



EMPOWER NJ

NO FOSSIL FUEL PROJECTS

March 27, 2020

Governor Murphy, you have taken bold and unprecedented actions to protect our communities from COVID 19 and to curtail community spread of the virus with one important and inexplicable exception: public participation in government hearings and decision-making. We, the undersigned organizations, are calling on you to pause pending permits and projects that usually afford public participation processes until after the COVID-19 health emergency has ended and full public access can be restored.

Some governmental actions are undermining the public's right to participate in government decision-making on consequential projects, policies, and regulations. While residents are practicing social distancing, self-isolation or quarantine, and many are out of work and making personal sacrifices for themselves and their families, the government continues making decisions business as usual that will have impacts on our communities and the environment well after the COVID 19 crisis ends. Yet people are being deprived of full and accessible public participation in these decisions.

The most notable and unfortunate example of government decisions speeding forward without the necessary public participation is the New Jersey Turnpike Authority's proposed toll hike to fund its capital plan for the massive expansion of its highways system. Despite you calling for all non-essential travel to cease, the Authority held two in-person public hearings on toll hikes on March 18. This is an example of willful disregard on the part of a government agency for the prevention of community spread - by potentially exposing people to the coronavirus - and it deprived the public from freely participating in an in-person hearing.

Your COVID 19-related orders not only have prevented the public from attending meetings, but also have limited the public's right to information about projects. Government buildings have been closed and providing records to the public within the time period prescribed by the Open Public Records Act (as per A3849, signed into law by the Governor on March 21) has been modified. These restrictions have a direct effect on the public's ability to take part in the decisions that continue to be made on permits and projects.

There is very serious concern that towns will move ahead with major developments and zone changes that could have statewide implications on the environment, flooding, and even public health. If local government does online municipal council, zoning and planning board meetings, it will not allow for a give and take with experts being questioned or witnesses being cross-examined, and it will severely limit the dialogue with the public. We believe that these

meetings must be postponed during the public health emergency unless they are dealing with COVID 19 or public safety issues. These are quasi-judicial or legislative decisions that could have long-term consequences.

Full and accessible public participation requires in-person hearings, access to government records, and support systems that allow the public to take part in alternative methods of submitting comments and expressing opinion. Substituting electronic submission of comments without an interactive method of participation is not sufficient for many reasons, some of which are specific to the current crisis. Many poor, elderly, and handicapped people do not have access to computers at home or do not have on-line access without a library or school, for instance, which is not now available. Families coping with distance learning for children or multiple family members working from home at once, strains internet bandwidth and access to computers in the home, making it extremely difficult for the public to participate. Perhaps more importantly, people are using all their capacity to address the virus, stay healthy and attend to urgent matters, especially if a relative or close friend is ill. These unusual conditions are likely to persist for an indefinite period of time, making it essential that government decisions pause along with the public's daily life.

EMPOWER NJ considers the public's right to participate in government decision-making to be paramount at all times. We recognize that some projects like the proposed Williams NESE pipeline and compressor station are subject to permitting timelines under federal law, and these timelines need to be accounted for by an executive action. With the exception of true health-related emergency actions during the COVID 19 emergency, decisions made by the government regarding permits and projects that include a public participation component must be put on hold until meaningful and freely accessible public input can once again be included.

Sincerely,

350NJ-Rockland
Already Devalued and Devastated Homeowners of Parsippany
BlueWaveNJ
Bus for Progress
Central Jersey Environmental Defenders
Clean Ocean Action
Clean Water Action
ClimateMama
Coalition Against Pilgrim Pipeline - NJ
Coalition for Peace Action
Coalition to Ban Unsafe Oil Trains, Don't Gas the Meadowlands
Delaware Riverkeeper Network
DISPLACED HOMEMAKERS NETWORK OF NJ, INC.
Don't Gas the Meadowlands Coalition
Eco-Poetry.org
Environment New Jersey

Food & Water Watch
Franciscan Response to Fossil Fuels
Franklin Womens Club
Gloucester County Food & Water Watch
Green Party of Monmouth County NJ
Green Party of NJ
Hackensack Riverkeeper
Hudson County Progressive Alliance
Hudson County Sierra Club Group
Indivisible Cranbury
New Jersey and New York Awareness Project for Climate Justice
New Jersey Sierra Club
New Jersey Tenants Organization
NJ State Industrial Union Council
NJ Student Sustainability Coalition
North Jersey Green Alliance
North Jersey Sierra Club
Northern New Jersey NOW
Our Revolution - Bergen Cty - Hillsdale, NJ
Our Revolution Essex County
Our Revolution Monmouth County
Our Revolution New Jersey
Our Revolution Ocean County
Our Revolution Passaic County
People Demanding Action NJ
People Over Pipelines
People's Climate Collective
Pinelands Preservation Alliance
Possible Planet
Roseland Against Compressor Station (RACS)
Rutgers AAUP-AFT
SOMA Action
Sunrise Jersey Shore
Sunrise Montclair
Sunrise Movement Morris County
Surfrider Foundation
Teaneck Peace Vigil
The Climate Mobilization
The Climate Mobilization - Hoboken Chapter
The Resistance Cafe
The Wei LLC
UU Faith Action NJ-Environmental Justice Task Force
Waterspirit
Westfield 20/20