



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### OFFICE OF THE COMMISSIONER

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**PHILIP D. MURPHY**

*Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

**SHEILA Y. OLIVER**

*Lt. Governor*

## ADMINISTRATIVE ORDER NO. 2021-18

WHEREAS, the Legislature has declared, pursuant to N.J.S.A. 13:1L, "that the acquiring, planning, designing, developing, operating and managing of the State parks and forests is in the best interest of the citizens of this State and that the provision of recreational programs to all segments of the public enhances the public health, prosperity and general welfare and is a proper responsibility of the State"; and

WHEREAS, the Legislature has charged the Department of Environmental Protection (DEP) with acquiring, planning, designing, constructing, operating, and maintaining State parks and forests; and

WHEREAS, open and green space is a precious commodity throughout New Jersey, and especially within the State's dense urban communities, many of which lack sufficient green spaces, tree cover, and access to parks; and

WHEREAS, Liberty State Park (LSP) located in Jersey City, Hudson County, is New Jersey's most visited state park with over four million visitors annually, serves as both a national and international destination featuring welcoming historic and high-quality open spaces that must be further planned, improved upon, and managed to meet the diverse needs of all New Jersey residents and visitors, as well as the particular needs of LSP's host community; and

WHEREAS, LSP is comprised of approximately 1,200 acres of state-owned lands and waters situated along the mouth of the Hudson River where it meets the Upper New York Bay, and represents one of the last remaining contiguous open green spaces along the highly developed Northern New Jersey/New York City waterfront; and

WHEREAS, approximately 235 acres situated within the interior of LSP (Interior) has been unavailable to the public for generations due to the contamination of environmental media from historic industrial activities in this area of New Jersey; and

WHEREAS, the DEP has committed to develop and implement a plan for the remediation and restoration of the Interior utilizing significant funds recovered by DEP in its prosecution of claims for historic injuries to the public's natural resources; and

WHEREAS, recognizing the critical value of engaging with a plurality of stakeholders interested in the preservation, planning, and improvement of LSP, in September 2020, the DEP

commenced a public participation process to solicit, consider, and respond to the questions and concerns of community members and park users interested in DEP's planned restoration of the Interior and its integration with the presently accessible areas of LSP; and

WHEREAS, having obtained valuable public input with respect to DEP's proposals for the Interior, as well as the needs and desires of LSP's host community and its stakeholders, DEP is advancing its design plans and will continue its public participation process through routine plan development presentations at each appropriate design milestone during which further public comment will be solicited; and

WHEREAS, for the express purpose of operationalizing public feedback, DEP wishes to establish a working group comprised of diverse voices, experiences and viewpoints who would together engage with DEP and its professionals in advancing conceptual and detailed design plans for LSP, the goal of which workgroup would be to better inform DEP's iterative planning and design decisions to help ensure that outcomes are responsive to and meet the needs of the LSP's host community, its stakeholders, and the broader public; and

NOW THEREFORE, I, Shawn M. LaTourette, Commissioner of the Department of Environmental Protection, by virtue of the authority vested in me by N.J.S.A. 13:1B-3 and 13:1L-4, do hereby ORDER and DIRECT:

1. There is hereby created, within the Office of the Commissioner of the Department of Environmental Protection, a Liberty State Park Design Task Force (LSP-D Task Force) which shall be convened by the Commissioner for the limited and express purpose of operationalizing public feedback on DEP's ongoing LSP planning and design process, the sole function of which task force shall be to engage with and provide advice and recommendations to DEP and its professionals to inform their iterative planning and design decisions, and whose sole goal shall be to help ensure that outcomes are responsive to and likely to meet the diverse needs of the public.

2. The LSP-D Task Force shall be Co-Chaired by the DEP Deputy Commissioner for Environmental Justice & Equity and the DEP Director of the Division of Parks and Forestry, and shall include the following purely advisory, non-voting members:

- a. The Mayor of Jersey City, ex officio, or a designee;
- b. The Director of the Jersey City Department of Recreation and Youth Development, ex officio, or a designee;
- c. The Hudson County Commissioner for District 3, ex officio, or a designee;
- d. The Chief of the Hudson County Division of Parks, ex officio, or a designee;
- e. The Superintendent of the Jersey City Public Schools, ex officio, or a designee;
- f. The President of the NAACP, New Jersey State Conference, ex officio, or a designee;



- g. The President of the NAACP, Jersey City Branch, ex officio, or a designee;
  - h. The President of the Friends of Liberty State Park, ex officio, or a designee;
  - i. The President of Liberty State Park for All, ex officio, or a designee;
  - j. The Superintendent of Liberty State Park, ex officio, or a designee; and,
  - k. The Bureau Chief of DEP's Office of Natural Resource Restoration, ex officio, or a designee; and,
  - l. Not more than four Jersey City residents selected by the Co-Chairs and approved by the Commissioner.
3. The LSP-D Task Force Shall:
- a. Convene at least semimonthly, or at more frequent intervals as the Co-Chairs may determine, to present, consider, and advance the planning and design of LSP's natural resource and ecological features, passive and active recreational features, and ancillary and support features both within and outside of the Interior, including, but not limited to, areas that could promote improved intra-park circulation and park connectivity with surrounding communities and other public amenities;
  - b. Provide status briefings to the Commissioner as requested, or at such intervals determined by the Co-Chairs, including, but not limited to, at each major design milestone and prior to each public presentation of planning and design progress;
  - c. Partner with DEP representatives in their ongoing public participation process by assisting DEP with engaging a plurality of LSP stakeholders and conducting public meetings and presentations concerning planning and design progress, which meetings shall be held at least quarterly to solicit, consider, and respond to the questions and concerns of LSP's host community, its stakeholders, and the broader public; and,
  - d. Present to the Commissioner a final detailed design for the Interior, and any related LSP conceptual design suggestions, no later than June 30, 2022.
4. Each member of the LSP-D Task Force shall serve at the pleasure of the Commissioner, may be excused by the Commissioner with or without cause, and shall not be compensated by the DEP or the State for their service on the Task Force, unless such service is attendant to their preexisting State employment.
5. DEP staff is hereby directed, upon the request of the Co-Chairs, to provide such information or support to the LSP-D Task Force as the Co-Chairs may determine necessary.
6. Nothing in this Order shall be construed to confer any legal rights upon persons or entities whose activities are regulated by DEP or any other state entity, or be construed to supersede any federal, state, or local law or create a private right of action on behalf of any



person or entity, or be used as a basis for legal challenges to rules, approvals, permits, licenses, policies or other actions or inaction by DEP or any other state entity,

This order shall take effect immediately.

Dated: August 5, 2021



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Shawn M. LaTourette  
Commissioner

