17 Now, everybody is talking about maps and  
18 things so I couldn't conclude this presentation  
19 without putting up the State Plan policy map. Of  
20 course the color scheme is just the reverse of the  
21 Big Map, the red areas on this map are ones that  
22 would be largely green. I haven't seen yet an  
23 overview or comparison of the Big Map and this one  
24 but I understand they are largely the same.

25 You will see more colors on the Big Map,



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1 more nuances on it, areas of farmland as  
2 distinguished from environmentally sensitive areas  
3 which are laid out in the browner colors.

4 This map is a result of a consensus based  
5 decision-making process that went through years  
6 before it was accepted.

7 When this map was first done with the  
8 development of the first plan in 1991 it pretty  
9 much looked like this one.

10 When we went through the process of doing  
11 the review of the plan in 2001, the years leading  
12 up to that, the way that was done was upon request  
13 from any interested area the Commission considered  
14 adjustments to the map and we made any number of  
15 adjustments to this map but we didn't make a zero  
16 based planning map in 1991 and so there are, I  
17 agree with Commisioner Campbell and those that say  
18 that there are improvements that need to be made  
19 to this version of the map because when the State  
20 Planning Commission was working on this we didn't  
21 have the the benefit of the data, the richer data  
22 that is now available, fly-overs and landscape  
23 projects that happened and have been developed  
24 since this map was developed.

25 So I have urged that the Department send

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1     that information to the State Planning Commission  
2     so the Commission can run that data through and  
3     come up with one map.

4             I wanted to talk in terms of, when we talk  
5     about the State Plan people think it is just a  
6     land use document or environmental document, if  
7     you like, but it is really a fiscal document. The  
8     Legislature required that there be an independent  
9     assessment of whether the State's adopting the  
10    State Plan would be beneficial or detrimental, a  
11    whole variety of fiscal points on the financial  
12    side which under the State Plan if implemented  
13    would save billions of dollars for the citizens of  
14    New Jersey, reduce capital costs, a twenty-seven  
15    thousand increase in work trip transit users,  
16    fewer acres of land will be used and sewer pipes  
17    and water pipes and so on.

18            Why hasn't the State planning been adopted  
19    or implemented? Well, the first point I put up  
20    there is it would require a change of long  
21    ingrained behavior.

22            We are a civilization that results from  
23    colonies with this genetic implant in our brains  
24    that we must constantly clear the fields and keep  
25    moving out, and we have done that quite well, not

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1     only in this State but the country, and we need to  
2     take another look to understand what we are  
3     leaving behind.

4             Also land use control is at the local  
5     level, and that's the home rule issue, so it is  
6     very difficult to get a consensus with five  
7     hundred and sixty-six different Municipalities to  
8     agree to move in a certain direction.

9             And of course we are seeing the ever  
10    growing phenomenon of Municipalities now fighting  
11    with each other, these border wars breaking out  
12    from all over the place.

13            I come from Morris County. There are  
14    several examples in our County of Municipalities  
15    going to Court fighting developments of one or the  
16    other. This is unseemly, this is just not the way  
17    things should be done, but we have to recognize  
18    that we have to deal with making regional  
19    decisions at a regional level and that means some  
20    change in what I believe is the laws that we have  
21    at this point.

22            The next point is probably one of my  
23    favorite topics, the real property tax system.

24            We have a tax system that is an incentive  
25    for doing all of the things we are trying to talk

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1 ourselves out of doing because any public official  
2 who understands how the economies of running a  
3 Municipality works has to be looking for certain  
4 types of retables and that makes for a ratable  
5 chase for every ratable that everybody wants, and  
6 I think that is a scandal because what we are  
7 doing, we have a tax policy-- I don't blame the  
8 Municipal officials, the Mayors-- but we have a  
9 tax policy that is forcing us to turn our backs on  
10 our own children.

11 This is a family unfriendly tax policy  
12 that is driving us today; we don't want too many  
13 kids around.

14 Now, if we carry that to the extreme-- and  
15 we are on that course-- we don't want kids, we  
16 want clean ratables, we want office buildings that  
17 are generally located on the border of the  
18 Municipality so the next town will get the  
19 traffic. There are some variations on that but  
20 the property tax system just drives the  
21 decision-making in the wrong direction.

22 The last point is skepticism, that is a  
23 big factor about the willingness to live in New  
24 Jersey's Cities and towns.

25 We have created no choice for people in

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1     our State for housing and there is really only one  
2     type of housing that we have invested our best  
3     talent and our major amounts of funding in, and  
4     that is the single family home in suburbia, so we  
5     don't provide choices, and that's why many people  
6     don't want to live in the Cities, because we  
7     haven't made it attractive enough.

8             I ask the question: What is wrong with New  
9     Jersey; why don't we have any world class cities?

10            We are a world class state. We have an  
11     economy which has the highest incomes in the  
12     country, we have an economy which if we were  
13     separated as a country we would eclipse most of  
14     the nations of the world, and yet we don't have a  
15     city that people are clamoring to get into.

16            And that's being reversed all over the  
17     State. In my law practice I am working with Cities  
18     of New Jersey on redevelopment projects and  
19     developers are coming and waking up to this, they  
20     understand the opportunity. We have had impact  
21     assessments done and we learned that there is an  
22     you economic driver behind this, whether we have a  
23     State policy behind it or not, that is, we are  
24     seeing demographically our population is changing  
25     their attitude of where they want to live. A fair

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1     number of baby-boomers or empty-nesters want to  
2     live in a more walkable community where they don't  
3     have to drive anywhere but walk and get a  
4     newspaper and things of that sort.

5             Not everyone is anxious to do that but  
6     more and more that is phenomenon.

7             The second one is young adults wanting to  
8     live in a city, for example, Hoboken. This is a  
9     trend, but we don't know: Will they stay there  
10    when they have children?

11            And then the immigrant population coming  
12    to New Jersey, coming from countries where people  
13    live in Cities and they would rather live in  
14    Cities, and they are coming to our Cities and our  
15    Cities will be experiencing a revitalization and  
16    rebuilding, and we have to help that and move it  
17    along.

18            Governor McGreevey has moved the ball  
19    forward. Governor Whitman, as you will remember,  
20    in her second inaugural shocked everyone by making  
21    this topic the topic of her second inaugural  
22    address, a very important thing for her to do.

23            Governor McGreevey's contribution is  
24    Executive Order number 4, gathering together  
25    cabinet members to meet on a regular basis to deal

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1 with these issues. In his State of the State  
2 Speech he talked about the Big Map which is the  
3 focal point of this conference, and there it is as  
4 of March 3. I think it has changed since then, and  
5 as I said, the colors are somewhat reversed.

6 The next slide is the State Plan map which  
7 shows the comparison.

8 And that is my presentation. I will  
9 conclude by saying if you can sense from me a  
10 sense of the urgency, I hope you do understand  
11 that we have no time to lose. One professor at  
12 Rutgers said we will be built out in thirty-five  
13 to fifty years. I don't know if that's correct  
14 but if it is off by ten or twenty years it is  
15 still a frightening thought. That's why I say we  
16 have to be bold in all of our decision-making.

17 MR. BERKOWITZ: I would like to begin the  
18 questioning very briefly.

19 Some have alleged that the DEP has  
20 overstepped its regulatory function in putting out  
21 the Big Map and essentially becoming a land use  
22 agency.

23 Where do you see the dynamic going between  
24 the Department and its Big Map and the State  
25 Development Commission and its map?

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1           MR. MARAZITI: First of all, I am a lawyer,  
2   I don't know if I can answer the question of where  
3   it is going but I will answer the question of  
4   where I think it should go.

5           I think the Big Map is a very helpful tool  
6   but I think the development of a single map to be  
7   used by all State agencies and the private sector  
8   and Counties and Municipalities ought to come  
9   through a more open and collaborative process, and  
10   that's what the statute requires be done in the  
11   State Plan.

12           We had public hearings all over the State  
13   with respect to that map. We went everywhere. In  
14   addition to the public hearings, we had,  
15   especially I, I insisted that our routine monthly  
16   meetings not be held in Trenton but that we go to  
17   different Counties all over the State.

18           We had a seventeen member Commission  
19   irritated when they all of the time were getting  
20   stuck in traffic going all across the State.

21           I think for a document like this to work  
22   it is as important, it has to be a good document,  
23   it has to be a good map, but it can be a great map  
24   and still fail if there is not a sense of  
25   consensus about it, if there is not a sense that,



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1 " I have had something to do with those  
2 decisions," if there is not a sense that it comes  
3 up from the people rather from the top down.

4 My plea is that the development of the map  
5 proceed as I just mentioned at the beginning,  
6 that the newer more updated information that DEP  
7 has be delivered to the Commission and public  
8 hearings be held and it go through that process so  
9 that it can be integrated into everybody's  
10 thinking, not just the thinking of one agency.

11 MR. LIBRIZZI: The Big Map and the  
12 challenges that you suggest, it would seem to me  
13 that we are talking about a time period that is  
14 going to stretch out to solve these problem.

15 MR. MARAZITI: Yes.

16 MR. LIBRIZZI: What would you suggest in  
17 terms of what we should be doing now as the major  
18 paradigm shifts are being made, what should we be  
19 doing now to fill that gap?

20 MR. MARAZITI: Everything we can. The  
21 Governor has talked about the legislative package,  
22 transport development rights is part of that, I  
23 think that will work in limited situations, it is  
24 not the solution.

25 If I had my wishes I would put property

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1 tax reform very near the top of that list. We have  
2 to break the incentives that we have now that  
3 cause us to go in the wrong direction and turn  
4 that around to some more logical way to go about  
5 raising money to pay for important government  
6 services.

7 If I were to leave one thought in your  
8 minds I would leave that one.

9 MR. LIBRIZZI: Do you think these regional  
10 organizations can be instrumental in the early  
11 stages?

12 MR. MARAZITI: Everything we deal with at  
13 the State Planning Commission is based on the idea  
14 of trying to get regional-- as I was talking about  
15 before, Municipalities and land use control and  
16 they do what you would expect them to do often  
17 times, not every Municipality, but so many just  
18 think about the perimeter of their borders, and  
19 that used to make sense.

20 Home Rule today is different than what it  
21 was fifty years ago. Fifty years ago Home Rule  
22 made more sense to me then if you are talking  
23 about a Municipality having this condition than it  
24 does to me now because fifty years ago people  
25 lived in one town, they slept there, for the most

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1 part people commuted to New York and Philadelphia,  
2 and the kids went to school and the woman of the  
3 house stayed home and did housework all day. It  
4 made more sense to say, this is my home territory.

5 Now I ask you what is your home like  
6 today? I consider my home territory to include a  
7 number of different territories. I work and live  
8 someplace, I shop in others and I feel that I have  
9 as much a right to comment on what is happening in  
10 the town where I work where I spend much of my  
11 working day as I do in the town that I sleep in,  
12 so we need to broaden the picture and the regional  
13 approach I think is the answer.

14 MR. PAPENBERG: I am getting the message  
15 that you are really emphasizing that the  
16 fundamental problem here is the property tax  
17 system that we have.

18 What would be your idea of an alternative  
19 for funding government?

20 MR. MARAZITI: I was afraid somebody would  
21 ask that question.

22 Well, everybody talks about the income tax  
23 as an alternative. That is one. But I think a  
24 state-wide real property tax system would also  
25 change the dynamics in some way. That might be

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1 interesting to look at.

2 I understand the issue about the cost of  
3 collection and distribution of the funds but it  
4 costs a lot of money now with five hundred and  
5 sixty-six Municipalities.

6 As somebody once said, if we were trying  
7 to design a tax system that would do all of the  
8 wrong things we have got it, we designed it.

9 We have to change it, modify it.

10 MR. BERKOWITZ: One last question in the  
11 interest of moving along.

12 MR. EGENTON: Joe, just to add to your  
13 thoughts on property tax, one of the incentives of  
14 bringing the constituencies I represent back to  
15 the Cities, I agree with you on it, is the  
16 ratable chase. If you look at the number of  
17 school districts you can get some ideas there but  
18 I think the business community is trying to go  
19 back to the Cities and there are some ideal Cities  
20 that have made it work, Jersey City, Hoboken,  
21 Trenton and Newark.

22 But it is not just the typical tax  
23 incentives but there are also quality of life  
24 issues.

25 If I move back to the City can my

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1 employees at lunchtime go out and grab a sandwich  
2 and make it back safely to work?

3           There are some simple quality of life  
4 issues we have heard time and time again from the  
5 Governor and on down are important but I think  
6 there are many levels that need to be addressed.  
7 There are typical ways, here is a tax incentive,  
8 come to Paterson and open up a shop, which is  
9 great, but they are looking at some of the things  
10 I just talked about.

11           MR. MARAZITI: I completely agree with  
12 that. In my law practice our firm represents the  
13 City of Perth Amboy where there are millions of  
14 dollars of redevelopment in the works.

15           The Mayor understands this, and if you  
16 were to go to Perth Amboy today as compared to ten  
17 or eleven years ago, the sidewalk improvements are  
18 fabulous, the lighting, the place is spotless. It  
19 gives you a sense of being well kept and desired  
20 and comforted.

21           And that's the kind of planning upon which  
22 we have to build.

23           MR. BERKOWITZ: We are going to have to cut  
24 it off. Thank you very much. We very much  
25 appreciate your comments.

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1                   ( Short recess. )

2                   MR. BERKOWITZ: Adam Zellner, Department of  
3                   Community Affairs, Office of Smart Growth,  
4                   Executive Director.

5                   MR. ZELLNER:. Good afternoon, almost  
6                   afternoon.

7                   I have a copy of my testimony but rather  
8                   than go through the testimony, I just heard some  
9                   of the former speakers and Joe Maraziti, I thought  
10                  rather than go through some of the specific  
11                  details that are examples in there I would talk a  
12                  little about Smart Growth and then bring that back  
13                  around to how those principles that we are  
14                  supporting that the Governor has made a priority  
15                  in this administration would help lead to this.

16                  I am the the Executive Director of the  
17                  Office of Smart Growth. I think most everyone  
18                  knows that Smart Growth has taken on a variety of  
19                  meanings in the last few months, my friends in the  
20                  Star-Ledger and other newspapers are doing an  
21                  excellent job of covering it.

22                  I would like to read you an excerpt of a  
23                  definition and I would like you to keep in mind  
24                  this definition.

25                  Smart Growth is the term used to describe

Zellner

1 well-planned, well-managed growth that adds new  
2 homes and creates new jobs while preserving open  
3 space farmland and environmental resources. Smart  
4 Growth livable neighborhoods contain a variety of  
5 housing types and costs supported by multi-modal  
6 transportation. Smart Growth is an approach to  
7 land use planning that targets the State's  
8 resources and funding to enhance the quality of  
9 life for residents of New Jersey.

10 That is the definition of the Smart  
11 Growth.

12 Smart Growth can be seen all around us. I  
13 think the common misconception is that it is just  
14 about rebuilding Cities. It is evident in Cities,  
15 you can see it in Elizabeth and Jersey City, but  
16 also in the rebirth of some of our urban areas as  
17 they help to redefine what they are and it can  
18 also be seen all around smaller suburban towns  
19 like Red Bank and Rahway.

20 Now, Red Bank is completing a major  
21 redevelopment and in Rahway's case they are just  
22 beginning redevelopment around their railroad  
23 station, it is putting people out of their cars  
24 and on to transit.

25 In rural towns like Chesterfield and

Zellner

1 Hope-- some people believe that Smart Growth is  
2 just about the Turnpike and Parkway corridor, it  
3 is not, it is also about rural communities looking  
4 to preserve their charm and quality of life.

5 That is the definition of Smart Growth and  
6 that is a difficult task for New Jersey to  
7 accomplish. How will we do it?

8 Governor McGreevey really laid out a very  
9 comprehensive plan and aimed at getting those  
10 Smart Growth principles implemented two ways: In  
11 our internal world of State government which are  
12 the departments of New Jersey, and our external  
13 policies, Municipal governments and County  
14 governments that actually control the land use in  
15 our State under Home Rule.

16 So I think I will start out by describing  
17 the internal and external arms, how they work  
18 together, and I will bring that full circle to the  
19 principles of why we are back here today and allow  
20 the Panel to ask me some questions.

21 The internal arm is our government agency,  
22 the Smart Growth Policy Council is the internal  
23 arm and it is made up of the members of the  
24 various departments throughout the State.

25 Their job is really to look at how we as a



Zellner

1 State are focusing our efforts in determining  
2 where it is we are going to go to grow and  
3 preserve. We spend quite a bit of money in New  
4 Jersey every year on a variety of things,  
5 infrastructure, roads, highways, utilities, water;  
6 so how we as a State promote growth often dictates  
7 what the private sector does.

8 Where the public sector is looking to  
9 invest the private sector follows the public  
10 sector in those older Cities and older suburbs.

11 So the internal arm really coordinates how  
12 we spend money. It is about making sure that we  
13 are all on the same page in terms of where we want  
14 to promote growth, where we want to accommodate  
15 growth and where it is we want to see  
16 preservation, where our resources, water, farmland  
17 resource are valued, and where we want to see the  
18 State not investing its dollars to help subsidize  
19 that very sprawl which is a diminishment of our  
20 quality of life that we enjoy here in New Jersey.

21 In years past you would have the DOT  
22 building a road to a place that the Department of  
23 Commerce knew nothing about and you would have the  
24 the DEP in the end saying, " You have wetlands  
25 concerns there." Departments did not communicate

Zellner

1 so we didn't often know what the right and left  
2 hands were doing.

3 Under Governor McGreevey's internal arm of  
4 Smart Growth that policy is changing and that's  
5 the internal arm of what we do in Smart Growth.

6 The external arm is how we communicate  
7 those policies, funding decisions I just described  
8 to the external partners that control land use in  
9 our State Municipalities and Counties that have a  
10 relationship to Municipalities and land use.

11 Our job at the Office of Smart Growth is  
12 to work with the Municipalities and Counties to  
13 look at growth and transportation plans, to make  
14 sure that our local governments are looking to  
15 grow and preserve the infrastructure.

16 I will give you an example of why it is so  
17 important to have this coordinated especially in  
18 these difficult fiscal times.

19 I think all of us know the example of a  
20 town that builds on an open field four hundred  
21 houses on the edge of its border to the next town.  
22 Now there are traffic concerns because the State  
23 didn't know that local roads would have to be  
24 developed and the State gets involved to come in  
25 widening the roads, new infrastructure, et cetera.

Zellner

1           So we have already built the houses and  
2   now we need to take some frontage from peoples'  
3   driveways to pave that road. The State is called  
4   in and because of the development now Green Acres  
5   is called and says, " We need open space," so now  
6   the land is triple the price it was if we had  
7   planned for that open space because there is this  
8   development.

9           So the Municipality is developing it and  
10   the State is catching up. Even when the State is  
11   catching up the State is a partner. So what you  
12   now have is a marriage of the internal arm that I  
13   described and the external arm, our Office with  
14   the County and Municipal partners that we work  
15   with.

16           The idea is to support and promote the  
17   Smart Growth principles that I will describe again  
18   in a second but also to make sure that we are  
19   working with them so we understand where they are  
20   looking to grow and preserve so we get the  
21   opportunity of mass transit, well designed  
22   communities, compact, mixed use, green spaces, the  
23   kind of things that make our communities both  
24   livable and sustainable and also reduce the auto  
25   dependency that helps destroy the air quality in

Zellner

1 the State and our quality of life because our  
2 infrastructure is always trying to catch up.

3 It is very hard to catch up when the roads  
4 are built and the cars are on the road.

5 We are working very hard with the other  
6 State agencies including DOT and DEP to make sure  
7 that we are looking at their priorities and what I  
8 will call their mapping system. The DEP has come  
9 out with the Big Map and we are looking to make  
10 sure that that map is coordinated with the State  
11 Plan so that there is one depository for all this  
12 information.

13 In addition the DOT has just announced a  
14 ten year capital improvement plan. We are working  
15 with them to make sure that that information will  
16 show where it is we are going to be investing, so  
17 at the end of the day we have a functional piece  
18 where a developer, Municipality, private company  
19 can come in and look at where localities are  
20 looking for growth, the State Plan, where the  
21 State regulatory laws will allow that growth, a  
22 portion of the regulatory map where the State's  
23 investments in infrastructure are, and finally  
24 where agricultural land is not being preserved so  
25 that you don't have that sometimes conflict

Zellner

1     between development and preserved land.

2             So the idea is making it a financial tool,  
3     a depository where people can actually receive a  
4     predictable system of development in New Jersey;  
5     that's what we are going to try to do here.

6             That brings me to the principles that we  
7     are promoting through the office of Smart Growth  
8     and they are specific as they relate to air  
9     resource policies which I think will tie back to  
10    some questions by the Panel. The state-wide  
11    coordinated planning at all levels of the  
12    government should be coordinated to ensure that  
13    both land and capital facility development will  
14    lead to attainment of National Air Quality  
15    Standards to make sure we are promoting the type  
16    of growth, compact, mixed use, green spaces,  
17    walkable communities, mass transit accessible  
18    communities.

19            Two, regional-interstate coordination:  
20    Undertake cooperative regulatory, land use  
21    development and transportation programs by the  
22    State to meet the National Air Quality Standards  
23    through research and cooperation with other states  
24    in the region and with appropriate Federal and  
25    interstate authorities.

Zellner

1           Our Office is already working with the  
2   Governor of Pennsylvania in looking at Route 78  
3   and Route 80. We recognize if you are only  
4   lookling at solving the problem by just looking  
5   in New Jersey the traffic problem would still be  
6   here and that we need to look at what our friends  
7   in both Pennsylvania and New York and Connecticut  
8   are doing.

9           Land use patterns: Maintain growth  
10   management programs at all levels of government  
11   that promote center based land use patterns.

12           We have seen a change in New Jersey in the  
13   last twenty or twenty-five years, I won't go into  
14   it, but it basically is where growth was occurring  
15   and investments were taking place that has allowed  
16   sprawl to creep out, people moving out of the  
17   Cities and into the suburbs, and it promotes auto  
18   dependency. As you go further and further out mass  
19   transit doesn't exist. There is a catching up with  
20   infrastructure all of the time, so really what you  
21   have is auto dependency and it means widening of  
22   roads one or more lanes, the roads have to be  
23   widened all of the time.

24           Carbon monoxide hot spots and ozone:  
25   Address transportation mobility choices, use of

Zellner

1 clean alternative forms of energy and development  
2 or redevelopment activities in areas where there  
3 are carbon monoxide hot spots and ozone problems.

4           What we are seeing right now with the  
5 Light-Rail is a rebirth of commuter transportation  
6 in very exact areas. We are now seeing new  
7 programs called the Transit Village Program, which  
8 I am heard sure you have heard about, which  
9 promotes living next to the train station, and we  
10 are going to see additional programs that will  
11 promote living and working, proximity of living to  
12 where you work or you can get there easily,  
13 employers who are located on mass transportation  
14 hubs where employees are located as well on hubs.

15           Vehicle miles traveled reduction: Promote  
16 trip reduction strategies and plan for better  
17 local and regional land use patterns, looking at  
18 how we develop so we can promote mass transit.

19           A ferry system coming on line is a  
20 wonderful example of how redevelopment will look  
21 from Keyport, Atlantic Highlands, Perth Amboy,  
22 people going to New York can take the ferry.

23           These are the kinds of of things we look  
24 at, how we are going to get the resources around  
25 people that will promote Smart Growth.

Zellner

1           Air quality and biosphere: Promote  
2 policies that reduce acid rain, global warming,  
3 ozone deletion, sea level rise and other  
4 pollutants transport mechanisms and toxic  
5 emissions in general through the principles of  
6 Smart Growth; again that mix use development that  
7 looks to use our existing infrastructure.

8           And that in a long-winded speech is about  
9 Smart Growth, an overall description of it.

10           MR. BERKOWITZ: Thank you very much.

11           MR. MANGANELLI. What estimate would you  
12 make, thinking about open space in a sustainable  
13 environment, of the number of people that New  
14 Jersey could support? We have what, approximately  
15 a thousand people per square mile, and we have got  
16 eight thousand square miles approximately; what  
17 would you say if you projected that out, because  
18 you keep talking about growth, but there has to be  
19 some place where we stop growing. The census has  
20 projected the magic number of about a million  
21 people over the next sixteen years, over the next  
22 sixteen years that's what they estimate, and I  
23 will tell you, those estimates vary.

24           MR. ZELLNER: We have looked at this and I  
25 will tell you that just in the big eight Cities



Zellner

1     what has happened over the last twenty years is we  
2     have lost over three hundred eighty thousand  
3     people who moved out of the Cities to other  
4     places, and they moved out for a variety of  
5     reasons, not everybody wants to live in the city,  
6     but it is very difficult to give you a build-out  
7     analysis because land use is locally controlled in  
8     this State.

9             I can't tell you what every town is zoned  
10     for that will tell you exactly how much space will  
11     be absorbed. I can tell you about brownfield  
12     redevelopment of industrial areas that certainly  
13     are all over our State; the Turnpike Corridor,  
14     Route 130, the Parkway. Gray fields are the  
15     former industrial shopping centers, Bradley's and  
16     K-Marts are in Chapter XI, abandoned all over.

17             We are looking at making growth  
18     sustainable.

19             Part of what you had happen, in the City  
20     of Englewood, the type the growth at that time  
21     wasn't sustainable, they did not look at open  
22     space, mixed use shopping.

23             If you had told me-- my grandmother in  
24     Jersey City twenty-five years ago said that I  
25     wasn't allowed to go to Bayonne, it was the one

Zellner

1 place she wouldn't go or let me go-- if you had  
2 told me twenty-five years ago that a two block  
3 private investment would have led to redevelopment  
4 of that place and it would be regentrified by  
5 fifteen thousand people living on the Transit line  
6 I wouldn't have believed it, so the answer is we  
7 have not looked at every town and how much growth  
8 they could or could not absorb.

9 I can tell you that, yes, we can over the  
10 next sixteen years absorb the people in a way that  
11 still protects our open space and in fact it  
12 encourages that redevelopment. I can tell you  
13 right now in Rahway, there they opened their  
14 Transit station up and they are waiting for  
15 business to come in.

