



## Letter to NJ Dept. of Environmental Protection Re Proposed Global Warming Solutions Fund Rules

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### **Comments Regarding the Global Warming Solutions Fund Rules proposed by the NJDEP**

As a key source of funds for the local implementation of greenhouse gas reduction strategies contained in the state's draft Global Warming Response Act Recommendation Report, proceeds from the Regional Greenhouse Gas Inventory (RGGI), and the rules governing those proceeds, are an integral part of the state's strategy to combat climate change.

If New Jersey is to achieve its ambitious greenhouse gas reduction goals, the Global Warming Solutions Fund rules must allow NJDEP to use revenue generated by the RGGI program to fund land-use and transportation planning as a means of reducing greenhouse gas emissions. We believe that with several minor changes, the proposed rules can achieve that purpose.

Emissions from the transportation sector represent the largest and fastest-growing segment of New Jersey's carbon footprint, accounting for 35% of all emissions in 2005. The vast majority of these emissions are created by private automobiles. Curtailing emissions from this sector will be critical to meeting the state's greenhouse gas reduction goals, and it will require more than increased efficiency. Research shows that without fundamental changes in the way we plan and develop our communities, the impact of increased vehicle efficiency and low-carbon technologies on greenhouse gas emissions will continue to be negated by increases in vehicle miles traveled (VMT). Research also shows that residents of the nation's highest density metropolitan areas drive significantly fewer miles on average than residents of lower density metro areas, and that this relationship between density and VMT exists at the project level as well.

The NJDEP's Draft Global Warming Response Act Recommendations Report recognizes this fact, noting, "How and where New Jersey grows today will determine its carbon footprint for decades to come," and, "In order to reach the 2050 limit, it is clear that New Jersey needs to assign a specific reduction target to the transportation sector, including VMT." Furthermore, the

plan states that “channeling development patterns away from automobile oriented sprawl and toward reduced land consumption and redevelopment, as well as preserving forests throughout the State, would result in a decrease in VMT.” Because municipal governments have ultimate control over planning and zoning within their borders, achieving these necessary changes in land-use policy will require working closely with municipalities to ensure that their planning and zoning helps, rather than hinders, the state’s efforts to meet its greenhouse gas goals. Working with counties to plan on a broader level and coordinate actions between municipalities is also an important part of this strategy.

The NJDEP, by providing grants from the Global Warming Solutions Fund, must begin to facilitate the changes in land-use policy necessary to reduce VMT (and, therefore, greenhouse gas emissions) in a number of ways. For example, grants made from the Fund could be used to:

Promote zoning for higher densities in smart growth locations. A key strategy for decreasing VMT will be promoting higher-density development in appropriate areas, such as near transit or in existing downtowns. The proposed Smart Housing Incentives Act does this by providing financial incentives to municipalities that change their zoning in appropriate locations to allow for compact, walkable residential development. By helping to fund the planning grant portion of this program, the Global Warming Solutions Fund can have a tangible impact on development patterns and thus vehicle miles travelled at the local level.

Support a pilot county-level land use and transportation planning initiative that will reach our greenhouse gas targets more efficiently. Build on the county-level wastewater and transportation planning already underway by offering key counties grants to prepare Greenhouse Gas Reduction Plan Elements that will meet targets for reduced VMT, promote compact and sustainable growth in areas near infrastructure and transit and reduce sprawl development. Incorporate successful approaches and best practices so they can be duplicated in other counties.

Allow municipalities to take full advantage of their transportation assets by planning for compact growth in the vicinity of their transit facilities. While not all towns with transit facilities will take advantage of the Smart Housing Incentives Act, they should all have access to funds that will help them make the most of their assets by proactively planning for compact, transit-oriented development. This is especially important in municipalities poised to benefit from an expansion of the PATCO high-speed line and increased service as a result of the ARC tunnel.

Help rural municipalities combat low-density sprawl by funding the preparation of municipal land use plans and wastewater solutions that replace zoning for low-density sprawl with center-based development. Rural municipalities outside of sewer service areas have few options for growth other than low-density sprawl, which increases greenhouse gas emissions because residents are forced to drive for every trip. Although state policy calls for transferring growth into compact, walkable centers, there is great uncertainty in rural areas about how to get the needed wastewater treatment facilities approved by NJDEP. By funding planning for land use and wastewater facilities in these municipalities, the NJDEP would provide models of sustainable land use patterns that could be replicated statewide.

While the proposed rules allow for the NJDEP to provide grant funding to local government agencies for land-use planning, they should be amended to better reflect the nature of planning with regard to greenhouse gas emissions. Specifically, we request that the definition of “measurable reduction” be expanded to include “land-use planning for development patterns that would produce lower per capita emissions than prevailing development patterns”. Furthermore, to reflect the benefits land-use planning can have for other state goals in addition to greenhouse gas reduction, we request that projects consistent with the State Development and Redevelopment Plan be assigned a point value based on the priority ranking system described in section 7:27D-2.2 of the proposed rules. One way to accomplish this would be to include “consistency with the policy objectives of the State Development and Redevelopment plan” in the definition of “Co-benefits”.

Land-use planning will be critical in meeting the ambitious targets we have set as a state. By making these requested changes to the proposed rules to better fund local planning, we can ensure that local decisions will begin to align with statewide policies in an effort to reduce our carbon footprint and become a more sustainable state.

Sincerely,

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