

Coalition to Pass the Liberty State Park Protection Act and Save the Park's Caven Point Natural Area

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September 1, 2020 (updated 2/2/22 to Senator Scutari)

Dear Governor Murphy, Senate President Scutari and Assembly Speaker Coughlin:

Governor Phil Murphy we urge you to publicly advocate for the Liberty State Park Protection Act, without any amendment pertaining to Caven Point. And, when it gets to your desk sign this landmark law, to fully protect the entirety of this great urban open space for people's quality of life and for wildlife.

We urge your strong support to protect Liberty State Park finally and fully, a local, state, and national treasure – “America's Park” - a sacred public space behind Lady Liberty and Ellis Island. LSP is sacred because it is very scarce urban open space and nature and because it is adjacent to our iconic national shrines to democracy.

Senate President Nicholas Scutari and Assembly Speaker Craig Coughlin, we urge you to ensure that the Liberty State Park Protection Act **S907 and A1957** (numbers updated on 2/2/22) is posted and passes during this legislative session.

This legislation provides the Park essential protection against large-scale privatization in general. It would also prevent any development of the Park's Caven Point Natural Area, including the current threat from Liberty National Golf Course which is pushing to develop it for three holes of its own private golf course.

Throughout the four decades of the park's history there have been public meetings and grassroots battles that consistently demonstrate a broad public consensus for protecting the park as an extraordinary natural, historic, cultural, and recreational treasure.

Liberty National has long coveted our priceless parkland and has perpetrated a misinformation campaign about this legislative and park advocates in an attempt to take over Caven Point.

The land targeted by Liberty National is the 21-acre Caven Point Natural Area of the Park that the New Jersey Department of Environmental Protection uses as an urban environmental education area because of its unique beach and estuarine features,

and exceptional urban natural wildlife habitat.

In fact, it was purchased with State Green Acres and Federal Land and Water Conservation Fund monies for that reason. To divert this legally protected public trust land would create a precedent that exposes state and national parklands to the exclusionary privatization whims of the richest individuals.

Liberty National has claimed that they would spend millions to **remediate this site that according to NJDEP “does not require any further remediation.”** In fact, the unnecessary “remediation” they are suggesting is **merely an excuse to fill the wetlands and habitat of Caven Point to elevate and transform it to three golf holes.**

The park, which has over 5 million annual visitors, opened on June 14th, 1976, Flag Day, in 1976 as New Jersey’s Bicentennial gift to our nation, and contains significant historic, natural, recreational, urban open space, cultural and scenic resources

For LSP’s four decades, the overwhelming majority – the broad public consensus - has wanted a “free and green” park and has repeatedly opposed, in grassroots battles, all exclusionary privatization/commercialization plans for this priceless park, no matter what revenue was promised in return for giving away this NJ public land, bought and improved with hundreds of millions of state and federal taxpayer money.

Proving again why the Protection Act is absolutely necessary to preserve LSP in perpetuity, the Liberty National Golf Course owner, Paul Fireman, has renewed its plan, rejected by the DEP in 2018, to privatize and destroy LSP’s Caven Point Peninsula in order to relocate 3 golf holes for multi-millionaires.

Caven Point is described in the Act as *“the estuarine ecosystem for plants and animals, critical bird breeding habitat, and urban environmental education resource”*. For this very reason, Caven Point was acquired using both NJDEP Green Acres and Federal Land and Water Conservation Funds and is listed on the NJDEPs Natural Area Register as a site of significant natural resource value.

The billionaire owner of Liberty National, who wants to establish a “First Tee” golf academy for youth and also says he needs a new “back of the house” area for tournaments, has alternatives to privatizing Caven Point natural area. He can and should use his own vacant land next to his club house, where he wanted two towers for a casino hotel resort; or our senators and congressional representatives can facilitate his buying the adjacent 27 acres of Army Reserve land; or he can build a golf academy or community center in the inner city and bring young people to his golf course or to Jersey City’s Hudson County Skyway Golf Course. He can also seek other private land near his golf course for his needs.

The Star Ledger’s 12/5/19 editorial, headlined, “Liberty State Park is not for sale. At any price,” stated, “Fireman needs to be reminded of this immutable truth:

This park is our state's backyard, and our backyard is not for sale at any price — especially when these are 21 acres the public would never get back. ... given that Caven Point is a premier ecological asset — not only a sanctuary for herons and peregrine falcons, but as a resource for school kids and explorers of all ages — that offer (of promised revenue) is cringeworthy:

On 4/27/03, The Star Ledger stated what most people believe, that “parks are not supposed to make money. They are supposed to provide green oases, particularly in densely packed urban areas like Hudson County. That’s why parks, a common public good, are supported by taxes.”