16 MR. MANGANELLI: A million people will be  
17 coming in in the next sixteen years, that will  
18 take us to nine million people, and then in  
19 another sixteen years another million people. What  
20 are we looking forward to?

21 The idea of doing what you are talking  
22 about, the open space that you are talking about  
23 saving, but is there just growth for forever?

24 MR. ZELLNER: I can't answer that, but  
25 there is a big difference between a trend and a

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1 plan. If you do it by trend what you get is the  
2 same type of development problems as we have now;  
3 they will continue marching out 78, 80 287.

4 If you plan so that you are encouraging  
5 redevelopment and actually trying to focus the  
6 people where you want them then you do protect the  
7 resources so that this State will look like the  
8 State we want it to be. The policies of the State  
9 promoted, actually created sprawl.

10 MR. MANGANELLI: Can we support twenty  
11 million in people in New Jersey?

12 MR. ZELLNER: Probably not.

13 MR. MANGANELLI: I am trying to get a  
14 number.

15 MR. ZELLNER: There is no magic number.

16 MR. MANGANELLI: What would you say, what  
17 would you suggest?

18 MR. ZELLNER: I can't give you a number. I  
19 can't talk for local towns, what they are looking  
20 at.

21 MR. MANGANELLI: You are sitting up there  
22 with an overview of the overall State, you must  
23 have some idea.

24 MR. ZELLNER: Twenty years out, a million  
25 persons; do I know beyond that twenty years? No.

Zellner

1           MR. MANGANELLI: But you are not going to  
2 stop there. Those people are going to multiply.

3           MR. ZELLNER: Our State is growing but the  
4 majority of the population that is growing is the  
5 immigration population.

6           And I can say this much: We are planning  
7 right now for the million people that I know or at  
8 least that are expected to come in so that sixteen  
9 years from now the State has all of the qualities  
10 that we moved here for in the first place and  
11 still has something for our kids and grandkids to  
12 have.

13           MR. MANGANELLI: You keep saying we have to  
14 catch up when we have this uncontrolled growth  
15 and I agree with you but I submit you are also  
16 going to play catch-up when you start to implement  
17 your plan in terms of refocusing growth to urban  
18 areas without the infrastructure, be it roads,  
19 storm sewers, outflows. The question really  
20 becomes, if you take a look at that map, and that  
21 map has a-- the Big Map, the map has a very strong  
22 water resource bias, if you were to take and plot  
23 air pollution problems perceived and real you  
24 would have a mirror image of that map.

25           There are existing air pollution problems

Zellner

1    which are primarily transportation related, but  
2    isn't there going to be a time period when we are  
3    again playing catch-up?

4           MR. ZELLNER: It will be a difficult road.  
5    What has happened in the past, the reason we get  
6    into this situation is because we have allowed the  
7    investment to flow out and as you have allowed  
8    that investment to flow out ever one of those new  
9    projects gets right back on the repaving list done  
10   for a new road, five years from now it is on that  
11   list, so we are stretching our resources thin.

12           The idea of Governor McGreevey's  
13   initiative is the refocusing of those current  
14   dollars back into those areas to get done that  
15   infrastructure and to move ahead of it.

16           The second thing is we have seen major  
17   investments in transit, twenty-two transit  
18   villages, and the ferry locations from the Port  
19   Authority, so we are putting some infrastructure  
20   investment in first. Infrastructure will go in  
21   around the train station prior to it coming in and  
22   it will continue to happen as you bring together  
23   the plan of the DEP, you will get water and  
24   capacity, and with the DOT you look at investment  
25   priorities and with the Office of Smart Growth

Zellner

1 ultimately it has to translate into local land use  
2 law.

3           We put that together so we can focus on  
4 where we do need to go. A good example is the new  
5 Category 1. It will elevate the quality of life,  
6 so you need to look at how C-1's designation  
7 affects your ability to grow because you can't  
8 grow unless you are doing something with the  
9 wastewater and if the wastewater is going into the  
10 C-1 waterway, you always had a town permit and it  
11 goes for a year or two but growth happens and it  
12 is not connected to anything that the State knew  
13 about.

14           We have the developments that happened  
15 that are going to cost the Turnpike one hundred  
16 million dollars with congestion, pollution,  
17 because the capital improvements in Municipalities  
18 were never translated to the Turnpike. We have to  
19 have the access by trucks to move in and out.

20           MR. LIBRIZZI: How would that particular  
21 situation operate today?

22           MR. ZELLNER: If we had looked at the  
23 growth maps and the zoning that the towns had had  
24 and if those those plans would have been  
25 translated to the Turnpike, the Turnpike could

Zellner

1 have made the capital investment some years ago  
2 rather than reacting now when the trucks and cars  
3 are already there.

4 MR. LIBRIZZI: What is in place now to do  
5 that in terms of clean air?

6 MR. ZELLNER: Internally and externally,  
7 you finally now have the Department focused and  
8 communicating with our office and we are  
9 communicating with our external partners so that  
10 literally you are seeing County by County plans  
11 come in and we are coordinating those plans,  
12 growth and preservation plans with the Policy  
13 Council so the decisions they make are done in a  
14 way that we know and we can say, By the way, we  
15 know Cumberland is looking to do this and we may  
16 want to look at redeveloping this or addressing  
17 this.

18 MR. BERKOWITZ: This is an important  
19 discussion, I don't want to preempt the discussion  
20 process.

21 We have four questions, there may be a lot  
22 more, but let's bring it down now.

23 MR. FEYL: You keep referring to local  
24 zoning and not being aware of what local  
25 Municipalities are doing.

Zellner

1           How did you recognize those policy  
2       decisions that do violence to the overall object?

3           The Lakawanna cut-off from Scranton to New  
4       York will cut down vehicle miles ridden on Route  
5       80 but it will also open up a whole corridor of  
6       development opportunities. How do you prevent that  
7       and reconcile that with Smart Growth in addition  
8       to the fact that the engines driving that will be  
9       diesel driven so we get to the clean air issue at  
10      some place?

11          MR. ZELLNER: Let me start with, I can tell  
12      you, number 1, the Governor has come out very  
13      strongly in opposition. It is a Court mandated  
14      decision in respect to towns if they have not  
15      looked at their affordable housing obligation.  
16      The Office of Smart Growth is working aggressively  
17      to help towns that don't have the certification to  
18      move forward. We are working very hard to show the  
19      Municipalities that having an affordable housing  
20      plan is not a bad thing. In fact it can be done in  
21      such a way, it is in line with the community's  
22      obligations and if you don't do it all these plans  
23      go up in the air because you leave yourself  
24      liable.

25          Lakawanna, the DOT is looking at a ten



Zellner

1 year priority system and the DOT in conjunction  
2 with Transit are looking at a variety of options  
3 to help create ways of moving between areas,  
4 especially where you have regions that are not  
5 necessarily on the Turnpike corridor, but growth  
6 regions outside of that area and how do you move  
7 between them?

8           So they are doing some of that now.

9           I will tell you as to the priorities, the  
10 the Lakawanna cutoff is going to be a big Federal  
11 project, so I think from the DOT's perspective  
12 they are looking at this issue right now both as  
13 to train corridors and highway corridors, how we  
14 get from one Smart Growth area to another.

15           Water supply, where is our affordable  
16 water supply? I will say from a planning  
17 perspective what we are looking to do and why we  
18 are looking to incorporate that data into State  
19 planning is to look at where we do have capacity,  
20 where it is that the localities are calling for  
21 growth and where there is a mismatch and where  
22 there is, what kind of new technological  
23 innovative system can we look to to deal with  
24 that?

25           A second issue which I will raise but I

Zellner

1 don't have an answer for, what do you do in the  
2 rural areas? We have a lot of the rural areas  
3 that are talking about transfer of the development  
4 rights and how they could increase density of  
5 certain areas. Part of that problem is how do you  
6 do that if you don't have sewers, because septic  
7 only allows for so much density, without extending  
8 sewer lines which you don't want to do because  
9 that will cause further development.

10 Part of what you do is look to coordinate  
11 the resources that DEP is looking at, water, et  
12 cetera, to make sure that local growth will work  
13 with those resources. It never existed before.  
14 Each person applied for a permit and waited for a  
15 permit but you never knew how many permits were  
16 out and the water supply company said, we have  
17 capacity, so it is now being done for the first  
18 time in a logical way, planning, looking at water  
19 supply as its relates to growth projection,  
20 working together to explain to our Municipal  
21 partners, this is a growth area, this is the water  
22 supply.

23 All this needs to come into a place where  
24 you can communicate it to the folks doing land  
25 use, the Mayors and Planning Boards. These are

Zellner

1 decisions made at the local level, and maybe there  
2 is a vacuum because you don't understand what the  
3 State resources are or you have to call thirty  
4 people or look at thirty documents to find out.  
5 The idea of putting that all in one single entity,  
6 my Office, which coordinates with the external  
7 partners, has not existed before.

8 MR. PAPENBERG: It is like the line from a  
9 famous movie, the gentleman said, what we have  
10 here is a failure to communicate.

11 Having been in South Brunswick fifteen  
12 years I recall for many years discussions with the  
13 Turnpike authorities about-- clearly people asked  
14 people at the Turnpike Authority are they aware of  
15 what was going on in the area, that each  
16 Municipality has to develop a Master Plan, and now  
17 in the age of electronic technology it could not  
18 be that difficult to collect those master plans to  
19 get a picture of what is going on throughout the  
20 State.

21 I would ask for your comment on the  
22 previous speaker's discussion of the issue of the  
23 chase of ratables and the property tax system that  
24 we have and how you perceive that as being a  
25 barrier and how that barrier can be addressed?

Zellner

1           MR. ZELLNER: Yes, there were  
2       communications back and forth. The problem is the  
3       communications never led to any policy changes on  
4       either end. So what you need is an entity that  
5       will do that through a planning process. That's  
6       what I meant, not that the governing body doesn't  
7       communicate about the projects, the problem is by  
8       the time the project gets into the ground it is a  
9       whole different governing body.

10           Towns do update their Master Plans but  
11       most residents are not aware of what that Master  
12       Plan is. I don't fault anybody for not knowing,  
13       but I am saying because of that it is very  
14       haphazard planning in the sense that the Master  
15       Plan is not updated to look at current  
16       environmental issues, current planning, current  
17       regulations, and the government switches, people  
18       rotate, but how many of them really examine and  
19       are aware of the changes?

20           The second issue, really Master Plans are  
21       great but again most residents don't know about  
22       it, and if you go down the road and this  
23       development which has always on the books, there  
24       is a lawsuit, and everybody knows what happens  
25       from there.

Zellner

1           And finally on Master Plans, one of the  
2   key elements is that Master Plans don't look  
3   beyond their borders. They don't help to  
4   coordinate regional plans in terms of these are  
5   growth corridors.

6           Part of the reason that coordination has  
7   not occurred is because towns have to get the  
8   money in that they need to do whatever it is they  
9   want to do.

10          Part of what the Governor has done is the  
11   legislative package to help try to provide some of  
12   that transfer and development rights so you can  
13   use between the Municipalities growth zones and  
14   open space zones but have a ratable sharing  
15   system, regional planning, looking at impacts  
16   off-site and on-site, so we can begin to start  
17   this dialogue.

18          I know the next logical step but I can't  
19   go to the Legislature and get it done, but we are  
20   certainly expecting to weigh in on it, but what I  
21   can do today is provide the tools that will help  
22   make this work because we recognize there has to  
23   be some way of sharing ratables, sharing impact  
24   across borders.

25          MR. BLANDO: As to Smart Growth and planned

Zellner

1 residential growth and transportation, how how  
2 does industry figure into Smart Growth,  
3 particularly manufacturers?

4 MR. ZELLNER: We have met with a number of  
5 groups and they generally like the idea for three  
6 reasons: One, predictability in all major  
7 developments. If you create a system where you  
8 put your resources together that looks at  
9 environment, infrastructure and local growth into  
10 one place you get a predictable growth.

11 The second element is industry is also  
12 happy when plans for residential growth happen  
13 where they want it to happen. Sometimes you run  
14 into situations where industry runs up against a  
15 neighborhood, which is from planning, there is an  
16 entrance to the plant here and an entrance to the  
17 neighborhood right here, and you run into that  
18 conflict, so they are also happy to see towns look  
19 in the mirror and plan in a rational way what is  
20 being done.

21 The type of industries that we see in New  
22 Jersey, the growing industries in our State,  
23 whether it is retail or storage from the Port  
24 business, big boxes, they are happy looking at the  
25 Turnpike, Port Authority of New York and New

Zellner

1 Jersey, Port Authority of Pennsylvania and New  
2 Jersey, to see what the Port Authority will do in  
3 terms of the activity that will mean in terms of  
4 big boxes and how in the State we can help them  
5 plan for that redevelopment, you know, take the  
6 the Turnpike, drive north, get to Exit 11.

7 They have the infrastructure, direct  
8 access to the Port and direct access to 78 or 80  
9 to go to Pennsylvania, so they are very interested  
10 in the program.

11 MR. BLANDO: Does the Smart Growth plan  
12 provide any incentive for that?

13 MR. ZELLNER: Part of that internal  
14 coordination is the fact that we line the  
15 incentives up because we are aware of what they  
16 are doing and feeding it through and none of this  
17 happens unless you have an investment to make.

18 MR. LIBRIZZI: We have spent almost the  
19 whole morning talking about Smart Growth, talking  
20 about State plans and about the Big Map and you  
21 suggest, and I agree with you, that major  
22 redevelopment of the brownfields are going to help  
23 the urban areas.

24 MR. ZELLNER: And suburban.

25 MR. LIBRIZZI: Many of which are in

Zellner

1 Northern New Jersey and the Parkway and Turnpike  
2 people are still commuting from south to north and  
3 they will continue to do so.

4 From your perspective how will all this  
5 planning that we have now provide some benefit to  
6 reducing the amount of transportation we have got  
7 from the south coming to the north?

8 MR. ZELLNER: In South Jersey we are  
9 working with Burlington County, with the Cities of  
10 Camden and Trenton, on the Route 130 corridor and  
11 Light Rail, so we can look at what industry wants  
12 to locate between Camden and Trenton so people can  
13 actually commute to where they want to go.

14 From an industry perspective we are  
15 talking to them about Route 130 and the East-West  
16 Corridor so we are talking about connecting the  
17 transit hub, 295 connects with Transit's hub and  
18 you get people to the industries they work in so  
19 you don't just haphazardly sprawl along 130.  
20 That's how you do it. You have to put the dollars  
21 and resources into the plan.

22 MR. LIBRIZZI: Implementation is the name  
23 of the game?

24 MR. ZELLNER: Yes. That's with the Star  
25 Ledger as the bully pulpit helping us to do that.



Zellner

1           MR. BERKOWITZ: Thank you, Mr. Zellner. We  
2 kept you on the hot seat for fifty minutes. I  
3 would like to invite you back to attend one of our  
4 Council meetings in the near future. I think there  
5 is a lot of room for discussion.

6           Michael Moltzen, EPA Region II, Mobile  
7 Source Team Leader.

8           MR. MOLTZEN: I would like to take this  
9 opportunity to talk about some of the programs  
10 that EPA thinks can help address the larger  
11 problem and I asked Angela to put me on just  
12 before lunch to limit some of the questions.

13          MR. BERKOWITZ: It won't work.

14          MR. MOLTZEN: But I am thinking of some of  
15 the programs that would help address the larger  
16 problem and in terms of some of the innovative  
17 programs that come to mind they all happen to be  
18 voluntary programs.

19          Hopefully by the end of my presentation  
20 you will see that they address the problem in a  
21 meaningful way and I would hope you also would  
22 take these ideas to your associates in the  
23 private sector and that you yourselves will  
24 consider some of the programs that are in there, a  
25 brochure showing leadership initiatives.

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1           As I was mentioning, the EPA believes that  
2   our innovative voluntary programs can be very  
3   effective in terms of reducing air pollution of  
4   motor vehicles. These programs seem to be very  
5   cost effective. It is important to note that they  
6   exist because of strong partnerships that are  
7   built between the public and private sectors both  
8   with small and large businesses, citizen groups,  
9   industry, manufacturers, trade associations and  
10   State and local government are all definitely  
11   important groups in the process.

12           This slide illustrates that in 1996  
13   highway vehicles contributed forty percent of New  
14   Jersey's total volatile organic compound emissions  
15   and forty-four percent of the total nitrogen oxide  
16   emissions from all source categories.

17           Also the second bullet points out that VMT  
18   per day in the State is estimated to increase by  
19   almost sixteen million between 1996 to 2005.

20           The last bullet illustrates that a  
21   Voorhees Transportation study recently estimated  
22   that the vast majority of freight in and out of  
23   the State is carried by trucks.

24           This is just a listing of a sample of some  
25   of the successful programs that we are working on

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1 in the EPA: The voluntary diesel retrofit program  
2 is a national program that seeks to encourage  
3 private fleets to use retrofit equipment, it all  
4 adds up to cleaner air.

5 And the public information and education  
6 campaign that seeks to educate the public about  
7 the links between traffic congestion and air  
8 quality and simple things that can be done to help  
9 alleviate the amount of the emissions from that  
10 particular source.

11 We have provided a Web based tool which  
12 informs prospective vehicle purchasers about the  
13 most environmentally beneficial vehicles that they  
14 can buy that fit the needs they are looking for.

15 The Web site gives the comparative  
16 ratings.

17 The next program I want to focus on is the  
18 commuter choice leadership initiative, which is a  
19 program that addresses in a voluntary innovative  
20 way the challenges in the State as to employees  
21 going to and from work.

22 And a second program is the Smart Way  
23 Transport program, which is very new. That aims to  
24 reduce emissions of greenhouse gas and emissions  
25 from the freight sector.

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1           The next program was created by DOT to  
2     create a National Standard of Excellence for  
3     commuter benefits for employers that have an  
4     outstanding package of commuter benefits for  
5     employees. Commuter Choice Leadership Initiative  
6     is the name of this, it represents thirteen  
7     hundred employers with six hundred thousand  
8     employees.

9           The criteria for the Commuter Choice  
10    Employer designation, the employer has to  
11    designate point of contact and centralize  
12    information, communicate commuter benefits to  
13    employees and offer commuter benefits package  
14    which includes guaranteed ride home, which is  
15    important for people with a car pool, one of four  
16    primary options, three or more supporting options,  
17    meet performance benchmark and report success.

18          The primary commuting options, one of the  
19    these four options are asked to be chosen if they  
20    want to be part of this program, and it is the  
21    primary benefits that employees will see the most  
22    benefit of this kind of program are transit van  
23    pool subsidy. At a minimum this program requires  
24    that employers offer their employees a minimum of  
25    thirty-two dollars per month for either the value

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1 of market space, parking cash-out, and that is the  
2 primary option chosen on the average.

3 There are supporting commuting options  
4 left to employers. This is a long list which is  
5 only a portion of a longer list.

6 The program has a large amount of choices  
7 and flexibility for employers to tailor a program  
8 that works best for them; that's why there is a  
9 large list of what options are available.

10 Benchmark reporting success, fourteen  
11 percent non-SOV is minimum and the employer has  
12 eighteen months to achieve that goal, and it has  
13 been shown to be feasible by employers who are  
14 part of the program.

15 These are some of the benefits that  
16 employers are realizing from the program: Public  
17 recognition, Federal seal of approval is an  
18 advantage in terms of getting and retaining  
19 employees if they can be offered an outstanding  
20 package of benefits for commuters, which is looked  
21 on favorably.

22 Recruitment advantage for employers, there  
23 is a tool that we have available on our Web site  
24 and there is also a hot line.

25 Value of implementing commuter choice

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1 leadership initiative: We believe that it  
2 enhances existing transportation demand management  
3 activities in an area, it is ready to go so it can  
4 be implemented very quickly.

5 And it provides the potential for credible  
6 emissions reductions.

7 This last slide has some contact  
8 information as to my office and we can be  
9 contacted for information about the program.

10 The Smart Way Transport Program, this  
11 program was launched by Governor Whitman to reduce  
12 fuel consumption and emissions affecting human  
13 health.

14 We have calculated some of the benefits we  
15 think are achievable by this program to establish  
16 a partnership with ground freight shippers and  
17 carriers. They include attempts to reduce up to  
18 two hundred thousand tons of nitrogen oxide, up to  
19 eighteen million metric tons of carbon equivalent  
20 emissions annually or twenty percent of total  
21 freight carbon.

22 The star is emphasizing the ability to  
23 reduce oil imports by one hundred fifty million  
24 barrels annually and this provides incentives to  
25 jump-start market penetration of highly fuel

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1 efficient, clean advanced technologies and  
2 operational practices used by the freight  
3 companies.

4 I won't go through each one on the list  
5 here. These are the technologies and practices  
6 that we encourage:

7 One, idle reduction. This is very  
8 effective technology in terms of truck stops. That  
9 is to eliminate long idle times by the freight  
10 sector.

11 We estimate that trucks on average burn  
12 eighteen hundred gallons of fuel a year just in  
13 idle. Totaling all this, that is approximately one  
14 billion gallons of fuel used. That is very  
15 important as an energy saving goal.

16 The Charter Partner Roster is a "Who's  
17 Who" in the freight industry.

18 Smart Way Corporate benefits for that is  
19 fuel savings, long term cost savings in terms of  
20 reduced wear and tear on engines.

21 Green image that appeals to  
22 environmentally conscious customers.

23 Reducing fuel consumption and improving  
24 efficiency which reduces American dependency of  
25 foreign oil.

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1           Some details of the costs and benefits.  
2           Focusing on items such as technology, we estimate  
3           that if it costs on average zero to \$7,5000, that  
4           equipment can lead to ten to twenty-five thousand  
5           dollars per truck savings.

6           Here is our permanent contact, Melanie  
7           Zeman in my office is capable to answer questions  
8           as to this.

9           These are programs that can be useful in  
10          an affirmative way and a non-regulatory way.

11          MR. ZONIS: The question I have pertains to  
12          fuel particulate retrofits and to what extent that  
13          is available and also as to an earlier voluntary  
14          retrofit program with respect to a particulate  
15          reduction program and whether you have any  
16          information on the extent to which that voluntary  
17          retrofit program has been adopted in New Jersey or  
18          any other part of the country?

19          MR. MOLTZEN: I know New Jersey is  
20          currently working on some programs using money  
21          that is available. It was the DOT that first had  
22          the idea to retrofit State vehicles way before the  
23          EPA considered it. I don't know if there are  
24          currently any programs in New Jersey but there is  
25          a potential in New Jersey to implement these more



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1 widely.

2 With respect to the first part of your  
3 question about fuel particulate retrofits, that is  
4 based on technology available as to new trucks and  
5 buses, it is effective in reducing particulates  
6 depending on the technology, and there are a lot  
7 of air quality benefits to this program.

8 MR. LIBRIZZI: One of the things you  
9 mentioned was idle reduction.

10 MR. MOLTZEN: Yes.

11 MR. LIBRIZZI: My brother-in-law was a  
12 truck driver and as I recall he said when they  
13 idle it is easier for them rather than shutting it  
14 off and starting it up again. What are some of the  
15 incentives or ways that can be changed?

16 MR. MOLTZEN: That's something that we are  
17 finding more and more is a practice of the past  
18 carried into the future, that notion that the  
19 engine is going to be difficult to start up again.

20 Even technology that has been around for  
21 ten years or a little bit longer is very durable  
22 and very reliable in terms of being able to turn  
23 it off and starting it back on again, so when you  
24 look at it that way it is not the case anymore.

25 MR. LIBRIZZI: What would be some of the

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1 ways they would be looking at for them not to do  
2 that?

3 MR. MOLTZEN: It would be obviously  
4 influencing the behavior of drivers as to the  
5 health of citizens and their own health regarding  
6 idling diesel emissions.

7 Technology has been implemented in New  
8 York City at three locations utilizing a system in  
9 the summertime months where a trucker might be  
10 idling his vehicle to run the air conditioning or  
11 in the winter when it is cold to keep the cab  
12 warm, there is air that is supplied through the  
13 window of the cab that pumps in warm or cool air  
14 and electrical outlet cables come in so guys can  
15 watch TV or check E-mail to make it as easy as  
16 possible.

17 MR. MANGANELLI: You mentioned about car  
18 pooling and the previous speaker, I think, showed  
19 a decrease in car pooling, in fact the EPA's car  
20 pooling edict failed initially. I want you to  
21 comment on that. Are you going to encourage this?

22 Number 2, a previous speaker talked about  
23 increase in freight traffic from Southeast Asia  
24 which means more trucks to deliver it.

25 And third does EPA have telecommunicating

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1 facilities?

2 MR. MOLTZEN: It is something we employ at  
3 our regional office.

4 MR. MANGANELLI: Getting back to car  
5 pooling, mandated car pooling was a monumental  
6 failure. It was something that the public doesn't  
7 want, the government telling them how they can  
8 drive their cars and who they should drive with.

9 MR. MOLTZEN: But it could be more  
10 acceptable if we used an incentive based voluntary  
11 program like the one I described and that is  
12 described in one of the brochures I handed out.  
13 That is a primary way of encouraging car pooling.  
14 It is simply one way to say to an employee, if you  
15 drive to work every day and have the ability to  
16 car pool your employer will give you an additional  
17 thirty-two dollars a month if you don't use your  
18 space; that's an incentive.

19 A government mandate saying starting next  
20 month the two of you will car pool, that doesn't  
21 work.

22 The second point that somebody mentioned  
23 was that there was likely to be an increase in  
24 freight--

25 MR. MANGANELLI: Coming in from Asia.

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1           MR. MOLTZEN: That's a really good point.  
2       Last week I read in the New York Times that the  
3       Port of New York- New Jersey was experiencing an  
4       increase in their business and the Port Authority  
5       hopes the trend will continue because it will  
6       bring more business into the area, and they were  
7       saying trucks are sometimes standing in queues  
8       waiting for five or six hours to pick up their  
9       cargo.

