



Is There a Future for Environmental Protection in the Garden State?

Has the Christie administration gone too far in cutting back statutes and regulations meant to protect our environment?

By Michael Catania, February 21, 2012 in Opinion

For more than 40 years since the first Earth Day in 1970, New Jersey has always been one of a handful of states in the forefront of progressive environmental policy, regardless of which party controlled the legislature or the governor's office. In virtually every legislative session, landmark laws were enacted that protected public health and the environment in innovative ways, while other states often looked to follow the example set by the Garden State.

Until now, that is.

In the past, legislative leaders have often given environmental policy issues a prominent place in the agendas they have promoted. For example, a review of the records of former Senate presidents shows that Joe Merlino championed pinelands legislation; Pat Dodd focused on proper treatment of hazardous waste; John Russo led the charge to create a fund to ensure the cleanup of oil spills and other hazardous chemicals; Don DiFrancesco sponsored a stable source of funding for open space and farmland preservation that led to the Garden State Preservation Trust; and both before and after he was Assembly speaker, Tom Kean Sr. promoted literally dozens of major environmental bills, including the legislation that created the state Department of Environmental Protection.

Many other legislators from both sides of the aisle and in both houses have made their reputations as chairs of environmental committees, from Dan Dalton, Ray Lesniak, John Bennett, Maureen Ogden, Bob Smith, and John McKeon.

And virtually all of our recent governors left a lasting environmental record, while second-term governors have frequently burnished their legacies with some major environmental cause. For Bill Cahill it was coastal wetlands and the Hackensack Meadowlands Commission; for Brendan Byrne it was preserving the pinelands; for Tom Kean it was protecting freshwater wetlands; for Jim Florio it was clean water legislation; for Christine Todd Whitman it was saving a million acres of open space and farmland; for Jim McGreevey it was highlands protection, and for Jon Corzine it was addressing climate change.

Beyond the leadership of these elected officials, it has also been obvious that New Jersey residents in general, and New Jersey voters in particular -- even in times of economic recession -

- have always been strongly supportive of environmental causes. Living cheek by jowl in the nation's most densely populated state will do that to you: where one man's water pollution is another man's drinking water, and almost every community has a Superfund site, or at least one of the thousands of other abandoned hazardous waste sites, not to mention the ubiquitous traffic and sprawl.

These days, however, it often seems that Governor Chris Christie and our legislative leaders have forgotten the compelling reasons behind four decades of enlightened environmental leadership, as they often seek to outdo each other in rolling back New Jersey's vanguard environmental laws. The recent assaults are myriad: pulling out of the Regional Greenhouse Gas Initiative (RGGI) and reversing course on enlightened climate change policy and renewable energy; turning a cold shoulder to the Environmental Protection Agency (EPA) and other states on cross-state air pollution control efforts; promoting sewers and more sprawl in environmentally sensitive areas; efforts to keep New Jersey from exceeding federal minimum standards; generally demonizing environmental regulations as "job-killers"; and creating a mechanism to waive any environmental regulation that is deemed "overly burdensome."

But even as these ill-advised policies proliferate, it might behoove the governor and legislative leaders to remember why New Jersey has had such stringent standards for generations, and to remember that this pendulum swings both ways.

Does anyone really doubt what the public -- and then legislative -- response will be when we have the first, inevitable, major scandal after some allegedly burdensome environmental regulation is waived? Or what actions residents will demand of the governor and the legislature when flooding and/or droughts become so commonplace that even the skeptics will have to acknowledge that our climate is indeed changing? Or when respiratory alerts become more commonplace and new cancer clusters are reported and linked to lower environmental standards?

It will be very interesting indeed to see when New Jersey voters will conclude that the rollbacks have gone too far, and that we need to have a better balance toward the environmental side. When that time comes, the pendulum will swing back with a vengeance towards an appropriate emphasis on protecting public health and the environment. At that point, Governor Christie and current legislative leaders -- if they are still in office -- may get a second chance to add some genuine environmental accomplishments to create their own legacies. But if I were them, I just might want to skip waiting for the inevitable and get a head start on burnishing my environmental credentials right now.

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