Our state's popular and beloved urban waterfront state park will continue to improve from the DEP's annual budget, CBT funds, park revenue - near \$3 million last year from ferry and marina leases and many special events, from the planned Terminal café, and private sector donations which will be much more likely in a peaceful era once the Protection Act once and for all ends the need for grassroots battles – **and without the “quid pro quo” which Paul Fireman wants, of privatizing the public sanctuary of Caven Point** for an unspecified “revenue stream”. Caven Point's real estate value is \$32.5 million but its ecological and educational value is priceless and irreplaceable.

The Jersey Journal 12/5/19 editorial expressed, “**This is – or should be – a no-brainer. LSP is our Central Park. And it should stay that way in perpetuity. The act would preclude privatization in the park while still allowing for small-scale commercial enterprises** such as bike rentals and concession stands. It would also revive the Liberty State Park Advisory Committee to further guide the park's future with public input. The peninsula, 21 acres of marsh, upland and sandy beachfront, is accessible via the public Hudson River Walkway and is a breeding and nesting area for migratory birds. Its role is so important that the NJDEP closes it to the public from March 1 to Sept. 30.” This is to keep the foraging and mating cycles of treasured bird species-undisturbed.

Over 200 species of birds have been observed at Caven Point and about 100 species make their nests there. The location of the site along the Atlantic Flyway and within the harbor estuary makes it an ideal stop for migrating birds. Naturalists have reported notable species including, snowy owl, deer, northern diamondback terrapin, peregrine falcon, osprey, harbor seals, horseshoe crab, yellow-crowned night- heron, black-crowned night-heron, red knot, black skimmer, northern harrier, American oystercatcher, blue heron, and many more. The Liberty National Golf Course privatization plan proposal would take away from the public and primarily urban residents, LSP's unique urban Caven Point Natural Area. Destroying this well-documented natural habitat Natural Area and the myriad associated urban environmental education opportunities it provides, simply to enlarge an ultra-exclusive private golf course that charges six-digit membership fees is unconscionable.

The park's environmental education program, annually serving over 600 urban

students, focuses on salt marsh and beach habitats and provides students with an opportunity for hands- on exploration. Other programs serve another 500-600 people of all ages and include low tide walks, bird walks, volunteer beach cleanups, and stewardship activities. In addition, the park estimates that about 3000 visitors come to Caven Point to enjoy and learn in this rare, serene urban sanctuary.

Caven Point was purchased in perpetuity to be a natural area for the park, and to serve people in a densely populated urban area that would otherwise have to travel far away to gain these enriching environmental experiences. To take this area from the urban public to enrich an exclusive private golf course would be a social and environmental injustice of epic proportion.

We urge you to make the LSP Protection Act a reality and an example for our nation!

Sincerely,

Sam Pesin
President
Friends of Liberty State Park

Greg Remaud
CEO & Baykeeper
NY/NJ Baykeeper

Eric Stiles, President & CEO, New Jersey Audubon Society

Bill Sheehan, Riverkeeper, Hackensack Riverkeeper

Jeff Tittel, Director, NJ Sierra Club

Hetty Rosenstein, NJ Director, Communications Workers of America

Ken McNamara, President, CWA Local 1037

Phyllis Salowe-Kaye, Executive Director, New Jersey Citizen Action

**State of NJ Commission of American Indian Affairs,
Lewis "Grey Squirrel", Commission Chair, Nanticoke Lenni-Lenape Tribe
Steven Burton, Co-Chair, Ramapough Lenape Nation**

Tim Dillingham, Executive Director, American Littoral Society

Cindy Zipf, Executive Director, Clean Ocean Action

Doug O'Malley, Director, Environment New Jersey

Amy Goldsmith, NJ Director, Clean Water Action & Clean Water Fund

Michele Byers, Executive Director, New Jersey Conservation Foundation

Ed Potosnak, Executive Director, NJ League of Conservation Voters

Keith Bodden, Chair, NAACP NJ SC Armed Forces and Veterans Affairs Committee

Jan Hanson, president, NJ State Federation of Women's Clubs

Carleton Montgomery, Executive Director, Pinelands Preservation Alliance

Julia Somers, Executive Director, Highlands Coalition

Bainy Suri, Executive Director, New Jersey Environmental Lobby

Lindsey Kayman, President, Environmental Education Fund

Matthew Anderson, Chairman, Millennials for NJ

Mark Falzone, President, Scenic America

Don Stitzenberg, President, Hudson River Waterfront Conservancy

Lisa Simms, Executive Director, NJ Tree Foundation

Peggy Wong, President, Coalition to Preserve the Palisades Cliffs

Jeannie Geremia, President, The Garden Club of New Jersey, Inc.