10           That is a perfect example of where that  
11       idle reduction strategy might be effective at the  
12       Port, and if cargo arriving is increasing that  
13       should be addressed.

14           MR. CURRIER: You have been speaking about  
15       voluntary programs and green benefits. Don't you  
16       think it would be much more successful if the  
17       Federal government offered or volunteered some  
18       green benefits of its own?

19           MR. MOLTZEN: Green benefits like what?

20           MR. CURRIER: Financial.

21           MR. MOLTZEN: That's a good point. These  
22       programs that I focused on, the commuter choice  
23       program is designed around helping employers  
24       realize benefits. Employers can achieve tax  
25       benefits and save money from paying Federal taxes.

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1           We have tools that can help an employer  
2     figure out over the next year, " Even though I am  
3     paying out moneys to my employees to subsidize  
4     their traveling to work I am going to save X  
5     number of dollars. "

6           With respect to the Smart Way program I  
7     think it is too early to say whether or not it  
8     would include financial incentives. If it is as  
9     successful as we hope that might influence the  
10    folks who put our budget down as to what we spend,  
11    how much money we spend on what programs to say to  
12    EPA spend the money on this program.

13           The example of that is the very successful  
14    diesel retrofit program. One of the concepts that  
15    has been successful about the program is that it  
16    encourages cost sharing with the private sector.  
17    We are getting ready to announce we have another  
18    half a million dollars to spend in grants for  
19    projects to purchase equipment to put on diesel  
20    vehicles and the same things will probably garner  
21    more attention and more favor in terms of  
22    applications.

23           MR. LIBRIZZI: As to the voluntary program,  
24    who is promoting it other than EPA, working with  
25    the--

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1 MR. MOLTZEN: DOT.

2 MR. LIBRIZZI: What about the State level?

3 MR. MOLTZEN: Up to now the strategy has  
4 involved reaching out to Municipalities and the  
5 Cities and not so much on the State level. They  
6 are hoping to bring about that change in this  
7 area.

8 MR. LIBRIZZI: The reason why I asked you  
9 that question is this whole hearing is on  
10 transportation and planning and this afternoon we  
11 are going to hear about other aspects of it, you  
12 have a voluntarily program that apparently is  
13 gaining some momentum and there appears to be some  
14 advantage to it, and it would seem to me that more  
15 promotion at the local or State level would  
16 enhance the program, and if that is true at the  
17 State level provision should be made for some  
18 grant funds.

19 MR. BERKOWITZ: Excuse my obnoxious  
20 statement, I am entitled to one, this sounds like  
21 the mandatory program that didn't work and the  
22 question is where is the applicability in New  
23 Jersey given our cultural trends in car use, are  
24 people going to buy into it in New Jersey?

25 MR. MOLTZEN: I think we are only just

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1 starting to look at the potentials of the program  
2 in New Jersey.

3 I believe currently there are only four  
4 companies in New Jersey in this program, which  
5 represents approximately twenty-seven hundred  
6 employees so it is not insignificant, but there is  
7 a huge potential.

8 If you ask me why I think this might work  
9 in the face of previous failures, I would answer  
10 because of the inventive.

11 MR. BERKOWITZ: Thank you very much. We  
12 appreciate your being here.

13 I would like to invite everyone to join us  
14 for pizza on the seventh floor.

15 (Luncheon recess.)

16 (Afternoon session:)

17 MR. BERKOWITZ: I will reconvene the  
18 hearing. Our next speaker is Michael Cerra from  
19 the New Jersey State League of Municipalities.

20 MR. CERRA: Good afternoon. My name is Mike  
21 Cerra. I am currently a Senior Legislative Analyst  
22 for the New Jersey League of Municipalities.

23 The League is a voluntary, non-profit  
24 association of local governments in New Jersey.  
25 All of New Jersey's 566 municipalities are members

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1 of the League, and this is very important to us  
2 because they are not required to be. But they  
3 choose to be members because the League serves as  
4 the eyes and ears of local officials; mayors,  
5 council and committee members, administrators,  
6 managers, municipal clerks, attorneys, engineers,  
7 code officials, planning board members, and  
8 everyone else who participates in local  
9 government.

10 The League's annual conference in Atlantic  
11 City, the largest annual municipal conference in  
12 the United States, filled with hundreds of  
13 educational sessions and hundreds of exhibitors,  
14 is an extremely important resource for local  
15 officials who want to do their jobs well.

16 The League also does independent research  
17 on issues of importance to local government, holds  
18 hundreds of seminars throughout the year, lobbies  
19 the State Legislature on issues ranging from land  
20 use to tax reform, and generally strives to  
21 protect home rule, to improve the efficiency and  
22 effectiveness of local government and to look out  
23 for the interests of all taxpayers.

24 The term " smart growth" has become part  
25 of the everyday mantra here in Trenton. And one



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1 does not need to be a certified planner to know  
2 that an essential element of smart growth is smart  
3 transportation, which is better use of public  
4 transportation and existing infrastructure.

5 In accepting the gracious invitation to  
6 speak here today, I was presented with a long list  
7 of questions that the Council was interested in  
8 learning more about. I will not pretend to be  
9 qualified to answer the majority of these  
10 questions. So, I limit my comments, in general, to  
11 the two that the League has the greatest interest.

12 One, "What strategies can be implemented  
13 to address sustainable redevelopment through smart  
14 growth to avoid sprawl, utilize existing  
15 infrastructure, and apply compact mixed-use  
16 concepts?"

17 And, two, "What strategies can be  
18 implemented to obtain full support for smart  
19 growth initiatives, in light of potential  
20 challenges at the local jurisdictional level?"

21 Regarding strategies that can be  
22 implemented to encourage what is now termed "smart  
23 growth" I would be remiss in not noting some  
24 rather large obstacles in our path.

25 First, we have a large constituency that

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1 likes sprawl. They chose to live auto-dependent  
2 lives in large-lot single family homes. They do  
3 not want mixed use. Many are two-earner families  
4 who have chosen to locate midway between the two  
5 jobs. Many of them expect to change jobs  
6 frequently, so a walk to work is not a big part of  
7 their location decision.

8           People often choose to live near excellent  
9 schools. And the development community and the  
10 lending community see this and make their  
11 investment decisions accordingly.

12           Second, we must either make use of the  
13 existing road network to support the increased  
14 density called for in the plan or build new roads.  
15 However, given the existing development, building  
16 new roads, or widening old ones, often means  
17 destroying existing neighborhoods.

18           The State Plan gives little guidance on  
19 retrofitting classic sprawl into mixed use when  
20 the homes and businesses and developers are happy  
21 with what is already there.

22           Third, we are of the opinion that the  
23 objectives of the smart growth, in general, and  
24 the State Plan, in particular, will not be met  
25 until there is significant Mount Laurel reform.

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1 Right now, the State Plan seeks to guide  
2 development and redevelopment into our cities, our  
3 developed suburbs and areas more suited to public  
4 transportation.

5 Meanwhile, the Mount Laurel doctrine,  
6 which requires every municipality to provide its  
7 fair share of housing to the low and moderate  
8 income, effectively imposes additional housing on  
9 less developed areas, regardless of whether the  
10 municipality has the existing infrastructure to  
11 accept such housing.

12 In general, for every affordable unit, the  
13 Court imposed builders' remedy forces  
14 municipalities to accept four more units. The  
15 result is what we term the multiplier effect, the  
16 additional units place additional burdens on  
17 infrastructure, such as sewer, water and roads, as  
18 well as an additional burden on schools. Taxes  
19 rise. Municipalities look for ratables to offset  
20 these costs. New roads, water systems and schools  
21 are built. The circle begins anew and continues to  
22 multiply.

23 Only now do most interested parties seem  
24 to recognize what we have argued for years: The  
25 goals of the smart growth are in direct

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1 contradiction with the actual results of the Mount  
2 Laurel doctrine. You will not achieve smart growth  
3 without addressing that issue.

4 That said, I do not want to paint doom and  
5 gloom. We believe some very positive steps have  
6 been undertaken recently, and we are optimistic  
7 that shortly we will see some home-rule friendly  
8 initiatives that municipalities will be able to  
9 utilize to implement smart growth.

10 The League has been working the Department  
11 of Environmental Protection on the development of  
12 the "Blueprint for Intelligent Growth," better  
13 known as the BIG map. That is not to say,  
14 necessarily, that the League endorses the map.  
15 That said, we do not necessarily reject the map.

16 But we see it as our responsibility to act  
17 as the intermediary between DEP and our member  
18 municipalities to assure that every municipality  
19 in this State has input and say into the map.  
20 Needless to say, New Jersey's Mayors, Governing  
21 Body members and planning officials have not been  
22 shy about letting the Administration know how the  
23 map affects their communities. Numerous local  
24 officials have raised home-rule concerns over the  
25 map. Recognizing that, the League has been

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1 actively promoting an expedited process based on  
2 the cross-acceptance, in which municipalities can  
3 continue involvement in the BIG map.

4           Additionally, the Governor has outlined a  
5 legislative package that will include, among other  
6 things, legislation authorizing municipalities to  
7 assess impact fees, timed-growth ordinances,  
8 transfer of development rights and more regional  
9 input in the development application process,  
10 particularly in so-called "border conflicts"  
11 between municipalities.

12           While I am in no position to commit League  
13 support to legislation that has not been  
14 introduced yet, I can say that we are encouraged  
15 to see the Administration support these concepts,  
16 many of which have long been League legislative  
17 priorities. I am sure there will be portions of  
18 the legislative package that the League will have  
19 concerns over, and we will be part of that debate.  
20 But, just having that substantive debate is a sign  
21 of progress.

22           We are heartened by the tone of the smart  
23 growth proposals. In the days and weeks leading up  
24 to the Governor's State of the State, many  
25 columnists and editorial board opined that home

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1 rule was to blame for the sprawl, that 556 plans  
2 clashed and resulted in 566 different plans, that  
3 home rule was a relic of a different time and  
4 different place. Needless to say, we reject those  
5 arguments.

6 The fundamental flaw in past public policy  
7 related to the State Plan was not that it relied  
8 on voluntary participation, in spirit with home  
9 rule. The flaw is that past policy was not home  
10 rule friendly. Municipalities cannot enact  
11 timed-growth ordinances. Municipalities are  
12 limited in amount of fees that can be assessed on  
13 developers. Only those municipalities in the  
14 Burlington County pilot have been able to enact  
15 transfer of development rights, or TDR,  
16 ordinances.

17 The Governor noted in the State of the  
18 State, a local land use board cannot consider the  
19 impact of additional traffic when it reviews new  
20 development.

21 Municipalities have never had the  
22 necessary tools to implement smart growth. The  
23 truth is that home rule is not the problem, it is  
24 the solution.

25 As far as the second question I address

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1 here today: "What strategies can be implemented to  
2 obtain full support for smart growth initiatives,  
3 in light of potential challenges at the local  
4 jurisdictional level?"

5 First, in response to this question, I  
6 would like to clarify a point. The League of  
7 Municipalities has a reputation in some quarters  
8 of being opposed to the State Plan. Municipalities  
9 are seen in these quarters as obstructionists.  
10 Frankly, the question and contention is grounded  
11 in a misimpression.

12 The League is, in fact, a supporter of the  
13 State Plan and the cross-acceptance process. We  
14 have grown weary of the implementation of the plan  
15 in recent years, particularly when different state  
16 agencies send out mixed messages, and when state  
17 government chooses not to side with New Jersey's  
18 municipalities when they have attempted to curb  
19 sprawl.

20 As noted before, this Administration has  
21 signaled that this no longer may be the case. But,  
22 to be fair, our actions and reactions regarding  
23 the State Plan and smart growth principles are, no  
24 doubt, influenced by the past.

25 In other words, the League supports the

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1 goals and objectives of the State Plan and smart  
2 growth; they are laudable and worthwhile. The  
3 League supports the inclusionary dialogue that is  
4 the cross-acceptance process.

5 On the other hand, the League does not  
6 support attempts to mandate the Plan, to erode  
7 home rule and to take away self-determination from  
8 those who live in our communities.

9 The best strategy to assure local  
10 compliance with smart growth principles is to  
11 throw out outdated, bureaucratic, top-heavy  
12 mandates from Trenton. The solution is to empower  
13 local officials. Every day in this State, our  
14 mayors and other elected officials, our land use  
15 boards members and other appointed officials are  
16 the on-field referees between two stark, different  
17 constituencies. On one side are developers. On the  
18 other side are environmentalists. If you want  
19 support for smart growth principles, empower local  
20 officials with the tools to implement smart  
21 growth. These tools will better assure a level  
22 playing field.

23 Because New Jersey is as densely populated  
24 as it is, efforts to reduce traffic congestion are  
25 to be applauded. The recent light rail lines in



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1 northern New Jersey and here in Central Jersey are  
2 illustrations of the State Plan working well. They  
3 have succeeded in getting at least some people to  
4 switch transportation modes. While it may be too  
5 soon to tell if they have succeeded in lowering  
6 air pollution, the new interest in light rail is  
7 an example of the State Plan at its most  
8 effective. Cooperation among the State, local  
9 governments and regional associations produced  
10 projects that furthered the goals and objectives  
11 of the plan.

12           Such projects are not a result of a  
13 top-down mandate from the State Capitol, but,  
14 instead, the product of the work and sweat of  
15 public officials and private citizens across  
16 multi-jurisdictions.

17           The State Plan and smart growth can help  
18 guide development and redevelopment into centers,  
19 to encourage commuters to rely more and more on  
20 public transportation and promote environmental  
21 protection policies that will lead to cleaner air.  
22 But it will take more than sound planning to reach  
23 the clean air goals for New Jersey articulated in  
24 the State Plan. It will take money. It will take  
25 funding of infrastructure improvements. It will

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1 take cooperation of private and public sectors,  
2 and it will take an unprecedented level of  
3 commitment at all levels of government, local,  
4 State and Federal. And it will require the  
5 involvement of public policy makers at all levels  
6 of government.

7 Thank you.

8 MR. BERKOWITZ: Any questions of Mr. Cerra?

9 MR. PAPENBERG: Earlier today a couple of  
10 times apparently some speakers believe that the  
11 foundation of the problem in New Jersey is the  
12 property tax.

13 How does the League view that concept as  
14 that being the fundamental problem?

15 MR. CERRA: We agree, it definitely is a  
16 fundamental problem.

17 I addressed that somewhat in my point  
18 regarding Mt. Laurel. That's one slice of the  
19 whole pie. That was a point that someone made  
20 after the summit in October over in Ewing, someone  
21 made a good point saying at no point today did  
22 anyone talk about tax reform. That was something  
23 that day that didn't occur to me either until  
24 afterwards.

25 We support the Constitutional tax, the

Cerra

1 Constitutional Convention. We are open to any  
2 strategy that that can reduce property taxes or  
3 some or any strategies that minimize the ratables,  
4 because often these towns are put into the  
5 quandary of raise taxes or go for more ratables,  
6 and politics being what it is, we know what the  
7 choices are.

8 MR. LIBRIZZI: It has been mentioned a  
9 couple of times about Smart Growth in principle, I  
10 am still not sure what it means, but the question  
11 I was going to ask is, from your viewpoint do you  
12 think Smart Growth principles have been developed  
13 from a potential standpoint so as to be acceptable  
14 to all of the stakeholders involved in the overall  
15 process?

16 MR. CERRA: I think most stakeholders will  
17 say that they are. I am not familiar with whether  
18 all are.

19 You mentioned what is Smart Growth.

20 I think--

21 MR. LIBRIZZI: I am talking about the  
22 principles.

23 MR. CERRA: I think if you ask thirty  
24 people what are the Smart Growth principles you  
25 will get thirty different answers.

Cerra

1           MR. LIBRIZZI: I guess the answer to my  
2       question is within the State of New Jersey there  
3       has not been a consensus of defining what the  
4       Smart Growth principles are?

5           MR. CERRA: Yes and. No in the sense that  
6       Municipalities have an impression of with Smart  
7       Growth principles are, and that's not the same  
8       impression that the developmental community has.  
9       There is overlap.

10          MR. ZONIS: You conclude by saying the  
11       State Plan and Smart Growth can help guide  
12       development and redevelopment into centers, to  
13       encourage commuters to rely more and more on  
14       public transportation and promote environmental  
15       protection policies that will lead to cleaner air  
16       but it will take more than sound planning to reach  
17       the clean air goals for New Jersey articulated in  
18       the State Plan, it will take money, it will take  
19       funding of infrastructure improvements, it will  
20       take cooperation of private and public sectors and  
21       that it will take an unprecedented level of  
22       commitment at all levels of government, local,  
23       State and Federal, and it will require the  
24       involvement of public policy makers at all levels  
25       of government.

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1           My thought is that this money that I think  
2   we all agree is required is going to come from the  
3   State. Is the State going to give up its outdated  
4   bureaucratic top-heavy mandates when it is paying  
5   out money to these empowered local officials, or  
6   is it not the case that the local officials are  
7   going to have to continue to work under the State  
8   Plan, which is probably a misnomer, but in  
9   accordance with the State Plan and live with all  
10   of those bureaucratic top-heavy mandates from  
11   Trenton to make this work?

12           MR. CERRA: I think it is to work with the  
13   State, it should be a cooperative relationship.

14           There has been a tension as long as I have  
15   been involved with the issue, always a tension  
16   between whether you make the State Plan mandatory,  
17   the local master plan consistent with the State  
18   Plan, and you know where we stand on but it is a  
19   policy issue that is open for debate. We are  
20   saying that the relationship should continue to be  
21   a cooperative one, instead of the State trying to  
22   manage every parcel of land in the State of New  
23   Jersey to trust the people who live in those  
24   communities to do the right thing.

25           Control of the moneys, we want that, we

Cerra

1 don't want to see a blank check but we want a  
2 cooperative relationship. We don't oppose the  
3 State's input but it has to be on an equal  
4 footing, otherwise local officials won't buy into  
5 it.

6 MR. ZONIS: It seems to me that cooperation  
7 has a limit if the State says we have "X" million  
8 dollars to invest in some infrastructure if you go  
9 along with the State Plan and the local officials  
10 say, " We ain't going to do it," and the State  
11 says, " You don't get those funds or dollars"; how  
12 does that get resolved?

13 MR. CERRA: We have always taken the carrot  
14 rather than the stick approach, so if accepting  
15 moneys, funds, requires you to do X,Y,Z, if the  
16 local leaders accept that, that's fine, and even  
17 if they don't it is fine as long as it is their  
18 decision.

19 One point I have to comment on is as to  
20 Commisioner Campbell and the DEP in particular  
21 because they have made a concerted effort to reach  
22 out to us and I am sure to other stakeholders,  
23 really there has been an unprecedented level of  
24 interaction and at least we are talking.

25 MR. SCHEGEL: Home Rule has been emphasized

Cerra

1 here today. Where do you see regional planning  
2 like in towns where I am from? It looks like there  
3 is a need for regional issues to be discussed and  
4 planned but how does Home Rule fit in with some  
5 type of regional planning?

6 MR. CERRA: Border war. My understanding is  
7 that there is legislation forthcoming that  
8 addresses that to some extent. Again, I can't  
9 comment but there is legislation that has already  
10 been introduced that we support and we have  
11 supported it. I don't think it is going to go  
12 anywhere but it deals with that issue.

13 I can't recall the exact figures and it  
14 might have been two thousand feet as opposed to  
15 five hundred feet, I believe it is Peter Inverso's  
16 bill, I know I testified several months ago and  
17 it didn't get out of Committee.

18 MR. SCHEGEL: Did that have any kind of  
19 regional plan or regional oversight?

20 MR. CERRA: Anything done on a regional  
21 basis would be opted into, it would be a  
22 cooperative relationship.

23 MR. BERKOWITZ: Just a comment on that. It  
24 is rare that you do see it work when you do have  
25 an overlay of regional interests in terms of

Cerra

1 planning, in having the Municipalities buy into  
2 it, but Somerset County for whatever reason makes  
3 it work pretty well.

4 MR. LIBRIZZI: It seems to me that when we  
5 start talking about regional planning we are  
6 talking about regional decision-making but there  
7 is a limitation of resources.

8 Over a time period one Municipality will  
9 get it today, another one will get it tomorrow but  
10 the whole region benefits anyway in the long term  
11 and the process has to be such that you get the  
12 Municipalities working together with the regional  
13 organization, the infrastructure has to be able to  
14 make that happen.

15 Do you think that is in place now, or what  
16 needs to be done to get that into place?

17 MR. CERRA: I am not sure what the question  
18 is.

19 MR. LIBRIZZI: The question is when we  
20 start talking about regional decisions that have  
21 to be made, is there an infrastructure in place on  
22 a regional basis to allow those decisions to be  
23 made in the context of Home Rule?

24 MR. CERRA: The only planning board on a  
25 regional basis is the County Planning Board, there



Cerra

1 is the exception of the Meadowlands, that's the  
2 only thing in existence right now is the County  
3 Planning Board.

4 MR. BERKOWITZ: Any other questions?

5 Obviously you are familiar with what is  
6 going on in Somerset?

7 MR. CERRA: Yes.

8 MR. BERKOWITZ: It seems to be a very  
9 efficient and effective regional planning effort  
10 and I think that the incentive is the County being  
11 able to give money to the Municipalities and it  
12 seems to be working in Somerset County.

13 I will turn it over to Michael Egenton to  
14 chair at this point:

15 MR. EGENTON: Greg Dana, Alliance of  
16 Automobile Manufacturers, Vice-President,  
17 Environmental Affairs.

18 MR. DANA: Thank you for letting me talk to  
19 you here today. I don't know if this is the Big  
20 Map; I don't think it is.

21 Next slide.

22 This is who we are, in case you don't  
23 know. The Alliance is a fairly new organization;  
24 these are our members. Some of the companies here  
25 have been subsumed in some of the other companies.

Dana

1           Next slide.

2           You will see this gentleman leaning over  
3 looking at the tailpipe, which makes the point  
4 that cars are clean today.

5           While I know that Michael made the point  
6 that in 1996 forty percent of the pollutants were  
7 coming from motor vehicles I am here to tell you  
8 we have solved that problem and we are part of the  
9 solution of the problem. That's, again, due to  
10 advancing technology.

11          What I want to do is try and make the  
12 point, I don't know how many of you are familiar  
13 with how we test cars on emission cycles, but  
14 basically once a catalyst system is in a car there  
15 is something coming out it is so small you can't  
16 measure them, with today's technology.

17          The vast majority of emissions from cars  
18 today are emitted during the first fifteen to  
19 sixty seconds of warm-up of the car. Every test  
20 that you hear about is to find out how to reduce  
21 that time down even more because that reduces  
22 emissions more and more.

23          If you start a car in the morning, this is  
24 in laboratory conditions, if you start your car up  
25 in the morning and drive fifty miles, once it

Dana

1     warms up you are not going to emit anything; and  
2     that's a pretty amazing thing.

3             How have we done that? Again, technology.  
4     With the development of the catalyst we can now  
5     move the catalyst very close to the energy with  
6     improved thermal stability that enables  
7     close-coupled catalysts.

8             This is just a picture of what we are  
9     doing, what we did with catalysts. We have a much  
10    denser cell. That's another change due to  
11    technology.

12            The last thing I should mention in terms  
13    of technology, we have also managed to monitor  
14    fuel delivery of the engine, we time it in  
15    microseconds to measure the filtering in the fuel.  
16    We can monitor the fuel so closely that you only  
17    use the exact amount of fuel that is needed.

18            Next slide.

19            EPA Tier 2 rulemaking: The first and most  
20    important thing is it requires all light trucks  
21    to meet the same emission standard as passenger  
22    cars. For many years EPA had a different standard  
23    for light trucks because they were controlled by  
24    the same level of technology as a truck, they  
25    usually sit higher and have a bigger engine.

Dana

1           It cuts NOx emisisions level from 0.2 gpm  
2   of NLEV standard to .05 gpm.

3           It also reduces the evaporative  
4   hydrocarbons of the car emissions. That's  
5   important because hydrocarbons are precursors or  
6   surrogates for toxic emissions.

7           I want to point out to you what the effect  
8   of this will be on VOC, on the motor vehicle  
9   fleet. By 2020 the entire fleet will be turned  
10  over though VOC.

11          When I said in the beginning that we are  
12  part of the solution and not part of the problem,  
13  cars are getting much more cleaner. We are now a  
14  much more minor source of pollution than before.  
15  This again is another representation of what  
16  happens with emission standards in cars today.  
17  Look at the last line on the right side. That's  
18  the Tier 2 level that we have to meet for  
19  hydrocarbons, fifty thousand miles, compared to  
20  uncontrolled levels on the left. We have come a  
21  long way.

22          Next slide.

23          We are meeting a standard which is very  
24  close to zero on NOx. So the good thing is cleaner  
25  vehicles are coming into New Jersey this fuel and

Dana

1 I think in the next few years this will have a  
2 huge impact on monitored emissions.

3 Emission on emissions.

4 This is a representation using EPA's  
5 mobile model. What it shows you here is that the  
6 California standard and the Federal standard are  
7 virtually identical. The point we are trying to  
8 make here is that the Federal government stepped  
9 up to the plate, in fact we asked them to do this,  
10 we said make the Federal standard, make it as good  
11 as California, and that's what EPA did in 1999.

12 The other important aspect is reductions  
13 due to sulfur control.

14 Understand that it takes about fifteen  
15 years for the motor vehicles to turn over for  
16 those standards to become long term in the  
17 industry.

18 Taking sulfur out of gasoline, if you did  
19 that every car on the road gets clean. Sulfur is  
20 nothing more than poison to a catalyst on a car.  
21 Every car-- and we have had catalysts on the cars  
22 since 1975-- out there that has a catalyst will be  
23 somewhat cleaner if you take the sulfur out. In  
24 the State of New Jersey there are large numbers of  
25 reductions and you are going to see next year an

Dana

1 immediate effect.

2 California cars: Right now the way the  
3 Federal and California standards are set, some of  
4 these are identical, the Federal and California,  
5 so that the manufacturers will be essentially  
6 making the same car for California and the Federal  
7 car.

8 There is a difference between the emission  
9 standards of California and the Federal but they  
10 are very minor differences, they make us comply  
11 with both, but the fundamental effect is they  
12 don't have a roll-back on the quality so we are  
13 coming to the point now where there is no point to  
14 consider having California cars in every State.

15 The only real difference in the California  
16 program is the ZEV mandate, looking at California  
17 they have a zero emission mandate and it is a rule  
18 that California set in 1990 to require the auto  
19 industry to make zero emission vehicles.

20 California has consistently backed away from that  
21 when they realized they really aren't feasible in  
22 the marketplace.

23 If you look at their most recent data it  
24 doesn't make much difference because we have  
25 gasoline quality so close to zero now.

Dana

1           Let me talk about, I want to enlighten you  
2   about this, electric vehicles.

3           In nineteen hundred gasoline cars were  
4   noisy, smelly, you had to hand crank them to get  
5   them started, compared to electric cars, very  
6   clean, easy to drive.

7           Again, in nineteen hundred there were very  
8   few paved roads so the short range for batteries  
9   didn't matter because one didn't drive very far  
10  back then.

11          I want to show you some pictures of  
12  vehicles under the ZEV Mandate, GM, Ford and  
13  Toyota electric vehicles running on battery power.

14          These two vehicles, city electric  
15  vehicles, on the left is a Nissan and the one on  
16  the ride is a Ford. These are much smaller  
17  vehicles. They have limitations on their speed  
18  and their range.

19          And the third category, neighborhood  
20  electric vehicles, which can have a variety of  
21  configurations, but these are very, very small,  
22  these are designed more for uses in neighborhoods,  
23  driving around in neighborhoods.

24          While full function battery vehicles don't  
25  make much sense because of their cost, these

Dana

1 vehicles might make some sense. They still use  
2 lead acid batteries.

3 If you look at the ZEV Mandate and  
4 Electric Vehicles From the January 2001 Staff  
5 Report, the point is that electric vehicles cost  
6 more than twenty thousand dollars over  
7 conventional vehicles.

8 The range is seventy-five - one hundred  
9 miles, less in cold weather.

10 And it takes four to six hours to recharge  
11 them. We don't know how to market such a car  
12 because today's gasoline models get three hundred  
13 miles on a tank of gas and don't cost twenty  
14 thousand dollars extra, so it is an extremely  
15 expensive requirement as well.

16 Because the gasoline cars we are making  
17 today are so close to zero emissions you get that  
18 benefit.

19 I was out in California last week. They  
20 are still beating the ZEV Mandate in California.  
21 It was at an interesting meeting but what  
22 California has done at this point is they  
23 basically said, we are giving up on the  
24 requirement for battery electric vehicles. What  
25 they want to keep are the 250 fuel cell vehicles



Dana

1 in the time frame between 2005 and 2009 for the  
2 whole industry. That's a significant requirement  
3 in spite of the small number because those cars  
4 cost a million dollars each right now and they  
5 want to have an independent panel to review and  
6 report back to CARB for later years.

7 They had a long debate and couldn't reach  
8 a decision last week and put it off until later  
9 this month.

10 The neighborhood vehicles and the city  
11 vehicles may have some niche applications; they  
12 can be used as an alternative transportation for  
13 trips around the neighborhood or to the corner  
14 store.

15 Again, just making the point I made  
16 earlier, air quality benefits of full function  
17 BEVs are small, costs are very high, battery packs  
18 are made of high cost chemicals.

19 The cost-benefit ratio is extraordinarily  
20 high compared to other programs and the range is  
21 low, the weight is high and in the State of New  
22 Jersey you have a colder climate than California.

23 Here are some fuel cell vehicles. We think  
24 these are the potential for the future of the auto  
25 industry.

Dana

1           They are still pretty expensive but we see  
2   the light at the end of the tunnel to get the cost  
3   down to where it might be feasible. It will take  
4   time.

5           A pretty significant problem is one of the  
6   output of the fuel cell, water. We don't want to  
7   have water sitting in the fuel cells in the  
8   winter. One of the things we have to learn how to  
9   do is get that water out of there before it  
10   freezes up.

11          There are a lot of projections about fuel  
12   cells will be on the market by post 2010. It will  
13   be very tough. They offer the promise of zero  
14   emissions. Fuel cells need hydrogen, and the  
15   problem is to get the hydrogen on the marketplace  
16   at a reasonable price. The costs are very high  
17   and there is a need for infrastructure to  
18   distribute fuel.

19          Hybrid electric vehicles. Those vehicles  
20   today are gas and electric combinations. There has  
21   been some work on diesel electric but meeting Tier  
22   2 emission standards may be a challenge.

23          Again, hybrids are a more expensive  
24   proposition, you are putting two power trains in  
25   the vehicle so it can be a little more expensive

Dana

1     than a traditional car and that's why we have been  
2     very supportive of getting some of the Federal  
3     taxes to help.

4             We are putting very clean gasoline in cars  
5     today and we think that battery electric vehicles  
6     may have a niche in the market.

7             Hybrid cars are being sold, more are being  
8     planned, more companies are jumping on the  
9     bandwagon, most of the major companies have made  
10    announcements, and again, the fuel cell is the  
11    long term strategy which will probably be  
12    post-2010.

13            Again the big problem with fuel cell  
14    vehicles is how to get the hydrogen out of there  
15    and producing hydrogen is very expensive.

16            Again, to make the vehicles possible we  
17    would like to see some Federal taxes to spur the  
18    market, to get the market moving on fuel cells and  
19    hydrogen.

20            Like I said, we are trying to be part of  
21    the solution and not part of the problem. We are  
22    building cars very typical of what you are driving  
23    today. One of the things that Honda was saying at  
24    the hearing in California last week was that they  
25    see the day when we get catalysts working at one

Dana

1   hundred percent efficiency, and that's a really  
2   amazing position, it may be that we will be  
3   building cars with virtually zero emissions just  
4   running on gasoline.

5           Researchers are working very hard on fuel  
6   cells and other advances in technology where we  
7   can get a cleaner future and we can put out cars  
8   with a zero emission.

9           I guess I am done.

10          MR. LIBRIZZI: What does the matrix looks  
11   like as far as start-up emissions and restart  
12   emissions; for example, are we getting better  
13   quality air if we idle for fifteen minutes, or  
14   shut it down for a half hour and then restart it?

15          MR. DANA: Those numbers I gave you are  
16   based upon our testing temperatures from 65 to 86  
17   degree days. I don't know what the number of 30  
18   degree days is in Trenton but once that catalyst  
19   warms up it is not going to cool off for quite a  
20   period of time.

21          If you are stopping on your way to work to  
22   get a cup of coffee you are not going to want to  
23   leave your engine running because the catalyst  
24   will not cool off for a period of time.

25          MR. LIBRIZZI: What about for diesels?

Dana

1           MR. DANA: Diesels, I didn't talk much  
2     about diesels, but fortunately a diesel in this  
3     country like the urban buses that used to give out  
4     smoke, that's not the case anymore.

5           Europe is selling very clean diesels which  
6     have no smoke, no smell. Seventy percent of the  
7     luxury cars in Europe are being sold with diesel  
8     engines, they are quiet and they have high  
9     performance, and we hope to bring those  
10    technologies here.

11          MR. ZONIS: I want to make sure I have the  
12    timing correctly. You referred several times to  
13    producing a motor vehicle with no emissions. Is  
14    that when Tier 2 applies to both cars and light  
15    duty trucks?

16          MR. DANA: All those will be fully phased  
17    in by about 2009, the heaviest of the light trucks  
18    phase in in 2008, 2009.

19          All of the cars and light trucks phase in  
20    from 2004 to 2007. We figured you can't do it all  
21    at once.

22          MR. ZONIS: As you are well aware there has  
23    been impetus in the DEP and the Legislature to  
24    consider New Jersey for the California car and my  
25    understanding is that a State which elects to do

Dana

1     that kind of thing would allow two years for the  
2     industry to apply that requirement to that State,  
3     so that if New Jersey were to adopt the California  
4     program that would mean that by 2006 there would  
5     be a requirement for the cars sold in New Jersey  
6     to meet the California standards, whatever they  
7     might be at that given time?

8             MR. DANA: The two years is a requirement  
9     of the Clean Air Act.

10            MR. ZONIS: We understand some of the  
11     problems which this Council has discussed and in  
12     our last hearing report we recommended against  
13     California but it would be sometime between 2005  
14     and 2006?

15            A     Yes, assuming that this State would adopt  
16     the California standards-- I take that back, no,  
17     because you would have by 2004 the Federal  
18     standard so the only thing you get by adopting the  
19     California standard is more money spent to adopt  
20     the program but there is no difference.

21            The average car, .05 NOx, and the  
22     hydrocarbon level is about .06, those are the type  
23     of levels of the cars certified under Tier 2 on  
24     average. Remember, that's a certification level  
25     and that any engineer who has to build a vehicle

Dana

1 has to build below that level.

2 MR. MANGANELLI: It does produce carbon  
3 monoxide, if you are increasing the efficiency of  
4 combustion you have an increased amount of carbon  
5 monoxide, right?

6 MR. DANA: No, there is no direct  
7 relationship to the efficiency design of the  
8 engine.

9 When EPA measures it they measure it  
10 coming out of the tailpipe.

11 MR. MANGANELLI: If we are going to have  
12 thirty-four billion vehicle miles of travel, so  
13 many more cars are going to be registered even  
14 with this theoretically low emission, it increase  
15 to thirty-four billion more vehicle miles,  
16 wouldn't that cause an increase in the emissions?

17 You are bringing it down and even if it  
18 stays at that low level of emissions just by the  
19 sheer increase of the number of the vehicle miles  
20 won't it tend to go up?

21 MR. DANA: We are producing cleaner and  
22 cleaner cars.

23 MR. MANGANELLI: Yes, but I am thinking if  
24 this has reached its peak of efficiency but it is  
25 never zero wouldn't that be increased by the sheer

Dana

1     number of cars, and we are going to have another  
2     million people in sixteen years?

3             MR. DANA: In sixteen years there will be  
4     zero emissions.

5             MR. MANGANELLI: What about the  
6     concentration of carbon monoxide that will come  
7     out? I am still concerned about greenhouse gas.

8             MR. DANA: Carbon monoxide is directly  
9     related to the waste inside of the engine.

10            MR. MANGANELLI: The Clean Air Act requires  
11    control of pollutants.

12            MR. DANA: I know that, but we will still  
13    have so many carbon molecules and so therefore you  
14    could calculate theoretically how much is going to  
15    come out. I just wonder if that's something else  
16    we have to worry about.

17            MR. DANA: There is a government program,  
18    the CAFE program, and there is an Act, The Engine  
19    Policy and Conservation Act, and there are  
20    requirements we have to meet under that.

21            MR. EGENTON: A quick question from the  
22    Vice-Chair. The Senate Environmental Committee  
23    held a hearing two weeks ago and the DEP came out  
24    with some data. I was wondering if the Alliance  
25    has had access to that data and I am interested in



Dana

1 hearing your interpretation of that.

2 MR. DANA: I haven't looked at it carefully  
3 but I believe there is a critically important  
4 difference as to the output. The modeling I showed  
5 you was based on our modeling data. I believe  
6 they made an error in assuming the value for  
7 evaporated emissions. California has tighter  
8 evaporative requirements than the Federal  
9 government does. We basically told the EPA that we  
10 are going to build the same evaporator filter  
11 nation-wide and the modeling we have done shows  
12 that to be effective. California has better  
13 control for hydrocarbon emissions than the Federal  
14 program and that's an error in their model in our  
15 opinion.

16 MR. BERKOWITZ: Any other questions?

17 MR. ZONIS: Has the Alliance spent any time  
18 calculating what the emissions would be from  
19 hypothetical sources of hydrogen versus a future  
20 fuel cell vehicle? I think you pointed out  
21 correctly there is no infrastructure for hydrogen  
22 distribution today. Assuming that did exist,  
23 hydrogen has to come from somewhere, if it comes  
24 from petroleum fuel there will be all of the  
25 emissions associated with handling and processing

Dana

1 petroleum fuel which may mean that it is easier to  
2 control in a refinery than a tailpipe, but CO2  
3 would come out there. Has the Alliance looked at  
4 that?

5 MR. DANA: I know that BMW is working on  
6 hydrogen for internal combustion engines in  
7 Germany which has a filling system that creates  
8 the hydrogen by panels on the roof of the  
9 station. You can make hydrogen lots of ways.  
10 That's all in the hands of the energy companies  
11 and they will play a big role, they will be big  
12 players in this one way or the other.

13 MR. EGENTON: Mr. Berkowitz is back to  
14 resume the Chairmanship.

15 MR. BERKOWITZ: Our next speaker is John  
16 Ciaffrone, TransOptions, President.

17 MR. CIAFFRONE: I am the President of  
18 TransOptions representing all TMAs in New Jersey.

19 I won't dwell on some of the stuff we  
20 heard already.

21 But I think it is important to note there  
22 are seven hundred ninety vehicles per square mile  
23 in New Jersey. We now have 6.4 million registered  
24 drivers. Eighty-seven percent of our single  
25 occupancy vehicles people use to drive to work. By

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1 the year 2025 by virtue of the extra million  
2 people we will have increased the annual cost of  
3 traffic congestion which is now 7.3 billion  
4 dollars in lost time, operating costs and wasted  
5 fuel. That's an average of twelve hundred  
6 fifty-five dollars per licensed driver, an  
7 increase of three hundred seventy-five dollars per  
8 driver between 1998 and 2001, and New Jersey  
9 continues in that vein.

10 We know that traffic congestion has been a  
11 component of our air quality problems in this  
12 State for a long time and that the inefficiency of  
13 the internal combustion engines put hazardous  
14 gases and particulates into the air each year,  
15 creating pollution in the air.

16 As the previous speaker mentioned, the  
17 amount of emissions has declined tremendously  
18 because of the advanced technology and we  
19 encourage the industry to keep going in that  
20 direction.

21 Let's talk about and address the problem  
22 of mobility in New Jersey. There is not one  
23 single answer but a lot of different answers. I  
24 would like to focus on what we are doing in our  
25 organization.

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1           First is the TEA-3 Reauthorization. The  
2 demand is much greater than it was six years ago.  
3 Six years ago there were six new starts, requests  
4 for transportation systems starting from ground  
5 zero like the Hudson-Bergen Light Rail, now there  
6 are two hundred twenty-five requests.

7           It is critical if New Jersey is to fight  
8 for more money for mass transit because mass  
9 transit means cleaner air then we need to expand  
10 the commuter benefits program. Right now the  
11 Qualified Transportation Fringe Benefit provides  
12 one hundred dollars per month in tax free benefits  
13 to employees using public transportation and van  
14 pools.

15           We are calling for an expansion of these  
16 fringe benefits for car poolers, bicyclers, ride-a  
17 shuttle people and walkers and people who use  
18 other modes. As for the argument that we cannot  
19 track car pools like we can other means of  
20 transportation, there are states that have  
21 mandatory programs now and they have found ways to  
22 monitor it so that can be done.

23           This can be funded at no cost by capping  
24 the maximum parking fringe benefit. That's the  
25 only fringe benefit that ties into an annual

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1     increase. It is now one hundred ninety dollars a  
2     month and it doesn't make sense if we are  
3     encouraging people to drive and giving them a  
4     fringe benefit for using their car. It also  
5     doesn't encourage people in areas which have  
6     campus development of business centers where  
7     parking is free all of the time. We want to see  
8     that frozen instead of going up over the next ten  
9     years.

10           The way fringe benefits work, it is the  
11     same way as medical benefits, you pay for it with  
12     pre-tax dollars. It is an incentive, not a  
13     mandate.

14           Now to be politically incorrect, raise the  
15     gas tax in New Jersey. We are among the lowest in  
16     the country. We lost an opportunity years ago when  
17     gas was ninety-nine cents a gallon. A ten cent  
18     increase per gallon would have generatated  
19     approximately five hundred million dollars a  
20     year.

21           In addition there are many resources that  
22     should be Constitutionally designated for  
23     transportation infrastructure and not used for any  
24     other parts of government.

25           A significant amount of the gas tax is

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1 paid by people who drive through the State and  
2 they are not residents and we have a lot of  
3 transient people who come to our State to buy gas  
4 because it is so cheap. Even with a ten cent  
5 increase it will still be lower than most of our  
6 neighbors.

7 We need to have an increase in support for  
8 ride-sharing by State policy-makers. This goes  
9 back to the question raised earlier by the  
10 gentleman from the EPA about who is promoting the  
11 CCLI program. We are funded by CMAQ funding.

12 Getting employees from mass transit for  
13 the final leg to their place of employment we have  
14 two employers in my area representing over four  
15 thousand employees, they are trying to attain a  
16 fourteen percent level for eighteen months. One of  
17 our companies with thirty-five hundred employees  
18 attained that level in six months. One of the key  
19 ways they did that was put a shuttle in between  
20 the local train station and place of employment.  
21 The biggest problem in Morris and Somerset County  
22 is there is no connection, there is nothing for  
23 the final five miles. You can take the train from  
24 home, you get off the train, you can't go  
25 anywhere.

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1           These are companies who have people who  
2       can take the train and they are located five or  
3       six miles away from the station who would have  
4       driven otherwise and who are now taking the train.

5           Ridesharing reduces traffic congestion,  
6       reduces gas usage and our dependency on foreign  
7       oil and has environmental benefits.

8           It has been proven it is much safer to  
9       ride in a bus or train than in a car.

10          More must be done, more education and more  
11       incentive must be provided.

12          A previous speaker talked about the  
13       increased cost of alternative fuel vehicles. There  
14       has been a Federal incentive program for people  
15       who were buying them. It was to be phased out by  
16       2004, it was extended until 2006. It can be and  
17       should be maintained.

18          New Jersey also should provide the same  
19       corresponding tax benefits as the Federal  
20       Government. We are one of the few States where our  
21       benefits are not pegged to the Federal  
22       government's benefits on a lot of levels. 401,  
23       403, they are not deductible from State taxes.  
24       You go up and down the Federal level, New York,  
25       New Jersey, Pennsylvania, theirs go up and down.

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1 We don't match any one of them. We need to have  
2 corresponding tax incentives on the State level as  
3 well as the Federal level.

4 We have to support the Congestion  
5 Mitigation Air Quality Program. There is a danger  
6 that this will be cut or eliminated.

7 The important thing is per capita funding.  
8 The major danger that may happen with this is the  
9 changing of the formula. If the formula is  
10 changed we lose, if the formula is based on square  
11 miles or the size of the State or number of  
12 highway miles we lose.

13 If it stays at per capita funding we will  
14 be okay.

15 In New Jersey we don't have a lot of land  
16 left to asphalt. Texas, Arizona and New Mexico  
17 have.

18 We need to do things differently.

19 The Transportation Management Association  
20 in the State is divided into geographic areas. We  
21 are a small non-profit organization. Some of us  
22 are County affiliated, some of us are totally  
23 independent. We are on the front line working with  
24 employers. We are going out and spreading the  
25 word, going to the companies, assisting them to



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1     implement the programs, explaining to them why  
2     they should be doing these programs.

3             We need more support to do this or the  
4     reality is that we will disappear.

5             New Jersey doesn't want a mandatory ECR  
6     program. We tried that before. ECR, the only  
7     letters that are more dirty language in New Jersey  
8     than that is HOV.

9             We continue to work to implement CCLI. We  
10    look for more programs and more ideas and more  
11    support from Counties and the Municipalities to  
12    make these programs work.

13            We must get more people off the road.

14            One of the things I would like to comment  
15    on is the State Plan or the Big Map. I come from  
16    Sussex County, and they talk about no more  
17    infrastructure, no growth; what about the people  
18    who are sitting on the roads everyday? We have  
19    interacting issues that must be addressed.

20            From Northern New Jersey and I am sure  
21    down in this area as well you have the affordable  
22    housing issue.

23            People working in Morris County are moving  
24    to Pennsylvania more and more because the average  
25    home costs three, four hundred thousand, you can't

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1     afford to buy your first house in those areas.  
2     That's why there are now seven or eight thousand  
3     cars per day crossing the Delaware Water Gap  
4     Bridge coming into Morris County.

5             The things we are seeing, the Star-Ledger  
6     did a wonderful chaos analysis, what they did is  
7     they looked and found that for every two people  
8     leaving their County of residence to go to work  
9     they were going in opposite directions. Out of the  
10    twenty most chaotic Counties of the Country six  
11    are in New Jersey. Those six do not have any  
12    Cities in them, they are rural suburban Counties.  
13    We must start addressing the issue of getting  
14    people not only to New York and Philadelphia but  
15    to their suburban work sites.

16            Thank you.

17            MR. ZONIS: What does TEA stand for?

18            MR. CIAFFRONE: Transportation Equity Act.  
19    TEA-3 means it is the third year. Congressman Roe  
20    was instrumental in putting that into effect and  
21    helping New Jersey.

22            The Transportation Equity Act was for a  
23    five or six year period. New Jersey had a very  
24    strong delegation in Washington at that time with  
25    Bob Franks, Senator Lautenberg. Now we are going

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1 to see-- the competition is incredible for the  
2 available pie. In fact there are rumors that it is  
3 going to be on a one year temporary renewal basis  
4 because there is concern that there is not enough  
5 money to do it for six years.

6 What we have to do is we have to increase  
7 the pie, and if you look at the percentage of  
8 money even in the incredible authorization that is  
9 spent on transit, the numbers are something like  
10 fifty-eight billion on transit and four hundred  
11 four billion on highways, that doesn't help New  
12 Jersey or the Northeast. My opinion is that the  
13 Northeast has to show a unified need as does New  
14 Jersey.

15 An earlier speaker from the Smart Growth  
16 Office mentioned all of the areas along the ports,  
17 all these places for all the trucks to pick up all  
18 of the cargo because of access to Route 80.

19 But if they all get onto Route 80 they  
20 won't go anywhere. That's not a great idea, just  
21 because you have access.

22 Rail freight might be a better idea.

23 With the dredging of the harbor going  
24 ahead unabated right now with approximately three  
25 billion cargo containers a year, by the end of the

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1 decade it will be ten billion. Going to New  
2 England the only rail crossing is Albany. They  
3 will all have to go on trucks just storing them  
4 five miles from the port and the trucks will not  
5 ease the congestion.

6 MR. LIBRIZZI: Outreach education obviously  
7 makes a lot of sense. Give us some perception of  
8 how that works.

9 MR. CIAFFRONE: There are a lot of things  
10 done by our neighbors that aren't done by us. You  
11 will hear on the radio traffic news, you will hear  
12 commercials about about ride-sharing in New York.  
13 I don't hear that in New Jersey. I just don't  
14 think we do enough marketing to our own people  
15 about what is available, and a lot of that has to  
16 be through employers because commuters have a  
17 major problem.

18 But we are also seeing the most recent  
19 study that came out from the American Public  
20 Transportation Association which says that five  
21 hundred thousand people in our major Cities are  
22 experiencing several hours a day of congestion. It  
23 is not always commuter driven. Everybody who  
24 drives on Route 80 on a Friday night has to deal  
25 with people going to the Poconos. I don't have to

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1 tell you about the Jersey Shore traffic. There has  
2 to be something else.

3 Even in areas where the trains go,  
4 Hackettstown, two trains in the morning and two at  
5 night. Most of us do not have a workday that fits  
6 that type of schedule. We need to do something to  
7 increase mobility for people already living in  
8 these areas who are traveling to work.

9 MR. BERKOWITZ: Thank you very much. I  
10 would like to prevail upon you sometime in the  
11 future to come to one of our meetings and perhaps  
12 discuss some of these issues further.

13 MR. CIAFFRONE: I would be pleased to.

14 David Piech, International Truck & Engine,  
15 Senior Counsel.

16 MR. PIECH: I want to thank this Council  
17 for affording me with the opportunity to speak  
18 today.

19 One of the points I want you to go away  
20 with today is that diesel is and will be the  
21 environmental solution to today's and tomorrow's  
22 problems.

23 International is the leading manufacturer  
24 of heavy-duty trucks, medium sized trucks and  
25 school buses and dump trucks, that type of thing.

Piech

1 We are the largest world-wide manufacturer of the  
2 diesel engine. We are based in Chicago and have  
3 plants around the United States. We are the  
4 largest outside supply of the Ford Motor Company.

5 I want to talk about what is driving  
6 technology. We are talking about the new  
7 regulations. Starting at the end of this year for  
8 2004 we will have a reduction of almost fifty  
9 percent in NOx. Beginning in 2007 NOx is going  
10 down ninety-five percent from today's levels and  
11 particulates are coming down ninety percent from  
12 today's levels.

13 Let's talk about how we are going to get  
14 there with today's new technology engines. Diesel  
15 engines were first introduced in the late eighteen  
16 hundreds. But really in the last five years we  
17 have seen that technology as to diesel engines has  
18 improved significantly.

19 I think you are seeing the revolution  
20 across the Ocean in Europe where predominantly all  
21 of the expensive Mercedes, BMWs, those types of  
22 cars, VW cars, are predominantly diesel now  
23 because of the performance both as to speed and  
24 and fuel.

25 In 2004 we will have advanced electronic

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1 controls on our engines.

2 In 2007, NOx adsorbers will come into  
3 play, particulate traps. Also we will introduce  
4 some newer valve drain technology.

5 In 2010 we will make some additional  
6 improvements on advanced NOx adsorber technology.

7 What are the implications of the diesel  
8 technology roadmap?. Technology can be applied to  
9 all diesel engines, heavy-duty trucks and buses,  
10 but we are also focused on the light-duty market.  
11 We think the diesel engine in the light-duty  
12 market will have a place in the future.

13 We are building on the technology as we go  
14 forward. Some of the technology is available  
15 today. One of the things I want to emphasize is  
16 that the use of 2007 technology requires ultra low  
17 sulfur fuel required by the USEPA rules.

18 In 2004 sulfur in gasoline goes down to 30  
19 PPM. We are currently at 500 PPM. We have to deal  
20 with it. If we get the low sulfur fuel we can make  
21 advances today.

22 What is green diesel technology? It is an  
23 International 530 cubic inch, 275 horsepower  
24 diesel engine. It is lower NOx, twenty-five  
25 percent reduction in NOx and ninety percent plus

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1 reduction in PM using ultra low diesel fuel.

2 We can demonstrate that alternative type  
3 emissions levels can be achieved by advanced  
4 diesel technology. We can demonstrate that the  
5 emissions reductions can be achieved with ultra  
6 low sulfur fuel and provide an answer to public  
7 health concerns associated with particulates.

8 The green diesel school bus versus the  
9 leading natural gas school bus, we are at a lower  
10 PM level, actually the number we certify is .005  
11 NOx, we have 3 grams versus 2.2 for CNG, and NMH  
12 1.1 versus .4. Our technology is said to get a  
13 better bang for the buck when reducing emissions.  
14 We did at with thirty million dollars replacing  
15 very old engines that are at five, six, seven,  
16 eight grams on the road. If you take this at about  
17 I would say one hundred ten thousand dollars per  
18 school bus versus this at about one hundred fifty  
19 thousand dollars per school bus, you can perform  
20 the math and you can see you get a lot better  
21 results going with green diesel technology.

22 The thing mentioned with hydrogen is you  
23 need a fueling infrastructure which can range up  
24 from half a million to over two and-a-half million  
25 dollars per facility to do that.



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1           What is our track record so far? We have  
2   been qualified in California because of our lower  
3   emissions for the school bus program so we are  
4   getting funding in California, the Districts in  
5   California, to buy these.

6           One hundred thirty buses delivered by  
7   October 1, 2002. We are involved with the school  
8   districts in California to their complete  
9   satisfaction. No decrease in energy, customers are  
10   getting what they expect, no increase in fuel  
11   consumption so we are not lowering our miles per  
12   gallon on fuel consumption.

13          Besides brand new school buses we have an  
14   emissions technology program in which we retrofit.  
15   We can get over eighty percent reduction in  
16   particulates and hydrocarbon, it depends on the  
17   age and condition of the older school buses or  
18   older trucks. It achieves a virtually smokeless,  
19   odorless diesel vehicle for vehicles already in  
20   service.

21          When you go home today if you have driven  
22   in a car take your finger, stick it up the  
23   tailpipe, bring it out and look at it. Your hand  
24   will be very dirty, black, so wash your hand.

25          Your hand when you put your finger in a

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1 school bus tailpipe, I have done it myself, it  
2 hasn't been cleaned for fifty thousand miles, it  
3 comes out brown, no black.

4 Why is it brown? There is rust. Other than  
5 that there is nothing else coming out because of  
6 new technology diesel engines.

7 How do we do that? Low sulfur fuel  
8 catalysts.

9 We operate through International Truck  
10 dealers and we are technology partners.

11 The particulate filter, diesel fuel comes  
12 in here and goes through the filter which filters  
13 the particulates and the clean diesel goes out and  
14 depending on the driving cycles you have basically  
15 virtually clean diesel coming out all of the time.

16 This unit here basically replaces the  
17 muffler on the vehicle so there are no major  
18 changes on that.

19 The program we have right now, we are  
20 focusing primarily on International trucks and  
21 school buses. Non-International trucks can be  
22 qualified to participate in this. We are primarily  
23 focusing on electronic post 1993 engines where  
24 ultra low sulfur fuel is available.

25 There is a lot of discussion about the

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1 cost of ultra low sulfur diesel fuel. BP, Chevron  
2 Phillips are stepping up to the plate, and there  
3 is one interesting thing as you go through this  
4 especially for non-International school buses and  
5 engines we have to look at what the vehicles are  
6 and what when talk about a data log to insure  
7 proper filter regeneration. The diesel engine is  
8 cooler than the gasoline engine. We need to make  
9 sure when we put the filters on the vehicles they  
10 will be working.

11 Green diesel school buses are available.  
12 We are also looking at advancing that with our 456  
13 engine that would be the more conventional type of  
14 engine and then with our retrofit program looking  
15 at heavy-duty diesel vehicles especially for DOT  
16 vehicles that are running around and dump trucks,  
17 those are generally available and this is operated  
18 through International's dealers.

19 That's it.

20 MR. MANGANELLI: I would like to hear about  
21 the bio-diesel use of fuel rather than the diesel  
22 fuel you are using now and the catalyzed  
23 particulate filter.

24 MR. PIECH: The problem with bio-diesel  
25 is it is an organic material, it degrades all of

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1 the time. You get some bugs in there, they like to  
2 eat it. There are some issues also regarding the  
3 quality of the bio-diesel fuel, making sure that  
4 the bio-diesel fuel that you get from here is the  
5 same as the bio-diesel fuel that you get from some  
6 other supplier.

7 Diesel fuel is generally diesel fuel and  
8 it has specific standards. The question is how  
9 can we make sure that the bio-diesel has the same  
10 consistency of product?

11 One of the ways as we look at it right now  
12 is we recommend no more than twenty percent diesel  
13 blend.

14 MR. MANGANELLI: Does that add sulfur?

15 MR. PIECH: Depending where it comes from  
16 but generally it does not add sulfur to the diesel  
17 blend.

18 By taking the sulfur out you can do some  
19 more things, you can make the catalyst more  
20 aggressive, make the catalyst more durable and  
21 perhaps last longer.

22 MR. MANGANELLI: What happens to the  
23 particulate when it hits the catalyst.

24 MR. PIECH: It hits the catalyst and over  
25 time because of the heat of the catalyst it

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1 basically burns off the carbon. Imagine throwing  
2 a piece of the carbene against the wall and over  
3 time that carbene will burn to CO<sub>2</sub>.

4 MR. MANGANELLI: What size are the  
5 particulates that do come out?

6 MR. PIECH: We are talking about  
7 particulates below 2.5, some are even below .1.

8 MR. MANGANELLI: But aren't those a greater  
9 hazard to the human organism?

10 MR. PIECH: I don't want to get into the  
11 issue of particulate size, particulates come out  
12 of gasoline cars.

13 MR. MANGANELLI: I am just talking about  
14 diesel.

15 MR. PIECH: I would suggest that they  
16 aren't. We have had studies as far as the effect  
17 of particulates coming out from a natural gas  
18 vehicle which are actually higher than a  
19 comparable diesel vehicle.

20 MR. LIBRIZZI: Where have you been doing  
21 the retrofitting?

22 MR. PIECH: Primarily we have had some  
23 retrofit programs done in Houston. We also had and  
24 are participating in the Boston retrofit program.

25 MR. LIBRIZZI: Where are they getting the

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1 ultra low sulfur fuel from?

2 MR. PIECH: Local suppliers. There is an  
3 Arco refinery down in Houston, I am not sure if  
4 that one is providing it, but with the marriages  
5 of some of the fuel companies, BP-Amoco-Arco is  
6 all one company right now. I know are getting it  
7 from the BP-Amoco.

8 MR. LIBRIZZI: Is that manufactured  
9 specifically for this?

10 MR. PIECH: I think BP-Amoco has said that  
11 within the next year all of their suppliers in  
12 California will be supplied with this diesel fuel.

13 MR. LIBRIZZI: Are you doing some of this  
14 internationally?

15 MR. PIECH: Primarily in the United States.

16 MR. LIBRIZZI: Are the new technology  
17 engines available for immediate distribution?

18 MR. PIECH: The engine we are looking at,  
19 DT-530, they actually bought in Houston vehicles  
20 certified to the four gram standard, they were  
21 anticipating that they were going to get ultra low  
22 sulfur fuel.

23 MR. LIBRIZZI: What is the availability of  
24 getting the retrofit in the market?

25 MR. PIECH: If you have ultra low sulfur

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1 fuel we can put on the retrofit.

2 AN UNIDENTIFIED GENTLEMAN: Is low sulfur  
3 fuel available in the State of New Jersey?

4 MR. PIECH: I am not that familiar with the  
5 State of New Jersey but I do know New Jersey  
6 Transit was looking into it.

7 MR. BERKOWITZ: Any other questions?

8 Thank you very much. We will give the  
9 remaining individuals time cues.

10 MR. BERKOWITZ: Gary Johnson.

11 MR. JOHNSON: All of the problems that we  
12 have been talking about today from sprawl to air  
13 pollution are all negatively impacted by the high  
14 amount of driving that we do.

15 When the number of automobiles on the road  
16 decreases then the traffic flows better, which is  
17 good news for motorists.

18 When the number of mass transit riders  
19 increases to where more frequent service is needed  
20 that is good news for the transit riders.

21 Getting some people to switch from the  
22 single occupant vehicle to mass transit is a  
23 win-win situation for both motorists and transit  
24 riders.

25 The question is how do we go about

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1 achieving it? The best solution is to introduce a  
2 traffic relief tax starting at twenty-five cents a  
3 gallon and then every two or three years increase  
4 it an additional twenty-five cents a gallon to  
5 bring the cost of gasoline here in the US to the  
6 levels found in Europe, but to do it gradually  
7 over a twenty-five to thirty year period with  
8 every penny generated by the traffic relief tax to  
9 go to mass transit to more areas of the State by  
10 introducing passenger rail service to today's  
11 freight-only lines, starting new light rail or  
12 ferry service, purchasing additional trains and  
13 low emission buses, upgrading train stations,  
14 installing bus shelters, expanding shuttle bus  
15 service to and from train stations, and installing  
16 sidewalks and bike paths to make local  
17 non-automotive travel a safe and practical  
18 alternative.

19           The idea is to provide the alternate means  
20 of transportation so we reduce the number of  
21 vehicles on the road.

22           In most European countries it costs over  
23 four dollars a gallon of gasoline but it is over  
24 five dollars a gallon with today's higher cost of  
25 crude oil because of the war. To go straight to



Piech

1 four dollars or five dollars per gallon would be  
2 too drastic a change.

3 Introducing a traffic relief tax in  
4 twenty-five cent increments would cause people to  
5 purchase more fuel efficient vehicles in the  
6 future which burn less gasoline; therefore, they  
7 take less of a toll on our air quality.

8 It would cause people to live closer to  
9 where they work, it would give people an incentive  
10 to walk locally and to cut down on their gasoline  
11 usage and more people would car-pool.

12 As for our health-- and this wasn't  
13 touched upon at all today-- the typical American  
14 employee sits in the car and drives to work, sits  
15 at a desk in the office, drives home at the end of  
16 a long stressful day, eats dinner and then they  
17 are too tired to exercise so they sit down on the  
18 couch and watch TV. Does this sound familiar? If  
19 you don't get any exercise during your working  
20 hours then it becomes critically important to get  
21 exercise before and after work.

22 Walking or riding a bike to work is good  
23 time management because you are getting to work  
24 and getting your exercise at the same time.

25 We have an obesity epidemic that has to be

Piech

1     addressed. Nationwide half of all automobile trips  
2     are three miles or less. That's sad.

3             About one in four Americans cannot drive  
4     due to either age, health or economic status and  
5     that number continues to grow as the population  
6     grows older.

7             As for me personally, I had a seizure in  
8     June 1998 while driving home one night. I blacked  
9     out immediately and had an accident.

10            A few days later I got a letter from the  
11     DMV telling me that my license was being suspended  
12     and that I would have to mail my license to the  
13     DMV in Trenton by the date specified. Then I would  
14     have to remain seizure free for at least one year  
15     in order to apply for reinstatement.

16            That letter is the last page on the  
17     twenty-five copies of the hand-out I submitted.

18            I had the seizure on a day that I forget  
19     to take my medication. If I forget to take my  
20     medication tomorrow I could possibly have another  
21     seizure and lose my license again.

22            Now, if you were to lose your driver's  
23     license for either medical reasons or drunk  
24     driving or a seizure would you be able to get to  
25     work?

Piech

1           If anybody doesn't feel that we need more  
2 mass transit I offer you a challenge: Give your  
3 driver's license to your spouse or somebody you  
4 trust, tell that person to keep your license for  
5 two weeks, and try living your life as best you  
6 can without imposing on other people to drive you  
7 around everywhere.

8           Are there sidewalks throughout your town?  
9 Do they get shovelled after a snowfall? Would you  
10 be able to safely ride a bicycle?

11           What about shopping or weekend leisure  
12 trips? After you had the two week trial period  
13 have the person return your license and then  
14 answer the question: Do we need more mass  
15 transit?

16           To get into Penn Station New York we  
17 currently have only two tracks under the Hudson  
18 River. During weekday morning and afternoon rush  
19 hour New Jersey Transit is already running the  
20 maximum number of trains that the system can  
21 handle with only the current two tracks.

22           There is virtually universal agreement  
23 among planners and government officials about the  
24 need for at least two more tracks under the Hudson  
25 River. The only question is how are we going to

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1 pay for it?

2           This ia five to ten billion dollar  
3 project. If we started with a traffic relief tax  
4 of twenty-five cents and increased it an  
5 additional twenty-five cents every two or three  
6 years then we would finally see some light at the  
7 end of the rail tunnel.

8           You heard about electric vehicles today.  
9 In my opinion electric vehicles are not the  
10 solution. The reason why I say that is because  
11 electric power consumption is at its highest on  
12 hot summer days when people turn on their air  
13 conditioning and summer is also the time of the  
14 year when people do the most driving, and  
15 obviously this is a bad combination.

16           So instead of having the pollution come  
17 from your car's tailpipe it will now come from the  
18 smokestack at the power plant. This will change  
19 the source of the pollution but will not reduce  
20 the amount of pollution.

21           Transportation in New Jersey is definitely  
22 at a crossroads. We now know that we cannot simply  
23 build our way out of congestion. The only way to  
24 reduce traffic congestion is to reduce the number  
25 of vehicles on our roads.

Piech

1           We already have an excellent road system.  
2       We need a quality rail network serving most of our  
3       cities and densely populated suburbs to direct  
4       future population growth in established centers  
5       and prevent further sprawl.

6           If these measures were taken in the  
7       aftermath of the nineteen-seventies gas crisis  
8       then US gas prices would already be on a par with  
9       Europe and we would have very little dependence,  
10      if any, on foreign oil. Our vehicles would be  
11      much more fuel-efficient. We would have more open  
12      space, more housing and businesses would be  
13      concentrated in downtown areas which would end our  
14      overreliance on the automobile. Our air quality  
15      would be better and traffic delays would be  
16      better.

17          We have to tax a gallon of gasoline like  
18      we tax a pack of cigarettes to give people an  
19      incentive not to drive.

20          In order to change things for the better  
21      we must overcome our fear of change. We must shift  
22      away from the automobiles to achieve a more  
23      sustainable lifestyle. Let's make the changes  
24      today and reap the benefits.

25          MR. BERKOWITZ: Do you represent any

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1 members of any organizations?

2 MR. JOHNSON: No.

3 MR. MANGANELLI: It is interesting about  
4 the traffic relief tax. Gasoline has gone up from  
5 approximately a dollar to one dollar sixty cents.  
6 Do you have any specifics as to how much less  
7 driving has been done?

8 MR. JOHNSON: I don't have any. I was  
9 looking for some of those statistics on the  
10 internet, I didn't come up with any statistics,  
11 but I have seen newspaper articles where people  
12 have been quoted as saying, " I am doing a lot  
13 less driving aside from to and from work," and I  
14 read an article in the paper saying that somebody  
15 sold a car with low mileage, low efficiency gas  
16 mileage, for a more fuel efficient vehicle, so I  
17 know that if we were to do these changes and  
18 increase the cost of gasoline that people would  
19 make changes, but I haven't seen any official  
20 statistics.

21 MR. LIBRIZZI: Do you think if you provide  
22 mass transportation people will use the mass  
23 transportation? I am thinking about those who  
24 live in South Jersey who commute on the Garden  
25 State Parkway.

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1           How strongly do you feel about that, or is  
2   it necessary for some intervention vis-a-vis  
3   education or some other thing? Because I would  
4   sense that a lot of our commuters that travel up  
5   the Parkway are doing it for convenience and if  
6   they had mass transit they still might not use  
7   it.

8           MR. JOHNSON: Personally I live half a mile  
9   off of Exit 131 of the Parkway so I am very  
10  familiar with the Parkway situation.

11          If the price of gasoline were to go up  
12  significantly over the next few years more and  
13  more people who have jobs in North Jersey and  
14  Northern Ocean County which has gotten a lot of  
15  new people over the last ten years that work in  
16  New York City or North Jersey and go back and  
17  forth, the people who move into those areas in the  
18  future would be more likely to move near train  
19  stations.

20          Now, for example, that could be served by  
21  a new line if it was built, but where do you get  
22  the money to pay for it?

23          Freehold has done an excellent job in  
24  their downtown and they have attracted more  
25  people.

Piech

1           If more mass transit was available then  
2 people would be less likely to move where transit  
3 does not exist and they would be more likely to  
4 move to areas where mass transit does exist.

5           Of course, there will always be some  
6 people who no matter what will drive but I think  
7 it is the law of supply and demand, if something  
8 goes up in price fewer people are going to be  
9 willing to pay the price and so the demand will go  
10 down.

11           We have to change our current situation.  
12 Gasoline costs four or five dollars in Europe and  
13 they do a lot less driving.

14           MR. LIBRIZZI: They have less distances to  
15 travel, England, France, those people commute I  
16 think on a smaller circle.

17           MR. JOHNSON: Because of more transit  
18 oriented development, which is one of the goals we  
19 are trying to achieve, they have been doing it a  
20 long time and as a result their population is more  
21 concentrated.

22           We have to take steps in that direction  
23 today so that a generation from now we are not  
24 where we are today or even worse if sprawl  
25 continues to spread further out.



Piech

1           MR. LIBRIZZI: One of the major aspects of  
2     the State Plan, and it may be a Smart Growth  
3     principle, might be transportation as a driving  
4     force as well as other factors?

5           MR. JOHNSON: Sure.

6           MR. BERKOWITZ: Any other questions?

7           Thank you very much.

8           Martin Robins, Voorhees Transportation  
9     Policy Institute, Rutgers, The State University of  
10    New Jersey, Director.

11          MR. ROBINS: Thank you very much for  
12    inviting me to speak at your annual public  
13    hearing. By your kind invitation, you have  
14    provided me with a rare opportunity to share my  
15    observations about how our public transit system,  
16    including PATH and PATCO, can serve as a framework  
17    for New Jersey's unique Smart Growth policies and  
18    how that can lead to reduce reliance on the  
19    automobile. This discussion comes at a propitious  
20    time, because the administration of Governor James  
21    McGreevey has thoroughly embraced Smart Growth  
22    principles. Now we need to think through carefully  
23    how our existing transportation assets and future  
24    investments can best be used to foster Smart  
25    Growth goals, such as urban revitalization and

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1 reduced rates of land consumption and increased  
2 transit ridership.

3 New Jersey has the potential to shape a  
4 unique Smart Growth strategy that could bend the  
5 trend on vehicle use and vehicle miles traveled.  
6 This would give our citizens choices in how they  
7 make many of their trips and improve our air  
8 quality. At the core of that strategy is an  
9 appreciation of the potential value of the already  
10 extensive rail and bus system in northern and  
11 central New Jersey and, to some extent, in  
12 southern New Jersey as well. With the opening of  
13 the Secaucus Transfer at year's end, we will be  
14 substantially expanding the utility of our rail  
15 system, improving rail access to Midtown Manhattan  
16 from Bergen and Passaic Counties, offering rail  
17 access to the Meadowlands for the first time, and,  
18 in the long run, most significantly, giving our  
19 citizens new opportutnities for intra-state rail  
20 travel.

21 In the popular mind people often say our  
22 mass transit policy is failing us, because it  
23 doesn't directly affect the lives of many of us. I  
24 would argue that we are just beginning to  
25 understand how to shape that system, and the

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1 environments surrounding it, so that it can become  
2 relevant to the lives of more of our citizens. On  
3 its own terms, the system has been thriving over  
4 the past 20 or so years, since the inception of NJ  
5 TRANSIT. For example, on the Northeast Rail  
6 Corridor, New Jersey's rail Main Street ridership  
7 has grown 127 percent over the past 20 years. In  
8 an example of prudent investment that made transit  
9 more useful to people's lives, almost 3,000 trips  
10 a day are now reaching or departing Newark Liberty  
11 International Airport through the successful new  
12 rail station connecting to the airport monorail.  
13 In addition, the Hudson-Bergen Light Rail Line is  
14 attracting noteworthy economic development to its  
15 station areas.

16           The principal reason why our transit  
17 doesn't affect the lives of many of our citizens  
18 is that our sprawling patterns of land investment  
19 and use pull origins and destinations away from  
20 the transit system and funnel travel onto our  
21 congested state highways and local roads. Were  
22 more of our activities spatially organized around  
23 transit, we would realize a greater societal  
24 benefit from the public expenditures in the system  
25 than we now do.

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1           The transportation component of Smart  
2   Growth is not yet fully developed in New Jersey,  
3   but this is our opportunity to make it far more  
4   robust. We need to recognize that land use  
5   decisions and investments are central to travel  
6   behavior. Certain facts should convince us that  
7   investment around transit and in compact walkable  
8   settlements works in reducing auto reliance. Here  
9   are a few of these facts:

10           More than 60 percent of the New Jersey  
11   resident workers near Jersey City's transit hub on  
12   the Waterfront reach work by transit, walking or  
13   bicycle, and most of them like working there and  
14   also are satisfied with their trip to work.

15           Meanwhile, an infinitesimal number of  
16   workers at most suburban office parks travel to  
17   work by anything other than auto, and 3/4 of  
18   travel, one-way, between 10 and 40 miles to work.

19           This data is drawn from a survey from a  
20   to-be-published study conducted by the Vorhees  
21   Transportation Policy Institute.

22           Census data shows conclusively that people  
23   who live proximate to train stations use transit  
24   or walk for their work trip at a considerably  
25   higher rate than people living further away.

Robins

1           Some 38 percent of the residents of  
2   Princeton Borough, a compact, traditional small  
3   town where residents and jobs are nearby to  
4   another, walk or bike to work.

5           Transit-oriented housing along the Hudson  
6   River Waterfront continues to expand to a dazzling  
7   rate.

8           When NJ TRANSIT initiated Midtown Direct  
9   services on the Morris & Essex Line in 1996,  
10   providing one-seat service to a desirable  
11   destination, Penn Station New York, ridership  
12   quickly grew to 11,000 daily.

13           The cornerstones of New Jersey's Smart  
14   Growth transportation policy should be robust  
15   state commitments to:

16           Concentration of appropriate investment at  
17   infill sites near our train and bus stations, and.

18           To sound transit investment that makes the  
19   system ever more useful to our citizens.

20           Such policies would result in increasingly  
21   changing the way New Jerseyans travel to work,  
22   recreation, services, shopping, universities and  
23   other destinations. In other words, we will  
24   continue to discover that New Jeersyans want  
25   mobility options and that their romanticized love

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1     affair with the auto is somewhat exaggerated.

2             I believe our greatest single leverage  
3     point is the location of new office investment.  
4     Decisions to locate jobs are more flexible and  
5     should be less personal than household decisions  
6     about where to live. As our data shows, workers  
7     generally enjoy working in urban settings  
8     accessible by transit from many corridors with  
9     plenty of restaurants and other services readily  
10    available. The Jersey City Waterfront experience  
11    tells us that locating jobs near transit hubs,  
12    giving most employees a choice of travel mode,  
13    will lead to high percentages of these New Jersey  
14    workers using public transit. As a bonus, if  
15    appropriate housing is nearby, some of those  
16    workers will locate there and will walk and bike  
17    to work. This concept should be central to New  
18    Jersey's Smart Growth transportation policy.

19            Instead of just talking about these  
20    directions, or just taking half-way measures, now  
21    is the time to act decisively. The political  
22    commitment to Smart Growth provides momentum for  
23    us to leverage the public interest in Smart  
24    Growth. We must begin the debate about aggressive  
25    steps to engage local government and private

Robins

1 developers to encourage and make investment in the  
2 right places, near transit facilities and in a  
3 form that encourages non-motorized travel.

4           We have several challenges to overcome  
5 before we can cross the threshold into a less  
6 auto-reliant New Jersey. First, we must assure the  
7 continued vitality of our public transit system,  
8 that has been so improved over the past 25 years  
9 since the establishment of NJ TRANSIT. It should  
10 be kept affordable and be given sufficient funds  
11 to be maintained and prudently expanded so it can  
12 serve more of our citizens' travel needs.  
13 Unfortunately, this is easier to say than do,  
14 because various financial practices with states'  
15 transportation budgets have jeopardized our  
16 ability to keep the public transit system on an  
17 even keel.

18           I urge all Clean Air advocates to monitor  
19 the upcoming work of the Governor's Blue Ribbon  
20 Transportation Commission. That commission of  
21 distinguished leaders will be wrestling with this  
22 weighty question. Important choices will be placed  
23 before the Commission about how to provide  
24 adequate funding for our public transit operations  
25 and maintenance. Choices will also have to be made

Robins

1     about where any new capital dollars should be  
2     invested and what kind of promising transit  
3     expansion projects should be put into or kept in  
4     the pipeline. In that vein, we should be thinking  
5     about expanding the capacity of our rail Main  
6     Street, the Northeast Corridor, and redirecting  
7     our planning dollars for intra-New Jersey projects  
8     that connect urban neighborhoods to significant  
9     destinations and revive investor interest in those  
10    neighborhoods. To facilitate this kind of urban  
11    sub-regional transit, the state should expect to  
12    enter into planning partnerships with local  
13    governments.

14           The second challenge is to develop a  
15    bolder and workable approach to encouraging office  
16    and mixed use development at transit hubs,  
17    particularly in Jersey City, Newark, Hoboken,  
18    Secaucus and Camden, and residential and retail  
19    development, or transit villages, at outlying  
20    suburban stations. This policy is benefited by the  
21    fact that train stations appear to be locations  
22    where the public is most amenable to higher  
23    densities.

24           We need several ingredients to make this  
25    work. One is a recognition by the development



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1 community and corporations that investment and  
2 location near transit stations is in their  
3 interest and in that of New Jersey.

4           Second, we need financial incentives, such  
5 as a Transit Development Action Grant program,  
6 to encourage appropriate transit-oriented  
7 developments. Safeguards must be included to  
8 assure that care is taken in evaluating the  
9 location and the type of development. We don't  
10 want to promote this idea and end up with  
11 transit-adjacent development, as Metro Park, where  
12 the land surrounding an important station is  
13 devoted mainly to offices and hotels and few of  
14 the workers or patrons use transit as their way of  
15 reaching these facilities.

16           Third, beyond making the financing more  
17 attractive, we must deal with developers'  
18 trepidations that they will be wasting precious  
19 financial and human capital in difficult,  
20 drawn-out dealings with municipal governments whose  
21 personnel may only dimly understand Smart Growth  
22 concepts. We need to create governmental capacity  
23 and know-how above the municipal level to educate  
24 local officials and assist them to shepherd good  
25 Smart Growth proposals for investment near transit

Robins

1 stations.

2 Fourth, we must develop tools for blunting  
3 the adverse effect of the property tax system,  
4 because ratable hunger impels local officials to  
5 put offices near suburban stations, as in Metro  
6 Park, and scares them away from placing relatively  
7 dense housing where it belongs, on top of seas of  
8 parking at outlying stations.

9 And fifth, we may also need to increase NJ  
10 TRANSIT's development powers. They are very  
11 limited today. That agency has the strongest  
12 institutional stake in seeing these policies work.

13 One other note. We need an honest, open  
14 debate between environmentalists and transit  
15 advocates about park-ride policy. For a transit  
16 system to work, we need to get people to stations.  
17 In our suburbanized landscape the park-ride has  
18 been the obvious solution. Environmentalists,  
19 concerned about cold starts, bridle at the notion  
20 and have promoted station shuttle systems. We need  
21 to establish a policy, after open discussion, that  
22 balances these concerns and assures the broadest  
23 access to the system we can afford.

24 In summary, then:

25 If we placed more of our offices at

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1 transit hubs.

2 If we built more of our residences close  
3 to train stations or ferries with high quality  
4 services.

5 If we laid out more of our settlements, so  
6 that people had the travel option to walk or bike.

7 If we ultimately connected the transit  
8 system to more destinations of interest to our  
9 citizens, and if we made access to the system  
10 feasible, we would have a robust Smart Growth  
11 transportation policy that would have the promise  
12 to reduce our future reliance on the automobile  
13 and, thereby, clean our air.

14 Thank you for your time.

15 MR. BERKOWITZ: Thank you, Mr. Robins.

16 We have testimony before this Council that  
17 Smart Growth may be interpreted as leaving the  
18 people who are in the rural hinterlands pretty  
19 much out of the equation in terms of transporting  
20 themselves to their jobs.

21 It could be argued that in fact if you did  
22 take care of these people by offering them mass  
23 transit you would be exacerbating the condition by  
24 inducing growth in these areas that you might  
25 otherwise want to devote to open space.

Robins

1           My question to you is, do you share that  
2           perception, and secondly, do you think that we can  
3           do both with the appropriate safeguards?

4           MR. ROBINS: It is a complicated question in  
5           that first of all only a small percentage of  
6           people who live in rural areas today work in  
7           places that are really accessible by public  
8           transportation, so they are the least likely to be  
9           part of the public transportation market.

10          There are ways of dealing with that, such  
11          as highways and Park-Rides if in fact people are  
12          within reach of public transit.

13          I don't think it is really necessary that  
14          if we had to choose, for instance, whether we  
15          should build a light rail line in urban Essex  
16          County, put money in and build up neighborhoods,  
17          or whether we want to extend a railroad line three  
18          miles out into Sussex or Warren County or  
19          Hunterdon County, I would clearly vote in favor of  
20          the former rather than the latter.

21          If you look at the rail map that was  
22          issued in a prior administration in the  
23          nineteen-nineties, the map is just dotted with all  
24          of these extensions out in the hinterlands. I  
25          think that those are very low priority projects

Robins

1 compared to providing prospectively-- we can't  
2 undo what we have done but I think that it is high  
3 time we recognized the interrelationship of all  
4 these kinds of issues and we begin to plan on  
5 multiple levels of government in an intelligent  
6 way and get the most for our investment.

7 MR. BLANDO: Just curious. Using mass  
8 transit, let's say New Jersey Transit, Manhattan  
9 to Trenton, how does the cost of mass transit line  
10 up with the cost of commuting by car? Some people  
11 may say, " I own my car outright and it is a lot  
12 cheaper for me just to drive to work rather than  
13 buy a train ticket everyday."

14 MR. ROBINS: There are round-trip tickets  
15 and there are monthly tickets, there is a very,  
16 very large difference, but I think what it really  
17 gets down to in the end is that New Jersey  
18 Transit's operating costs have got to be carefully  
19 watched.

20 Ironically New Jersey Transit has  
21 continued its fares at the direction of the  
22 governmental leadership for an eleven year period,  
23 and I think that a lot of people appreciate the  
24 fact that there was only approximately a ten  
25 percent increase in the last year, but I think

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1     that the question of affordability which is  
2     important for public transportation to be  
3     effective and for us to be able to induce people  
4     in certain types of trips away from their  
5     automobiles, public transportation has to be  
6     affordable, so you have to pay a lot of attention  
7     to the funding of transportation operations, which  
8     is a very troubled area.

9             MR. ZONIS: I think you made a very helpful  
10    suggestion that I want to underline because you  
11    have drawn very specific difference in your  
12    presentation between what you call the transit  
13    hub, Jersey City, Newark, Secaucus, and I am in my  
14    mind relating that to the new station in Montclair  
15    which by virtue of that fact has apparently  
16    attracted a number of suburban commuters traveling  
17    to Manhattan.

18            What you are seeing in Montclair is that  
19    it has residential and retail development around  
20    it. I am not sure that Montclair in that  
21    particular area has office areas but perhaps  
22    doesn't need it.

23            In Secaucus we do see commercial  
24    development and the somewhat inland mobile  
25    stations do not provide for that, emphasizing the

Robins

1     need to eliminate the Metro Park syndrome.

2             MR. ROBINS: I think Metro Park is one of  
3     the saddest developments in the history of New  
4     Jersey. It was developed at a time when they did  
5     not appreciate these issues, we did not appreciate  
6     what Metro Park would become, and the land that is  
7     around Metro Park adds to the confusion and lack  
8     of that appreciation.

9             I have been in and out of New Jersey State  
10    government for nearly thirty years now, and at the  
11    time that Metro Park was developed these kind of  
12    things were not appreciated, the New Jersey public  
13    transit system was in such dire straits with a  
14    bankrupt railroad, we were worried about keeping  
15    the system running week after week, and the kind  
16    of things we are talking about today were nowhere  
17    on the horizon.

18            But I think your point about Montclair is  
19    excellent. I would say Montclair has developed in  
20    the area around the train station but the only  
21    problem is that there isn't much vacant land in  
22    Montclair, it is a very built-out community, but  
23    to the extent land is available and there would be  
24    parking I would say that the primary usefulness  
25    for that land should be in the area of housing.

Robins

1 Montclair is a very attractive community.

2           Going to the Metro Park syndrome, being it  
3 was successful it was drawing more people and they  
4 have put in so much more parking space around it,  
5 but one of the things we haven't talked about here  
6 today are the kind of factors that encourage  
7 people to go on those trains, not to fear for  
8 their lives and to be comfortable and if more cars  
9 are needed that they could put more cars on very  
10 easily.

11           I think that if you look at the record of  
12 New Jersey Transit-- and I was involved in the  
13 creation of it-- that New Jersey Transit has  
14 dramatically turned around the quality of their  
15 service. It is rare that you will see situations  
16 where there are unsafe conditions or poor  
17 equipment or terrible on-time performance, things  
18 that did mark their operation in the past. We  
19 have come a long way and we should take advantage  
20 of that.

21           Parking is one area that really causes a  
22 great deal of stress, Metro Park being an example  
23 of that where the land surrounding the station is  
24 devoted mainly to offices and hotels and few of  
25 the workers or patrons use transit as their way of



Robins

1 reaching these facilities.

2 We have a great deal to be proud of but we  
3 have a great deal of more work ahead of us, and  
4 that's the thing to pay attention to.

5 It is not that we have to tear our hair  
6 out and say we will never get this right. We have  
7 it right to an extent but there is much, much more  
8 that can be done to make it really right. There  
9 are forces in our society since World War II that  
10 are pulling in opposite directions as to land use  
11 investment, residential and retail locations, that  
12 has just completely left the mass transit system  
13 behind, and that activity really kind of corrodes  
14 both the potential usage of the system and even  
15 the public's appreciation of the system.

16 MR. EGENTON: We had some comments today  
17 about the freight system and increased capacity in  
18 years to come as to products coming in from the  
19 Far East to our ports.

20 What are your thoughts, we are hearing  
21 about the increased truck traffic, can our rail  
22 system have any bearing on that to help alleviate  
23 some of the problem with increased goods and  
24 services that we see coming through the ports in  
25 the future?

Robins

1           MR. ROBINS: We have been doing a study on  
2   that in which we are examining the performance of  
3   CSX, and I think that right now we are still in an  
4   early stage but I think in some respects the rail  
5   traffic has done well in this area. The Port  
6   Authority of New York and New Jersey has been very  
7   diligent about improving accessibility of railroad  
8   operations on the docks, you have a vast increase  
9   in the number of containers that are now either  
10   brought in or taken off of ships directly from and  
11   to railroads which didn't exist ten years ago, a  
12   whole new market.

13           I think what will be seen if we are going  
14   to develop a north-south route is that it would  
15   affect New Jersey, particularly the New Jersey  
16   Turnpike, and the problem is more complex than  
17   waving your arm and saying there are bad people  
18   out there. The railroads misestimated how  
19   difficult it would be to use the rail facilities  
20   in Virginia, Maryland, Pennsylvania to approach  
21   the New Jersey market, it was too slow, they are  
22   competing with commuter rail service in those  
23   states and they haven't been able to put together  
24   a series of packages, but there is a lot going on,  
25   hopefully.

Robins

1           MR. EGENTON: We would be interested in  
2   you coming back in the future and sharing your  
3   thoughts with us.

4           MR. ROBINS: I will be very happy to.

5           MR. LIBRIZZI: You commented that the  
6   development community needs to recognize that  
7   investment and location near transit stations is  
8   in their interest. Can you tell us tell us a  
9   little more about that?

10          MR. ROBINS: I hope to find someone in the  
11   development community who sees things the way I  
12   see it and says we need to change our ways. In  
13   Chicago there are corporate leaders who are  
14   responsible for locating office jobs, where the  
15   jobs are actually going to be, and a very  
16   enlightened person of the corporate leaders was  
17   talking about the separation of where workers live  
18   and where jobs are and mass transit, and he said,  
19   You know what the problem is? We are the problem,  
20   we are making decisions that are based on maybe  
21   petty reasons, maybe they seem like good reasons,  
22   but when you bring all of the internal and  
23   external parts together about how corporations  
24   would make the best societal judgments, they have  
25   not been placing those offices in locations that

Robins

1 are reasonably proximate to where their workers  
2 are and also where mass transit, real mass transit  
3 is available, and they started to talk and debate  
4 among themselves what they might be able to do  
5 about that.

6 My dream is that there will be people in  
7 New Jersey who are involved in corporations,  
8 corporate leadership that could see the same  
9 issues and take a leadership role and speak out  
10 working with the State government in creating a  
11 new paradigm for people making decisions so that  
12 they are going to think about where their work  
13 force really should come from, how they might be  
14 able to begin to locate in places in New Jersey  
15 that are readily accessible to mass transit.

16 Thank you very up.

17 MR. BERKOWITZ: We would like to invite you  
18 back to one of our Council meetings on a future  
19 day.

20 Jim Sinclair, Congestion Busters.

21 MR. SINCLAIR: I am a Professional Engineer  
22 in the State of New Jersey and I am employed by  
23 the New Jersey Business and Industry Association  
24 as First Vice-President but I am here today to  
25 speak as the Chairman of the Congestion Busters

Sinclair

1 Task Force, which is a strange name but which has  
2 goals set out by legislation to come up with  
3 recommendations to deal with congestion.

4 The New Jersey Task Force is a fairly  
5 broad task force representing citizen groups,  
6 representatives from the business community,  
7 government officials, local transportation agency  
8 people and really smart people like Marty.

9 And I got to be Chair of this because I  
10 knew the least about transportation policy of  
11 anybody in the room and so I as the naivest person  
12 asked questions about policies that we have.

13 And I discovered that transportation  
14 policy is really complex and that transportation  
15 is in fact a system and it is a system that works  
16 with fixed assets but it has a lot of individual  
17 players.

18 Everybody out there that is going  
19 somewhere is a participant in the program, and we  
20 don't tell them where to go, they figure out  
21 themselves how to work the system.

22 Either they take public transportation if  
23 it is the most attractive alternative to get them  
24 to where they are going, they use personal  
25 transportation, or they wind up hitching rides

Sinclair

1 with other people in car pools and other  
2 arrangements. Sometimes they are even lucky  
3 enough to walk or ride their bikes to work.

4 So we looked at this process and it was a  
5 very open process, perhaps the most open process  
6 of any in government. We put all of our  
7 information on the Web site at the Department of  
8 Transportation who did excellent staff work for  
9 us.

10 And I want to touch on a couple of these  
11 recommendations, but first I would like to offer a  
12 personal view on congestion.

13 There have been a number of reports, I  
14 refer them to you, Alliance for Action did two  
15 reports about it and put a price tag of something  
16 like six billion dollars a year on it. It is a  
17 very good report about what the impact on the  
18 economy of congestion is.

19 There was also a report to the Legislature  
20 done by the Department of Transportation on March  
21 31, 2001 which recommended incentives to encourage  
22 reduction in single occupancy vehicle miles.

23 They looked all around the country and  
24 selected good ideas for incentives for people to  
25 get people out of their single occupancy vehicles.

Sinclair

1           We had some experience in the State with  
2   the ill-fated employer trip reduction program that  
3   taught us a lot about the ability of government to  
4   mandate solutions on individuals, it was a  
5   learning process, and I think that that result  
6   tempered the recommendations that the Task Force  
7   came up with.

8           The Task Force tried to come up with  
9   doable, meaning politically doable, short-term  
10   suggestions, and it is the longer-term suggestions  
11   that I want to talk about that we looked at and  
12   the report did not adopt, and I am not necessarily  
13   being an advocate for them but I am saying there  
14   are solutions out there.

15           One of those solutions had to do with  
16   pricing, pricing congestion. We fooled around with  
17   this a little bit, the bridges going into New York  
18   on certain peak hours and raising or lowering the  
19   price of the roadway.

20           I think other places do it with rationing  
21   lanes, HOVs, if you have multiple occupancy you can  
22   use the lane and you get faster travel.

23           All of these things have somewhat mixed  
24   results but since the report came out in the City  
25   of London, England, they have initiated fairly

Sinclair

1 stiff pricing policy for vehicles downtown.

2 We on the Congestion Busting Task Force  
3 see that out in the future; if congestion gets so  
4 bad then pricing strategies will start to kick in.

5 Rationing strategies will maybe kick in,  
6 restrictions on the number of vehicles that you  
7 might have registered or when you can operate your  
8 vehicle. For instance, you might get a permit  
9 that says when you get your plate for your car you  
10 can never drive that car on Tuesdays or Wednesdays  
11 or something like that.

12 Those are the kinds of restrictions as to  
13 increased congestion, and we all know the numbers,  
14 there is going to be more congestion because we  
15 are going to have more people and whether we put  
16 those people in Pennsylvania and have them  
17 commuting here or whether they live in Western New  
18 Jersey or whether they live in Union County, there  
19 are going to be more cars traveling around with  
20 more people going to more jobs hopefully that we  
21 will create for these people.

22 And that brings up other restrictions that  
23 were brought up almost at the end of the process,  
24 such as that we would stop letting kids drive to  
25 high schools, but that didn't go through.



Sinclair

1           My perspective is that congestion is a  
2       personal choice matter.

3           And when we talked to people about  
4       congested hot spots and what it means to them,  
5       there is a recent article here in New Jersey about  
6       the state of congestion and the Department of  
7       Transportation hot spots that they identified as  
8       bottlenecks around the State, and so we asked the  
9       citizens of New Jersey where do they think the hot  
10      spots are and they told us and we learned from  
11      that that congestion is a spatial and temporal  
12      issue for individuals, how does it affect them  
13      personally:

14           Is this a traffic light that I have to  
15      wait at so long getting onto Route 1? Is it  
16      driving down Route 1?

17           It is all personal. And the answer-- and I  
18      facetiously say this-- that I have come up with is  
19      that people want to resolve congestion by getting  
20      some other people off the road so that I can go  
21      faster and get to wherever I am going, if we can  
22      come up with a strategy that gets those other  
23      people into some other vehicle, I don't care if  
24      they car pool or take mass transit or all live  
25      downtown, but just get them off the road so I can

Sinclair

1 get to where I am going with less hassle.

2 That's really the view I have taken away  
3 from this. I believe it is true and I believe this  
4 is really a politically sensitive subject when it  
5 comes to the kinds of restrictions that people  
6 will accept.

7 So it is more the big picture kind of  
8 thing that Marty is talking about in our  
9 recommendations which fit into the Governor's  
10 Smart Growth policy, what do you do with the  
11 future, where do you build things that people are  
12 going to live in?

13 With Smart Growth you are not just dealing  
14 with the congestion you have now, you are dealing  
15 with that increment of a million additional people  
16 coming in here and how do we make it easier in the  
17 future.

18 That was really a long run-up, and you  
19 have this before you and it is going to be in the  
20 record but I wanted to highlight some of the  
21 things that I think are important and maybe other  
22 than what it says here to tell you sort of rumors  
23 behind the news and what I think they mean.

24 The first item is that the business  
25 community has to work and show support for the

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1 local transportation management agencies. Local  
2 transportation management agencies are designed on  
3 a regional basis to help solve this problem. The  
4 business community has not been I think really  
5 good players in this process; they need to be more  
6 involved.

7 Marty said he is looking for visionaries  
8 to come in and design things. I think visionaries  
9 have stepped up just as the Governor or the  
10 Commissioner have stepped up with the Big Map and  
11 has invited the business community to be involved,  
12 the business community needs to be involved always  
13 in transportation decisions, employers need to be  
14 involved.

15 E-Z Pass, we scored E-Z, that was a no  
16 brainer, and we saw advantages of expanding the  
17 Park-and-Ride program. That's a real low cost  
18 win-win: If you build a Park and Ride facility  
19 you are building a car pooling system that you  
20 don't have to do very much about, you are getting  
21 people on a bus or allowing people to car pool out  
22 of an area.

23 We talked about freight. That was an eye-  
24 opener for me, that we are going to have four  
25 times the volume of freight means four times the

Sinclair

1 volume of trucks moving around the State. How do  
2 we get them to where they are going to and what do  
3 we do with those goods? It is an entirely  
4 different problem that we need to put into our  
5 calculation.

6 We need to think, as the business  
7 community and as trucking institutions we need to  
8 think about when freight is delivered to  
9 commercial facilities, we need to perhaps get  
10 trucks out of the morning rush hour in our urban  
11 areas and have the deliveries at sometime that is  
12 off-peak.

13 And I understand and the Committee clearly  
14 understands that people live around commercial  
15 facilities and that may not be a solution that is  
16 locally acceptable if we are going to have  
17 unloading of trucks and run trucks in the evenings  
18 and nights.

19 Bus rapid transit: Marty will argue with  
20 me on this, but fixed rail systems of all sorts  
21 are very expensive. We need to find vehicles that  
22 can move people around, are flexible and cheaper.

23 And the thing I learned in this process, I  
24 learned that you can't tell somebody to take a  
25 bus, leave your car, take a train, leave your car,

Sinclair

1     that there is just no space for it--

2             MR. BERKOWITZ: Jim, I will have to ask you  
3     to move along.

4             MR. SINCLAIR: I think I have discussed  
5     just about all that I wanted to discuss.

6             MR. BERKOWITZ: I doubt that.

7             MR. SINCLAIR: We have given this a lot of  
8     thought and I really did have the opportunity to  
9     work with really good people.

10            The congestion issue is not just something  
11     that winds up in a little report like this. I mean  
12     I went away on vacation and I am really surprised  
13     that the Governor said that it was the most or one  
14     of the most important issues in the State, so  
15     that's good because we are all talking about it  
16     and perhaps we will come up with some good  
17     solutions.

18            And the last thing on this, it is not in  
19     the report, the thing that I learned is that we do  
20     have to figure out how to put a greater amount of  
21     investment into public transportation, we ought to  
22     have a program that continues to ratchet up those  
23     dollars that go into public transportation so it  
24     becomes an attractive alternative for people to  
25     get from here to there.

Sinclair

1           I would be glad to answer any questions  
2   you might have.

3           MR. BERKOWITZ: Thank you.

4           Any questions?

5           (No response.)

6           Robert Campbell.

7           MR. CAMPBELL: The New Jersey Department of  
8   Environmental Protection, Bureau of Air  
9   Monitoring, in its 1997, 1998, 1999 and 2000 Air  
10   Quality Reports, states, " Ozone and particulates  
11   are New Jersey's two most pervasive air quality  
12   problems and more measures need to be taken to  
13   ensure that those health standards are attained in  
14   future years."

15           The report for 2001 has not yet been  
16   issued by NJDEP, but I anticipate it will repeat  
17   the same warning and recommendation. Motor  
18   vehicles emit nearly half of all the toxic  
19   chemicals that cause ground-level ozone. They also  
20   emit tiny particulates that can lodge in the  
21   lungs. These particulates cause numerous health  
22   ailments and tens of thousands of premature deaths  
23   each year.

24           Aside from the gasoline-electric motor  
25   hybrid engine vehicles now available from Honda

Campbell

1 and Toyota, the current fleet of gasoline and  
2 diesel engines being sold in New Jersey are  
3 inherently dirty and inefficient. Tailpipe  
4 controls and improved fuel quality only marginally  
5 slow the growth in the pollution from cars. The  
6 net effect of these reductions in mobile emissions  
7 has, however, been greatly diminished by the  
8 increased popularity of light trucks, a  
9 classification, or loophole as many of us refer to  
10 it, which still exists in the Corporate Average  
11 Fuel Economy, CAFE, Program established by  
12 Congress in 1975. Light trucks include all SUV's,  
13 minivans, and pick-up trucks with a Gross Vehicle  
14 Weight less than 8,500 pounds. The standard for  
15 light trucks is only 20.7 miles per gallon whereas  
16 the standard for passenger cars is 27.5 mpg. This  
17 permits light trucks to emit far greater amounts  
18 of pollution than passenger cars, and more than  
19 50% of all vehicles sold in the U.S. In 2001 and  
20 2002 were light trucks, SUV's, vans and pick-ups.

21 Three other states in the Northeast,  
22 Massachusetts, New York and Vermont have already  
23 adopted the California low-emission vehicle phase  
24 II standards for tailpipe emissions. Among those  
25 states, the standards will apply the same emission

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1 requirements of passenger vehicles to SUV's and  
2 all light trucks beginning in either year 2003 or  
3 2004. Since the U.S. Senate failed last year to  
4 approve an increase in the CAFE standards and thus  
5 to reduce our nation's dependence on foreign oil  
6 and reduce the massive volumes of Nitrogen Oxides,  
7 Volatile Organic Compounds, and small particulates  
8 emitted by the cars and light trucks sold in the  
9 U.S. Between now and 2015, New Jersey needs to act  
10 now to reduce the mobile emissions of vehicles  
11 registered in the State and to protect the health  
12 of its 8.5 million residents. If nothing else  
13 changes, everyone in New Jersey, and especially  
14 those living or working in urban areas and near  
15 major highways and roads, will be forced to  
16 continue to breathe air containing high levels of  
17 toxic chemicals such as Benzene, 1, 3-Butadiene,  
18 Formaldehyde, the ground level ozone resulting  
19 from VOC's and small particulates produced by  
20 mobile sources.

21 I ask all members of the Council to refer  
22 to the NJDEP website "Air Toxics of Special  
23 Concern" after today's hearing. I a section  
24 entitled "The 25 Air Toxics of Greatest Concern in  
25 NJ" it says, " Our preliminary analysis of the



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1 county average hazardous air pollutant  
2 concentrations generated by the U.S.EPA's  
3 Cumulative Exposure Project indicates there were  
4 24 carcinogenic chemicals predicted by EPA to  
5 exceed health benchmarks in one or more counties  
6 in 1990."

7 The first table that follows lists 10  
8 pollutants of concern and indicates they exist  
9 statewide. Benzene, 1,3 Butadiene and Formaldehyde  
10 are included in this group and the source of these  
11 emissions is listed as either mobile or mobile and  
12 area.

13 In fact 7 of the 10 chemicals listed in  
14 this statewide group are produced by mobile  
15 sources. Page 2 of this same website provides  
16 information on the sources and concentrations of 7  
17 air toxics which exist globally. As regards  
18 Benzene and Formaldehyde it states, " They are  
19 emitted in such large quantities around the world,  
20 especially in cities, that they travel on the wind  
21 and are still found in significant quantities in  
22 remote and rural areas."

23 There are several facts worthy of further  
24 comment concerning the three chemicals noted  
25 above.

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1                   Benzene.

2           Generally Benzene makes up 3 to 5% of exhaust  
3           hydrocarbons from gasoline fueled vehicles. In New  
4           Jersey 63% of Benzene emissions come from mobile  
5           sources and 29% result from transport over  
6           distances greater than 50 km, including interstate  
7           transport.

8                   As regards health effects, the U.S.EPA  
9           consideres Benzene a known human carcinogen, based  
10          on sufficient epidemiological evidence. Increased  
11          incidence of leukemia occurs in people exposed to  
12          Benzene in the workplace. Recently toxicologists  
13          and epidemiologists have been finding evidence  
14          that proximity to heavily traveled roadways  
15          predisposes children to contracting leukemia.  
16          Animals exposed to Benzene in experiments have  
17          contracted cancers of the bone marrow, lymphoid  
18          system, skin, ovary, oral cavity, lung, mammary  
19          gland, and other glands.

20                   1.3 Butadiene.

21          This is a gaseous hydrocarbon. It occurs as an  
22          incomplete product of combustion of organic  
23          materials, including motor fuels and fires. In New  
24          Jersey the main source of this chemical is  
25          incomplete combustion of gasoline and diesel

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1 fuels. Mobile sources produce 99% of it, and the  
2 remainder comes from area sources.

3 Limited epidemiological evidence of  
4 workers exposed to 1,3 Butadiene reveals increased  
5 risk of leukemia and other lymphomas. It is one of  
6 only two chemicals known to cause cancer in the  
7 heart of lab animals. Due to current evidence, EPA  
8 considers 1,3 Butadiene to be a probable human  
9 carcinogen.

10 Formaldehyde.  
11 This is a colorless gas at room temperature that  
12 is sold commercially and used as a bactericide and  
13 fungicide. It is emitted both directly into the  
14 air and formed as a result of chemical  
15 decomposition of other organic compounds. In New  
16 Jersey 82% of Formaldehyde emissions come from  
17 motor vehicles and off-road vehicles and  
18 equipment.

19 Limited human studies demonstrate a link  
20 between Formaldehyde exposure and nasopharyngeal  
21 cancer. It produces squamous cell cancer in the  
22 nasal passages of rodents. Because extensive human  
23 information is not available, the US EPA  
24 classifies Formaldehyde as a probable human  
25 carcinogen.

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1           Additional information on these hazardous  
2 chemicals is also available in the Hazardous  
3 Substance Fact Sheets website of the New Jersey  
4 Department of Health and Senior Services.

5           In conclusion, the adverse impact on the  
6 health of New Jersey residents, caused by the  
7 continuing high levels of air pollution resulting  
8 from mobile emissions can no longer be tolerated.  
9 The people of New Jersey should not be expected to  
10 wait any longer for Federal legislation to require  
11 a significant increase in the CAFE standards. New  
12 Jersey has an obligation to do what it can to  
13 protect the health of its population.

14           There were 6.4 million vehicles registered  
15 in New Jersey in 1999 and their number has likely  
16 increased since then. It is essential that the  
17 State Senate and Assembly, the New Jersey Clean  
18 Air Council and the NJDEP work together to approve  
19 the bills introduced two years ago in both houses  
20 of the legislature(now S2351 or S121 and A3393)  
21 calling for New Jersey to adopt the more stringent  
22 California Low Emission Vehicle, LEV Phase II  
23 regulations for vehicles sold in New Jersey  
24 beginning in the year 2006.

25           MR. PAPENBERG: Earlier today we had some

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1 testimony from some people representing the  
2 Automobile Alliance talking about the fact that  
3 the vehicles that are being manufactured now are  
4 virtually or will be virtually emission free and  
5 therefore the feeling that I got was that  
6 hopefully that this was practically no longer a  
7 problem in New Jersey.

8           Would you comment on that? I gather from  
9 your testimony you don't see eye to eye with the  
10 testimony we heard earlier.

11           MR. CAMPBELL: I wasn't here for the  
12 earlier testimony, but what vehicles are they  
13 referring to to be emission free?

14           MR. PAPENBERG: The new vehicles,  
15 automobiles and light trucks.

16           MR. CAMPBELL: That's not clear to me, if  
17 we are talking about gasoline engines.

18           If you are talking about what was proposed  
19 by President Bush as to the hydrogen powered  
20 vehicles, but I am not clear on what type of  
21 vehicles you are referring to.

22           My statement stands. I think it is correct  
23 that other than the hybrid engines that have been  
24 produced and made available in this country by  
25 Honda and Toyota all of the other vehicles that

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1 are being produced with gasoline engines or diesel  
2 engines are inherently dirty and inefficient.

3 MR. PAPENBERG: I think specifically what  
4 was referred to was that the person providing the  
5 testimony emphasized the improvements specifically  
6 made in the catalyst converters that allowed for  
7 the elimination of most of the air contaminants.

8 MR. CAMPBELL: Are you saying something to  
9 the effect that we only need to put these special  
10 catalyst converters on the current automobiles and  
11 they will make it go away?

12 MR. PAPENBERG: As I understood the  
13 testimony, that's what was being said, unless I  
14 misunderstood, that the new automobiles coming out  
15 as early as 2004 were no longer going to be a  
16 problem.

17 MR. CAMPBELL: It is news to me. I cannot  
18 respond to that question.

19 MR. LIBRIZZI: We spent a lot of time thus  
20 far talking about reducing the amount of cars on  
21 the roads through planning as well as car pooling  
22 and programs dealing with that and we just heard  
23 the Congestion Buster Task Force Chairman mention  
24 personal choice.

25 That all translates into the role that the

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1 public plays in this whole process.

2           From your perspective can you give us an  
3 idea as to what you think would need to be done as  
4 far as outreach to the public, educating the  
5 public or providing incentive to the public to get  
6 them to be more and more engaged in reducing their  
7 miles traveled?

8           MR. CAMPBELL: Well, the previous speakers  
9 this afternoon have talked about a combination of  
10 developing the physical requirements for using  
11 mass transit and pricing it in a way to appeal to  
12 more people to get them out of their cars and into  
13 public transportation.

14           Someone mentioned earlier about a proposed  
15 increased tax on motor fuels, there is a book that  
16 I recommend to you, " The Extra Mile," I forget  
17 the author's name, but it is available in the  
18 libraries and I do recommend it if you want to  
19 talk about tax incentives to help people leave  
20 their cars at home and use public transportation.

21           We have been actually proposing it for  
22 sometime, a far greater focus of improving public  
23 transportation in this State and to increase the  
24 tax on the motor fuels by ten cents a gallon to  
25 provide for the funds that are needed for public

Campbell

1 transportation.

2 Thank you.

3 MR. BERKOWITZ: Any other questions?

4 (No response.)

5 Thank you very much for your comments.

6 Diane Brake of the Regional Planning  
7 Partnership.

8 MS. BRAKE: I haven't heard all of your  
9 testimony but I realize you have had a long day of  
10 people talking to you. Perhaps I am also going to  
11 go over some of the points which you have already  
12 heard but I hope that what I will bring forth is a  
13 way of connecting all of those themes together and  
14 perhaps offer a few tools that we have been  
15 thinking about that help to keep your brain from  
16 exploding when you are being asked to consider  
17 environmental concerns, economic concerns and  
18 transportation concerns.

19 My organization is a non-profit  
20 organization formed in 1968, as it says here,  
21 protecting the quality of community life through  
22 sound land use planning and regional cooperation.

23 We are a small organization of planners.  
24 We have a large Board that represents a number of  
25 interests, and I want you to know what broad



Brake

1 interests we have. Our Board is made up of people  
2 who represent corporations, the development  
3 community, the environmental community and the  
4 public sector and people who are interested in how  
5 land use can be used relating to clean air.

6 What I want to go over with you is this  
7 sense of community. We are regional planners and  
8 we like to think of ourselves as a bridge between  
9 State government, State planning, local planning  
10 and local land use.

11 Regional thinking: When nine/eleven  
12 happened I think you began to see exactly how big  
13 the region is and how connected we are to it.  
14 There are many emotional ways we are connected to  
15 it but I am going to go over the infrastructure  
16 and other ways we are connected to it.

17 Those are the roads, rails, bridges and  
18 tunnels, and we are connected with sewer lines,  
19 septic areas.

20 This is where the population density is.  
21 You can see how scattered New Jerseyans are.

22 We also are talking about the air quality  
23 management areas and we recognize that a lot of  
24 the bad things coming into New Jersey are coming  
25 from outside of the State.

Brake

1           We are also concerned with the watersheds,  
2 wetlands and surface water, we are concerned about  
3 acid rain and how that affects water and air  
4 pollution, affects forestation.

5           All of these things begin to be connected  
6 in a big regional system.

7           We would like to point out that the local  
8 government, these are outside of the control of  
9 their land use decisions, and yet what they do at  
10 the local level affects all these large systems.

11          Just to give you a sense of the density in  
12 the region that we studied for the last  
13 thirty-five years, you can see that, if you can  
14 relocate yourself to 1976, if you were flying over  
15 this region you would see very distinguished  
16 communities, you could tell where Princeton is in  
17 the middle of it.

18          I think the next slide is in 1996. You  
19 begin to see how that is spreading out. That's the  
20 sprawl you have heard about. That's what we are  
21 trying to control. That is what is so difficult,  
22 to shift transportation modes from single drivers  
23 to more public services.

24          We took that twenty year trend and  
25 projected it into the future just to see what in

Brake

1     twenty years in Central New Jersey the landscape  
2     would look like.

3             That is full build-out. The white areas  
4     left are protected wetlands or protected open  
5     space and farmland. There is no further  
6     development except for redevelopment but already  
7     we have destroyed a lot of the landscape we would  
8     like to protect, and who knows what the gridlock  
9     will do to the air quality at that point in time?

10            Nobody wants that but the question is how  
11    can we move on to some other future starting where  
12    we are?

13            You have certainly heard that one of the  
14    problems we have to deal with is attitude and how  
15    much public choice are we talking about?

16            And it is always important to remember  
17    that Americans really hate sprawl and they also  
18    really hate density, which is what we are asking  
19    them to accept when we are talking about public  
20    transit.

21            So we have to find ways in which they can  
22    share anonymity laden density so that they will  
23    consider it an enhancement to their lives rather  
24    than asking them to eat spinach.

25            The real question is where are we going to

Brake

1     grow? We are not asking anybody to move out of  
2     their current house. We are asking people to think  
3     about as people move in how do we want this to  
4     affect our communities, are we going to have  
5     people build in areas where there is also  
6     infrastructure where we need to fuel the  
7     revitalization efforts, but we also have to do  
8     that in a way to clean up those areas. That's the  
9     challenge.

10           DEP, the Big Map, because the green areas  
11     are often the most polluted areas are we going to  
12     continue to use up our landscape and end up with  
13     that bleak landscape, or if we don't want that  
14     what do we want?

15           The next slide shows that we can come up  
16     with a different solution looking at the landscape  
17     and looking at transportation and where we want to  
18     protect the environment, so then we selected those  
19     growth centers and then connected them with  
20     transportation. That's the technique we are asking  
21     to be applied regionally. You can't ask any one  
22     community to pick that center unless they see how  
23     they fit into the overall picture. Some will say  
24     we can't accept the density that you want around  
25     the train station; my argument would be if they

Brake

1     could see how they fit into a regional system and  
2     that they could be an example that many others  
3     would follow that so they are not out there alone  
4     that might be helpful.

5             I am going to run through a few slides  
6     about Smart Growth. This is not just about  
7     location but it is also about what you do when  
8     building in that location to improve the quality  
9     of the environment.

10            This is about reducing auto dependency.  
11     Contrary to some of the things you heard earlier I  
12     would recommend that you not focus on congestion.  
13     Congestion is not a solvable problem and it is  
14     contraindicated if you are actually promoting  
15     density. Density and congestion have to be  
16     redefined if you are going to be providing the  
17     amenities of public transportation, commerce,  
18     interaction, a walkable community life, you have  
19     to consider density and congestion in a new way.

20            Reducing auto dependency and shifting  
21     transportation to other options is what we are  
22     trying to do.

23            We also have to understand when we are  
24     choosing the locations for transportation what are  
25     the constraints of the economy.

Brake

1           The movement of goods through New Jersey,  
2   we are a gateway state, that is head and shoulders  
3   even above pharmaceuticals in terms of importance  
4   to New Jersey's economy. There are locational  
5   decisions that have to enter into that.

6           We also have to talk about balancing jobs  
7   and housing. The economy is not just about jobs,  
8   it is about the people that fill those jobs. In  
9   particular affordable housing which we have been  
10   remiss about is on this administration's agenda.  
11   It is all about how people travel to those jobs  
12   and where they live in connection with those jobs.  
13   You cannot solve the transportation problem  
14   without solving the housing problem.

15           We expect growth to be efficient.

16           It is also about equity and I think it is  
17   very important that when we think about  
18   transportation that we think about the equities  
19   that we would be encouraging as we provide  
20   transportation.

21           Another thing I think we have to think  
22   about that isn't reflected in the slides is the  
23   long-term picture. I have seen a number of think  
24   tanks criticizing Smart Growth for providing  
25   transportation options because if you measure it

Brake

1 at the end of twenty years you haven't seen the  
2 needle move very move. That shouldn't be a  
3 deterrent. We should think in the long term.

4 The interstate road system was invented, I  
5 believe it was in the nineteen-twenties when it  
6 was proposed, but it was at least fifty years  
7 later before it really was beginning to affect our  
8 life-style, so we have to think in much longer  
9 terms.

10 Expanded housing options.

11 And I would also ask you to think about  
12 the numbers that we are talking about. As you  
13 reduce-- you have to do this when you think about  
14 clean air technically, if you are reducing  
15 emissions from the tailpipe and expanding the size  
16 of the engine your numbers begin to move from one  
17 problem to another problem. It is very important  
18 to get a handle on what those numbers are.

19 I would also say that the methodology we  
20 are promoting is target based. To set ambitious  
21 targets is very important in order to generate new  
22 solutions.

23 I would like to use as an example of  
24 public policy recycling, that because of a Court  
25 decision they were really compelled to come up

Brake

1 with an ambitious target of recycling of sixty  
2 percent of the waste. They recognized the  
3 practices or the strategies they had in place to  
4 promote recycling would never meet that target so  
5 they had to invent new solutions. They invented  
6 free curbside collections because the target was  
7 so ambitious.

8 I was reading your last report where you  
9 felt it was too complicated to address the low  
10 emission vehicles at the time, I don't know all of  
11 the details of that argument, but I would caution  
12 you not to be too cautious, that sometimes  
13 ambitious targets lead to much more effective  
14 solutions.

15 Again, what you have to do and what  
16 certainly planning has to do is to optimize the  
17 range of the goals rather than maximize them and  
18 you have to keep a number of things in mind in  
19 order to accomplish that such as quality of life.

20 And I think that Smart Growth has become a  
21 little unbalanced, we have invented a way to think  
22 about it in a simple way.

23 But we have to think about it first as to  
24 the economy, the second is transportation and the  
25 third is the environment. We have taken it a step



Brake

1 further to say in the economy there is a land use  
2 task to be done and that task is to set jobs and  
3 housing targets by location, exactly where are we  
4 going to put the growth?

5 We just finished a project in Trenton  
6 where we were looking at the capacity of Trenton  
7 to support Smart Growth. It wasn't until you  
8 started to talk twenty, thirty thousand, it is not  
9 until you start talking numbers and locations that  
10 you begin to get specific about what the plans  
11 are.

12 In transportation the job is to choose the  
13 transit targets. Marty Robins said that the  
14 nineteen-nineties map that Transit put out had too  
15 many transit corridors. That may be true for how  
16 much New Jersey Transit can afford in any kind of  
17 foreseeable future but in terms of land use which  
18 is decided incrementally over a number of years it  
19 is important to begin to think about where those  
20 transit corridors are going to be and to begin to  
21 focus on it.

22 The third system is the environment that  
23 brings in a number of issues about increasing and  
24 improving habitats by redevelopment or re-use and  
25 water supplies and wastewater.

Brake

1           One of the other things I wanted to say is  
2   that as to the three systems planning has to be  
3   done at the State, County and local level. The  
4   important thing is that planning, regulating and  
5   taxing and spending all fit together, so now we  
6   have this system of planning but you have to  
7   apply it.

8           What we have come up with demonstrates  
9   that what you have to do is a combination of  
10   factual analysis and a political process to help  
11   set targets and set strategies.

12           We are proposing legislation to help  
13   promote this regional planning process and when  
14   you see how it fits into your particular goals I  
15   think it would be helpful to support it.

16           There are a number of substantial reasons  
17   brought up as to why there are obstacles to Smart  
18   Growth. Lack of data, tools and resources,  
19   fragmentation of decision-making, we are  
20   overwhelmed with numbers in our lives and that we  
21   have very little information on which to make good  
22   decisions.

23           The property tax issue has been raised  
24   today. Since a lot of the transportation  
25   initiatives are about where the houses are in

Brake

1 relation to the jobs communities will not take on  
2 more housing in those transit corridors unless  
3 they have the support to pay for the school  
4 children. It comes up in my work all of the time.

5 Limited control in the short term, again,  
6 think long term.

7 As to opposition to change, there is that  
8 little cartoon we have.

9 And one last thing, lack of political  
10 will. I have often thought about taking that off  
11 now because this administration has put a number  
12 of things on the table to be changed and it looks  
13 like maybe they have that political will.

14 Very clearly in the process that we have  
15 set up the political choices must be constrained  
16 by standards that we want the government agencies  
17 to set such as clean air standards that could be  
18 met through land use which would be a very useful  
19 contribution in getting Smart Growth to achieve  
20 clean air .

21 I know that the State DEP does not  
22 control land use but we need to get over that  
23 hurdle so that land use becomes a part of the mix  
24 for providing air quality standards for mobile  
25 sources. The problem is big, and land use is a

Brake

1 significant portion of it. We have to find a way  
2 to get land use into the mix and set some  
3 standards so that we begin to work towards those  
4 standards.

5 MR. BERKOWITZ: Can you give us example in  
6 which regional planning is working and why it is  
7 working?

8 MS. BRAKE: That's a good one. The  
9 Meadowlands and the Pinelands, those were set up  
10 as special legislation and they had very  
11 compelling environmental reasons to make it work  
12 but there was a transfer of development credits.

13 In the Pinelands every town gets to do  
14 their own planning, it has to be certified, and  
15 there are plenty of options for Home Rule and that  
16 is a problem for sure but people recognize,  
17 citizens recognize and more and more local  
18 governments are recognizing that the problems are  
19 not within the control of their communities.

20 Some Municipalities emphasize they would  
21 like to control their neighbor's Home Rule.

22 MR. ZONIS: Give me some help. I don't  
23 understand your point about having land use as  
24 part of the mix in providing air quality standards  
25 for mobile sources.

Brake

1           MS. BRAKE: You have heard testimony that  
2           mobile sources contribute a significant portion to  
3           the air quality in New Jersey, so how do we get  
4           transportation to change, to reduce that portion?

5           In order to get transportation to change,  
6           the most significant way to get transportation  
7           choices changed is through land use, if you could  
8           have land use to be less auto dependent.

9           MR. ZONIS: How could land use control the  
10          vehicle miles traveled?

11          MS. BRAKE: Density, the mix and design of  
12          the land use affects it. Think of it like land  
13          use as a capacity in the system.

14          MR. MANGANELLI: Lack of data or  
15          information to make a decision; can you help us  
16          here, what data do we need to make the decisions  
17          with regard to Smart Growth?

18          MS. BRAKE: Two areas. One is build-out of  
19          the Master Plan because zoning is now controlled  
20          land use and most Municipalities do not know the  
21          long-term implications of their zoning ordinances  
22          so in order to jump-start that you would need to  
23          show the results of the build-out of their zoning  
24          to get them to think about changing it.

25          The second thing is about the capacity of

Brake

1 the system. It is very important to know if you  
2 are going to encourage growth in a certain area  
3 that there is a capacity of the system to support  
4 it. There is very little information about the  
5 capacity of the system in any particular location.

6 MR. EGENTON: Diane, I asked Joe Maraziti  
7 this question this morning: You have targeted  
8 where you want to put Smart Growth, and I  
9 mentioned to Joe about safety concerns in certain  
10 areas that are among the things which people are  
11 looking to question regarding quality of life  
12 issues that can't be ignored and that need to be  
13 addressed.

14 MS. BRAKE: I don't have it up there  
15 because I am assuming if we did all of the Smart  
16 Growth things I am recommending that quality of  
17 life improves.

18 If you are thinking about some of the  
19 Cities the way they are now and how undesirable  
20 they may be you should remember that when the  
21 economy is good there are people who want to live  
22 there.

23 Demographics that have just come out as to  
24 baby-boomers' most productive years in terms of a  
25 family, we are moving away from a single household

Brake

1 with that kind of land use patterns with schools  
2 and yards, we are moving away from that. That is  
3 again part of long-term thinking.

4           You have to think about adding amenities as  
5 Smart Growth does. It isn't just about relocating  
6 growth, shoehorning it back into some new pattern.  
7 It is about how you make that shoehorn to feel  
8 better, to work better, to function better, to  
9 provide amenities, to think about park access,  
10 recreation and open space, to think about all  
11 those things.

12           It is very important to recognize that the  
13 design of a community that works for good transit  
14 also works for good safety, and yet we still say  
15 that it is safer in a shopping mall than it is  
16 downtown, and that is absolutely false. There are  
17 more muggings, more auto thefts, more dangers in  
18 Quaker Bridge Mall than there are in Trenton. Look  
19 at the statistics.

20           MR. PAPENBERG: Previous speakers have  
21 talked about something that you put up as one of  
22 the key barriers for Smart Growth, that is the  
23 ratable chase and property tax issue which has  
24 come up five or six times. Do you have any  
25 concept as to how that might be achieved.

Brake

1           MS. BRAKE: Funny you should ask. April 11  
2   Princeton University is putting a symposium on.  
3   They have come up with consensus points where they  
4   do look for a Constitutional Convention and look  
5   for regional tax sharing focusing on tax reform  
6   and lowering people's burdens. We are putting on  
7   the program Friday morning. It is geared toward  
8   legislation. I think it will be interesting. Our  
9   group has been involved with moving that agenda  
10   and reminding people when they do have that  
11   Constitutional Convention the outcomes they should  
12   focus on besides lowering people's taxes.

13           MR. LIBRIZZI: You had a slide which had  
14   Smart Growth's aims. Would you characterize them  
15   as principles of Smart Growth?

16           MS. BRAKE: Yes.

17           MR. LIBRIZZI: Is that yours, is it a  
18   concensus, is it sort of a new concept?

19           MS. BRAKE: I have been there for eighteen  
20   years. This is not a new concept for us.

21           MR. LIBRIZZI: Do you envision from your  
22   perspective that these principles are going to  
23   drive politics?

24           MS. BRAKE: Yes, I do.

25           Thank you.



Brake

1 MR. BERKOWITZ: Thank you.

2 Robert Babik, General Motors.

3 MR. BABIK: Robert Babik, I work with  
4 General Motors. I am Director of Vehicle Emission  
5 Issues.

6 It is great to be back. Since Greg Dana  
7 covered the issue of California versus Tier 2 I  
8 would like to take a different direction. Greg  
9 mentioned tailpipe emissions from the  
10 nineteen-sixties are down toward zero. The most  
11 important thing if you are going to make an impact  
12 is to turn over and get rid of all of the old  
13 things and start getting down to these newer and  
14 cleaner vehicles.

15 What I want to talk about is the road to  
16 the future. There has been discussion today about  
17 the EPA and California programs being equivalent  
18 in emission reductions.

19 I want to talk about the last mile to get  
20 down to what I call the long-term goal.

21 What that is going to cause is it is going  
22 to have to force us to reinvent the automobile  
23 using safe, environmentally friendly sound  
24 technologies that protect and improve people's  
25 lives, but as we move forward I will address those

Babik

1 issues.

2 GM has taken an approach, it is kind of  
3 displacement on demand, it is going to take  
4 ambitious targets which we in GM think we have.

5 I will show you that our view of how to  
6 move advanced technology forward is a little bit  
7 different than our competitors but it is just as  
8 compelling.

9 Here is where we are at today. We need to  
10 go through an evolutionary period to hybrid  
11 electric vehicles.

12 Evolutionary technologies planned or in  
13 use on GM products include these type of  
14 technologies. These are coupled with an internal  
15 combustion engine already extremely clean and we  
16 are trying to get the last bit out of it, we are  
17 trying to get continuous improvement and as every  
18 year goes by we your eking out a little bit more  
19 water out of the stone.

20 We are going to be seeing vehicles in the  
21 near future, displacement on demand, where maybe  
22 you have an eight cylinder vehicle, you need a lot  
23 of fuel, but we don't need all that energy so it  
24 shuts down on the cylinders so it is only running  
25 on four.

Babik

1           We tried this once before and it didn't  
2       work so well. The reason it didn't work so well is  
3       we didn't have the computer power to make it  
4       happen smoothly, but we have it now and we are  
5       implementing it and when you see this technology,  
6       we are going to make continuously variable  
7       transmissions, it is an efficiency technology.

8           We have made so much improvement from an  
9       emissions standpoint. Right now we are looking at,  
10      as you can see, we are looking at, we are focusing  
11      on efficiency and with all of the security issues  
12      going on now efficiency has gotten to be on top of  
13      the list.

14          GM's approach: We are coming out with a  
15      new hybrid package. We started out with the hybrid  
16      transit bus. We thought we would put hybrid  
17      technology to work where it would make the most  
18      impact first on a large vehicle, stop and go  
19      traffic in urban settings, and then move that  
20      technology down into the smaller vehicles.

21          We always questioned some of our  
22      competitors, that they started out with the  
23      smaller vehicles that were already getting thirty,  
24      forty miles per gallon.

25          With our hybrid transit bus we have a

Babik

1     hybrid bus that has all of the same components  
2     future fuel cell vehicles will need.

3             The second point about the diesel hybrid  
4     is that diesel heavy duty vehicles don't have  
5     after-treatment at the current time. This is an  
6     application where hybrid technology helps reduce  
7     emissions, and you can see that on the left-hand  
8     side. The hybrid bus is better in every  
9     category. On the right-hand side where the bar is  
10    higher we did better on fuel economy.

11            So the hybrid bus does great on emissions  
12    and fuel economy, we want to make sure people  
13    understand it is now an equal type technology when  
14    you are looking at transit issues.

15            Next slide.

16            Again we targeted the higher fuel  
17    consumption vehicles first and we are currently  
18    demonstrating those vehicles today. We have them  
19    in locations throughout the United States. In  
20    Utah, we just delivered some there, in California  
21    and Texas, and we are going to go into production  
22    late this year and early next year.

23            We also demonstrated them in recent auto  
24    shows. We are moving this hybrid technology down  
25    to other vehicles and what we are doing in GM is

Babik

1     trying to focus on not just providing one vehicle  
2     or one model for consumers, we are putting it in  
3     our highly successful pickup truck, the Saturn VUE  
4     and Chevrolet Equinox, Malibu Sedan, and other  
5     vehicles will come out over 2005, 2006 and 2007 in  
6     a sequential manner.

7             This allows people the choice that if  
8     someone needs a pickup truck that they can get a  
9     hybrid pickup truck.

10            One of the things we are trying to make  
11     sure that we focus on is the customer. Most  
12     importantly, it is not what you make but what you  
13     sell that counts if you are going to get it into  
14     the marketplace with a high volume impact.

15            We are focusing on implementing the  
16     technology so there is no trade-off as to vehicle  
17     performance and contain other attributes which  
18     create additional consumer demand. We are trying  
19     to balance it so that people can embrace these  
20     technologies and in one of our pickup trucks we  
21     even have a 110 volt outlet for construction  
22     workers so they can plug in tools and use them. We  
23     are trying to give the technology other attributes  
24     because you need to sell it. You have to sell  
25     these people on the technology and we are trying

Babik

1 to give them things that not only our consumers  
2 demand but which also reduces fuel consumption.

3 Affordability: We are making a really big  
4 effort to get consumer based tax credits in the  
5 near term.

6 A sustainable business plan cannot rely on  
7 incentives over the long term. The product must be  
8 viable and embraced by the marketplace to have an  
9 impact. We are trying to make it so that it is  
10 across our portfolio and that we have more than  
11 one offering and people have the choice on which  
12 one to choose.

13 GM is making a big bet on fuel cells with  
14 ambitious targets.

15 We now have emissions down and marching  
16 toward zero but we are saying the only way we are  
17 going to make the next leap forward is to step out  
18 of the box with fuel cells and the only feasible  
19 way to get there and have zero emissions is with  
20 hydrogen.

21 We have a long history of people saying  
22 the California Mandate forced you to act, to do  
23 all this technology, but we are not doing any of  
24 this because of the California Mandate, we are  
25 doing it for business reasons that make sense, we

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1 developed a fuel cell vehicle back in 1968 and we  
2 went through a bunch of different progressions.

3 We were willing to step a little out of  
4 the box, we said if our engineers were going to  
5 design a vehicle today and not rely on an internal  
6 combustion engine what would it look like?

7 And our engineers, I was surprised at the  
8 result, stepped out of the box and said we would  
9 make it like a laptop computer, have all of the  
10 computer components in the bottom and do it all  
11 drive by wire so that the only connection is a  
12 computer port and everything is driven by wire.

13 At last year's auto show, 2002, we said we  
14 would have a working model in nine months. Our  
15 critics said, You are just trying to get people to  
16 look and you are buying time.

17 We faked everybody out. We built the first  
18 drivable fuel cell by wire technology vehicle in  
19 nine months. It is a very expensive vehicle, and I  
20 had a chance the drive it and it is extremely cool.

21 You have no dashboard. In most of the  
22 accidents injuries happen to the drivers when they  
23 hit the steering pole. But in this vehicle the  
24 pole collapses to the right or left, there is  
25 nothing behind it. Everything is on the floor of

Babik

1 the vehicle. You can make the seat spin around if  
2 one of your passengers wants to sit and talk to  
3 the people behind them.

4 This stretched our imagination as to what  
5 hydrogen fuel cells.

6 Why are we here today? I want to  
7 highlight that one of the things we are doing on  
8 the Federal level is going after Federal advanced  
9 technology credits under the Energy bill.

10 What I can see from the State standpoint,  
11 everyone is under a crunch, but if it is possible,  
12 consumer incentives should include State tax  
13 credits to consumers, and exemption from State  
14 sales tax for the first three years for advanced  
15 technology vehicles is something that would help  
16 stimulate consumers to buy these vehicles.

17 Hydrogen fuel infrastructure development.  
18 The biggest challenge to hydrogen fuel cells is  
19 going to be infrastructure and there will be codes  
20 and standards. How do we switch from treating  
21 gasoline as a fuel to treating hydrogen as a fuel  
22 and dealing with all of the local codes and  
23 standards that go along with that, which is very  
24 complex and one of the major hurdles also because  
25 everywhere you go people have different standards.



Babik

1           Advanced fuel/vehicle market development:  
2   Support State and local agencies to consider  
3   advanced technology vehicles for fleet purchases  
4   while maintaining the flexibility to balance their  
5   fleets to address their individual needs, thus  
6   highlighting preferred vehicles rather than  
7   mandating them allows local agencies flexibility.

8           Finally, promote policies that change  
9   consumer behavior: I just threw a couple down here  
10   and hopefully by the end of the comment period I  
11   will give you a detailed page, but preferred  
12   parking is a great one. If I bought a hybrid  
13   vehicle for the first four years I owned it I get  
14   a parking place up close.

15           Or if you have HOV lanes in your State,  
16   even if I am a single occupant as long as I am  
17   driving an advanced technology vehicle I get to  
18   use the HOV lanes, for mitigation and traffic flow  
19   enhancements.

20           MR. MANGANELLI: Did I understand you  
21   correctly as to one slide you had up that  
22   environmental benefits may not be the thing that  
23   is going to sell but rather whether you can make  
24   an attractive vehicle and to sort of drag along  
25   with it the environmental benefits?

Babik

1           MR. BABIK: The concept as to that is we  
2       were looking at the fuel cell vehicles and I was  
3       talking about what other attributes can you put  
4       into it for folks. You have this chassis with the  
5       hydrogen fuel cells, at night at your home you can  
6       use it to power your house so that you take that  
7       house off the grid because the fuel cells that are  
8       in the car can actually power a house with  
9       sixty-five to seventy-five kilowatts, so we are  
10      trying think think of how to give people the  
11      understanding that this is a good attribute.

12           It is a stretch but we are trying to move  
13      the ball ahead of the internal combustion engine.  
14      We continue to improve it and we are now splitting  
15      hairs on emissions and efficiency.

16           MR. PAPENBERG: Just to reconfirm,  
17      according to your testimony there is no difference  
18      between the EPA vehicle emission program and  
19      California standard; is that correct?

20           MR. BABIK: Correct.

21           MR. PAPENBERG: And the reason for that is  
22      because of the enhanced performance of the  
23      catalytic converter design and other types of  
24      improvements that have been made?

25           MR. BABIK: As Greg mentioned there was a

Babik

1 time in the early 1990's where there was a big  
2 difference between California's standards and the  
3 Federal standards; there were cars made for  
4 California and cars made for the rest of the  
5 country. Those standards are now very equivalent.  
6 We will be fifty state certifying our vehicles. We  
7 can sell them in California or New Jersey; they  
8 are the same cars, not different cars.

9 We are trying to move beyond that and into  
10 other technologies. When you have a mandate the  
11 only only thing I will highlight for you is it  
12 takes the focus off the ball because our engineers  
13 focus on trying to comply with a mandate that  
14 maybe isn't viable from a commercial standpoint  
15 when we can be spending that time and resources on  
16 other technologies within our budgets.

17 A lot of people say, " Those nasty auto  
18 companies, they are just trying to make money. "  
19 Keep in mind it is when we are making money that  
20 we become very innovative and put money into  
21 research and development programs, not when times  
22 are lean. Right now we are going through a rough  
23 time.

24 MR. BLANDO: You mentioned about the fuel  
25 cells and the home. But what emissions, how does

Babik

1     it wash out in the end?

2             MR. BABIK: It is a new way of looking at  
3     things because you are taking a step back and  
4     looking at the entire process. Wells to wheels,  
5     trying to look at it from a cradle to the grave  
6     standpoint and seeing what is the true impact from  
7     start to finish of these different fuels and  
8     different technologies such as hybrids, diesel,  
9     gasoline, fuel cells and there is a study that  
10    covers all these and does a matrix.

11            MR. BLANDO: Fuel cells in terms of  
12    hydrogen, are there any safety issues involved?

13            MR. BABIK: It is interesting because  
14    people point that out a lot but we didn't do this  
15    until we thought it was safe.

16            Just as with gasoline safety issues we  
17    think with hydrogen the safety issues can be  
18    addressed in the same way. People are sensitive  
19    to this and we need to prove it like with any  
20    car's integrity and safety issues, and as we are  
21    proceeding we are addressing those issues. It can  
22    be handled in a safe manner. I don't think GM or  
23    any other companies would pursue this otherwise.

24            MR. BERKOWITZ: Thank you. It was very  
25    interesting.

Babik

1           Jeff Tittle, Director, New Jersey Sierra  
2 Club.

3           MR. TITTLE: There have been a lot of  
4 different issues brought up that I want to touch  
5 on quickly because time is running late.

6           There is a very complex issue dealing with  
7 both transportation and air quality and that can  
8 be done in the time afforded me.

9           I also wanted to touch base a little bit  
10 about New Jersey which as you know is number 1 in  
11 this nation in VMT. If you think about it, we  
12 have more vehicles in the State of New Jersey than  
13 we have registered drivers.

14           If you look at the overall land mass of  
15 the State of New Jersey we have one automobile for  
16 every acre and a quarter in New Jersey. The reason  
17 we are not perpetually stuck in traffic at the  
18 same time is that not everybody is on the road at  
19 the same time, but some mornings it seems that  
20 way.

21           One of the problems we have seen happening  
22 in the State over the years is bad land use  
23 planning where not only do we continue to sprawl  
24 out, my great grandmother and grandfather lived on  
25 a farm in Newark in 1905 by South Orange Avenue,

Tittle

1 so we have come a long way in less than a  
2 century. She wanted him to sell the farm because  
3 she didn't like to live in the country.

4 I have think say that a lot of what  
5 happened in this State is that transportation  
6 planning in New Jersey for the most part has been  
7 rewarding bad planning. That is, you overbuild  
8 along little country lanes which are then widened.

9 You keep overbuilding, putting in new  
10 shopping centers and overwidening the roads and  
11 then malls are built with bypass roads.

12 We have seen that happen over and over  
13 again in New Jersey and that's one of the things  
14 we hope will change with the Governor's initiative  
15 as to changes in how the Department Transportation  
16 is planning and that we should be investing in  
17 where growth should be occurring, where  
18 infrastructure is, where we can do the most good  
19 versus continuing rewarding bad planning.

20 Somebody mentioned different models.  
21 Oregon I think has one of the better land use  
22 models in the country. One of the things they did  
23 when they saw a need for growth management where  
24 they needed to have growth for the next ten or  
25 twenty years, they ran a light rail line to

Tittle

1 Hillsborough and in the process increased the  
2 density in Hillsborough which was a small  
3 community to twenty-five thousand but they brought  
4 light rail out to do it, and I think that's how we  
5 have to look at New Jersey, take the State Plan  
6 and stratgically put in those investments. That's  
7 where we want to see that growth occurs so we  
8 aren't stuck in traffic.

9           Everybody complains about people coming  
10 from the rural areas, but some of the worst  
11 traffic nightmares are just going a few miles in  
12 Hudson County which can take you forty-five  
13 minutes to go three miles to work by car.

14           I grew up in Hillside and twenty-five  
15 years ago I was on the Union County Transportation  
16 Advisory Committee and we were talking about  
17 running light rail from Elizabeth to Plainfield.

18           Now we are talking about it again, and I  
19 that's the kind of investment we need to be  
20 looking.

21           Also PATH trains to Newark airport giving  
22 the airport access by train service, which has  
23 finally happened, so it is funny how what is old  
24 is new again.

25           New Jersey in the twenties and thirties

Tittle

1 had a wonderful light rail network called trolleys  
2 municipally as well as every major boulevard in  
3 Northern and Southern New Jersey had that light  
4 rail system. We are reinventing in the wheel, like  
5 those wonderful railroad suburbs created before  
6 the turn of the last century, the eighteen  
7 eighties and nineties, are now the models for  
8 Smart Growth.

9 Communities, whether Westfield or Cranford  
10 or South Orange, they were developing mixed  
11 transit centers and mixed use around them. Park  
12 and Ride should be something that will encourage  
13 Smart Growth, not encourage sprawls.

14 In developing a transit system where we  
15 want to see the density increased we have to have  
16 the sewer and water capacity to allow that  
17 increase.

18 One example, the Trenton- Camden light  
19 rail should connect with SEPTA and then get New  
20 Jersey Transit to bring down the line from  
21 Somerville to West Trenton and we have now  
22 integrated the package to put it together.

23 There is a lot we can do and we need to do  
24 because we do have a tremendous amount of problems  
25 in New Jersey. In the average year twenty thousand



Tittle

1 people in New Jersey are taken to emergency rooms  
2 because of inhaled illness related to inhaling. I  
3 have a very close friend of mine who came from a  
4 terrible background, worked himself up, worked at  
5 night in Shop-Rite, went to college, and he had an  
6 asthma attack, lungs collapsed and he died, and  
7 probably that is happening because we don't have  
8 clean air in New Jersey.

9           The next issue is the California cars.  
10 When I looked at the nice fancy charts that were  
11 put up, almost every major reduction you saw  
12 happening in air quality as far as emissions is  
13 because of the new government regulations, new  
14 government laws or the threat by government,  
15 whether it is the Clean Air Act, whether it is as  
16 to the catalytic converter or taking lead out of  
17 gasoline.

18           That's why we strongly believe that the  
19 California car is that type of a driver that we  
20 need here in New Jersey. That's why in New York  
21 and other states the government pushed safety  
22 belts, the government needs to be active.

23           One of the reasons that the electric car  
24 battery didn't do so well was that there was no  
25 real push to push batteries so the incentives

Tittle

1 weren't there for the industry to really look at  
2 how to develop electric car batteries.

3           What I see with the California car are  
4 other benefits as well as emission reductions. I  
5 disagree with the charts that there is no  
6 difference. DEP did a study showing major  
7 reductions in air toxins, up to twenty-three  
8 percent reduction for air toxins.

9           But there is another point about not only  
10 cleaner air but if we push for zero emission  
11 vehicles we will see a major reduction in fuel  
12 consumption. If we go to the emission mandate  
13 part of the proposal in the first year it kicks in  
14 it will save New Jersey drivers about six million  
15 gallons of gasoline.

16           And right now we are getting imported oil,  
17 so the more we can help wean ourselves from  
18 overseas oil the better off we are as far as the  
19 safety of our country.

20           One of the biggest failures in the last  
21 administration was the trip reduction program. It  
22 was voluntary and haphazard and it didn't work.

23           Othere states been able to work on trip  
24 reduction programs.

25           I have a good friend of mine who lives in

Tittle

1 Pasadena, California, and he drives everyday to  
2 Orange County to work, and his company bought him  
3 a natural gas van. He takes other workers to  
4 work, they have pool cars at the office in case  
5 you have to work later or for a family emergency,  
6 but he picks them up, he has the van to use, he  
7 and his wife have an extra car, it helps clear the  
8 air in California and helps save money, and we  
9 need to look at those types of ways.

10 The last census report that came out show  
11 that in most of the major towns in New Jersey half  
12 the people still work within the Counties in which  
13 they live, whether you are looking at Hudson or  
14 Union or even Somerset County, so you realize that  
15 you can do more to bring people to the workplace.

16 Bergen County did a study about five years  
17 ago which showed that almost half the residents in  
18 Bergen County still lived within five miles of  
19 their workplace but yet most of those places  
20 aren't accessible by mass transit. It isn't just  
21 about light rail; we need to look at other options  
22 we have.

23 New Jersey Transit for years has been one  
24 of the biggest obstacles for mass transit in New  
25 Jersey. There hasn't been one project that in

Tittle

1     their preliminary reports, light rail or even bus  
2     service, that they didn't say it wasn't  
3     economically feasible, and many times they turned  
4     out to be wrong more times than they were right.

5             So there are ways of getting around. We  
6     don't need to have the big buses, the big trains,  
7     we can look at some of the smaller more viable  
8     ways of commuting. They will help alleviate some  
9     of the traffic and air problems.

10            We can at the natural gas electric hybrid  
11     at some point as that technology becomes  
12     available.

13            One of the things that came up with the  
14     person from General Motors, I wish we had some of  
15     those hybrid buses in New Jersey but unfortunately  
16     New Jersey Transit is locked into a long-term  
17     contract to buy seven thousand diesel buses, the  
18     largest diesel bus contract purchase in the  
19     history of the United States, and unfortunately  
20     now that was done and we won't be able to break it  
21     but that was one thing I wanted to bring it up to  
22     you, why those diesel buses were contracted for  
23     when they have other technologies.

24            I want to cut this off quickly. We need to  
25     find alternative renewable energy for New Jersey,

Tittle

1 things like photovoltaics and hydrogen filling  
2 stations, and to try to integrate our transit  
3 needs and transit system with alternative and  
4 renewable energy which will also go a long way  
5 towards helping clean our air.

6 Finally, I was here last year, I will be  
7 here again, and hopefully we all are, when we will  
8 adopt some of these proposals. We really need to  
9 work hard to come up with cleaner air because it  
10 really is a matter of life and breath and it is  
11 also a matter of our economy and our saving energy  
12 and some of the other things.

13 Quality of life is critical not only for  
14 our health but we really need to have for good  
15 quality of life clean air in order to really  
16 compete in the marketplace.

17 There is something we need to do with  
18 Title 5 as to emissions and we really need to go  
19 after mobile sources.

20 We have a lot to be done and we need to  
21 work hard. We have a good opportunity, we have a  
22 Governor who is committed to Smart Growth and the  
23 clean-up of the environment. I hope the Clean Air  
24 Council comes forward with strong recommendations  
25 because that is part of your role and I think that

Tittle

1     these things need implementation.

2             MR. ALI: What are the steps we need to  
3     take to improve the air quality in New Jersey?

4             MR. TITTLE: On the transportation side we  
5     need more light rail systems, the California car  
6     standards will help a lot, and then to push for  
7     alternative and renewable energy.

8             MR. BERKOWITZ: Let me just ask one thing.  
9     Where regulatory agencies have often failed is by  
10    going into the realm of individual decision-making  
11    and individual preference because of political  
12    issues as well as other issues.

13            We have taken it upon ourselves as the  
14    Council to try to educate people. Whether it is  
15    SUVs or people choosing to live in that one  
16    and-a-half acre lot up in Warren County with a  
17    nice little picket fence upon it, regulating  
18    individual's decisions is very difficult. How do  
19    you address at least educating the people as to  
20    what their role is in the realm of making this a  
21    better environment?

22            MR. TITTLE: I happen to be a believer that  
23    a lot of the things that you mentioned are also  
24    driven by the image that we sell to people. When I  
25    look at the one and-a-half acre lot with a nice

Tittle

1 big house and a back lawn--

2 MR. BERKOWITZ: That is part of the  
3 culture; you can't ignore it.

4 MR. TITTLE: We need to start looking at  
5 ways to change it. One of the things, when I was  
6 growing up I lived in Hillside and now I live in  
7 Lambertville, I like the fact that I can go to a  
8 restaurant or take a jog on the canal path. We  
9 need to show people alternatives, that there are  
10 good communities that we can live in. Part of it  
11 is through education showing there are  
12 alternatives.

13 One cute little story I have is about when  
14 I was first involved in Ringwood there was a  
15 wonderful kid in junior high who was upset about  
16 McDonald's using styrafoam packaging and she went  
17 out on her own and organized a bunch of 4th  
18 graders into an environment club to picket the  
19 local McDonald's and she sent letters out to other  
20 kids in other surrounding schools, and after about  
21 four or five years McDonald's did that, and now  
22 she is a school teacher in the same school she  
23 started the environment club.

24 I think the kids are our future, they will  
25 share this planet for the next few generations,

Tittle

1     when we are gone they are going to make those  
2     decisions, and by education and pushing some of  
3     the technology we have we can reach some of the  
4     people, but I also think the government has to  
5     lead by example and they have to lead by  
6     legislating and coming up with mandates just like  
7     with seat-belts.

8             I also think when it comes to the issue of  
9     sprawl, if we stop subsidizing sprawl that will go  
10    a long way toward getting our older communities  
11    to sustain themselves and revitalize themselves.

12            The government's major function over the  
13    past years has been to subsidize the pollution of  
14    our air and water, running new highways out in the  
15    middle of corn fields and running sewer lines next  
16    to reservoirs.

17            Right now there are bad air projects that  
18    I can think of on Route 92 in the middle of  
19    Middlesex County, on Route 59 down in the  
20    Pinelands. The more we build more highways the  
21    more we will have more traffic and more pollution.  
22    These are are the kinds of things government can  
23    do by leading rather than following along.

24            Government needs to take the leadership  
25    and say, No, we can't do that. If the government



Tittle

1 didn't say no at certain times the Passaic River  
2 would still be running the way it did back in the  
3 sixties when barges were attached to the bottom,  
4 we wouldn't have catalytic converters, so I think  
5 government has to lead and that will help educate  
6 the public.

7           It is not just a matter of saying, " We  
8 are going to mandate this without an explanation  
9 of what is behind it." I think most people given a  
10 rational basis for a decision will support it. I  
11 think that's one of the things that government can  
12 do.

13           It is not only educating people to support  
14 it but saying right now New Jersey has six  
15 thousand kids going to the ER because of asthma  
16 attacks in the summertime when the major cause is  
17 mobile sources and the only way we can deal with  
18 that is by cleaner cars, California cars, things  
19 like that. I think people will understand it.

20           When I was up in Ringwood, Ringwood is one  
21 of those towns with no ratable chase, lots of  
22 trees, very high property tax, but people in our  
23 town were willing to raise our taxes higher even  
24 though two-thirds of the town was open space,  
25 raise it to a higher tax to protect the reservoir

Tittle

1 down the road.

2 MR. PAPENBERG: One of the barriers  
3 identified by various speakers in dealing with  
4 the State Plan and implementing it is the whole  
5 concept of changing the tax ratables and the whole  
6 property tax issue. The people at the Sierra Club,  
7 do they feel that this a barrier that needs to be  
8 addressed?

9 MR. TITTLE: Yes, we do. The Sierra Club  
10 supports the Constitutional Convention. I think  
11 in the State of New Jersey we must look at ways of  
12 funding education differently.

13 And as we see office parks marching  
14 further west we see the population marching  
15 further west with them.

16 You can live in Hunterdon County or live  
17 further out in Warren County in Northern Morris or  
18 Passaic, Mt.Olive, so you can live in Sussex  
19 County or Pennsylvania, as far as driving, you  
20 know, you get traffic, and you have the Mt. Laurel  
21 obligation and sprawl development, a very  
22 complicated system. The State may grant  
23 Municipalities powers and many times the State  
24 takes it back, for example, by wetlands law, in  
25 areas where it is important for the State to

Tittle

1 protect the interests of everyone, so the State  
2 needs to play a bigger role in dealing with land  
3 use especially when it comes to infrastructure.

4 MR. BERKOWITZ: Thank you very much.

5 Drew Hudson, N.J. PIRG.

6 MR. HUDSON: Thank you.

7 Today we have heard a lot and I am going  
8 to speak primarily about the California car  
9 emissions program which is the biggest thing New  
10 Jersey can do right now.

11 We were here last year and a number of  
12 people talked about the California car as well. I  
13 think if there is one thing we have learned in the  
14 last year it is we can run and point our fingers  
15 at Pennsylvania, Ohio, we can curse the Federal  
16 government but in the end the pollution is still  
17 here, still coming from our cars, and we are still  
18 not doing everything we can in New Jersey to  
19 reduce the pollution from our cars.

20 The California car is the biggest thing we  
21 can do to reduce emissions from cars and trucks.  
22 What we see time and time again is the demand for  
23 cleaner cars. When the first model of the hybrid  
24 cars came out those cars had lists for months  
25 where people would put down a down-payment and

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1 wait six months to buy a car they never had a  
2 chance to test drive before.

3 You heard the man from GM talk about  
4 hybrid automobiles and all they are doing to  
5 develop them but it was just a few years ago that  
6 General Motors said the company would never be  
7 able to build hybrid cars without substantial  
8 government subsidizes, they were just not cost  
9 effective.

10 Today General Motors has done a huge  
11 about-face. Hybrid cars look the same and drive  
12 the same but you can get five hundred miles on a  
13 tank of gas and it produces ninety percent less  
14 emissions, so it performs like a V-6 and all  
15 around it performs as a better car.

16 Automobile producers aren't dumb. They  
17 redesigned their program because of a lawsuit.  
18 There were hours of testimony over two days and  
19 eighty percent of the people testifying begged  
20 them to design and produce electric vehicles. The  
21 question in New Jersey is whether we will have  
22 access to these vehicles.

23 The auto industry talks about where they  
24 are coming from and where they are going. But what  
25 progress have they made since 1950? Yes, there

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1 have been improvements, cars have gotten cleaner  
2 in the last six years. The problem is people are  
3 driving more and further and they are burning more  
4 gas today on average than they did in the  
5 nineteen-seventies.

6           If we are serious about reducing emissions  
7 we have to push the automobile industry to do more  
8 than they are doing and the only way we can do  
9 that is with the California emissions program. It  
10 is an either/or choice between the Federal program  
11 or the California program in New Jersey and all  
12 the analyses show that the California car is  
13 better the better choice.

14           In the end we need the California  
15 emissions program over the Federal program. The  
16 benefits are substantial as confirmed by the  
17 regulatory agencies all over the country.

18           The last thing is in looking at the big  
19 picture we are cognizant that the problem is more  
20 than just cars if we want to solve all of the  
21 problem, and there are good policies out there  
22 including developing and producing energy from  
23 renewable sources. We can be more efficient by  
24 lowering our total use of energy and increasing  
25 use of energy coming from renewal sources.

Hudson

1                   Thank you.

2                   MR. BERKOWITZ: Any questions?

3                   (No response.)

4                   MR. BERKOWITZ: I guess you are benefitting  
5 from the lateness of the hour.

6                   Thank you very much.

7                   I think we are at the end. I want to thank  
8 everyone for hanging in there on the Council and I  
9 want to thank the stenographer.

10                  ( Time noted 5:35 P.M.)

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