Britta Wenzel, Executive Director, Save Barnegate Bay

Matt Smith, NJ State Director, Food & Water Action

Paul Gallay, Hudson Riverkeeper

Ron Hine, Executive Director, Fund for a Better Waterfront

Debra Kagan, Executive Director, New Jersey Bike & Walk Coalition

Jim Waltman, Executive Director, Watershed Institute

Heather Fenyk, President, Lower Raritan Watershed Partnership

Sally Rubin, Executive Director, Great Swamp Watershed Association

Jim Scarcella, President, Natural Resources Protective Association

Passaic Riverkeeper Waterkeeper Alliance Affiliate

Bob Spiegel, Executive Director, Edison Wetlands Association

Bill Schultz, Riverkeeper, Raritan Riverkeeper

Fred Akers, Administrator, Great Egg Harbor Watershed Association

Gil Hawkins, Environmental Director, Hudson River Fishermen's Association

Joe Reynolds, Executive Director, Save Coastal Wildlife

Greg Williams, Executive Director, Hudson River Sloop Clearwater, Inc.

Ace Case, Chairperson, Sierra Club, Hudson County Group

Jersey City Groups:

Patrick Conlon, President, Bike JC

Alison Cucco, Chairperson, Jersey City Environmental Commission

Christopher Perez, President, The Jersey City Landmarks Conservancy

Steve Lipski, Executive Director Jersey City Road Runners, Inc.

Debra A. Italiano, President, Sustainable Jersey City

Paula Mahayosnand, President, The Jersey City Parks Coalition:

Arlington Park
Audubon Park
Bayside Park
Bergen Hill Park
Bergen Arches Preservation Coalition
Boyd McGuinness Park
Canco Park
Embankment Preservation Coalition
Enos Jones Park
Friends of Ercel-Webb Park
Ferris Triangle Park
Gateway Park
Historic Jersey City Harsimus Cemetery
Hamilton Park Conservancy
Hamilton Park Neighborhood Association
Jersey City Reservoir Alliance
Leonard Gordon Park
Westside Community Alliance
Lincoln Park West
Mary Benson Park
Izetta McDuffy Park
Pershing Field Park
Riverview Fisk Park
Sgt. Anthony Park
Skyway Park
Van Vorst Park
Village Park
Washington Park

More Jersey City groups

June Jones, CEO/Founder, Morris Canal Community Development
Yawati, Co-Founder Solidarity & Mutual Aid Collective Jersey City
Rochelle Myers-Hoffman, co-founder/director, WeCareMovement Inc.
Daoud David Williams, President, Friends of the Community Awareness Series
Jocelyn Patrick, president, Riverview Neighborhood Association
Pankaj Gangaram Kapadia, President, Heights Community Coalition
Steve Parness, President (JC), The Friends of Berry Lane Park
Kevin Bing, President, (JC) Journal Square Community Association
Sarah Ordway, President, (JC) Harsimus Cove Association
Luz Guzman, Chairperson, Friends of Lincoln Park
Dana Patton, Founder, Lafayette Block Watch
Harriet Bailey & Kasia Chmielinski Co-founders, JC Chapter of the Feminist Bird Club
Lorraine Freeney, Founder, Jersey City Birds

Patricia Hilliard, co-founder, Bayonne Nature Club

Jill Scipione, president, Bayonne's Morris Park Neighborhood Association

William S. Kibler, Director of Policy, Raritan Headwaters

Don Torino, President, Bergen County Audubon Society

Beryl Thurmond, Executive Director & President, North Shore
Waterfront Conservancy of Staten Island, Inc.

Roland Lewis, President and CEO, Waterfront Alliance

Sanford Sorkin, President, Montclair Bird Club

John Anderson, Director, Rancocas Creek Keeper

Michael Limatola, President, Fyke Nature Association

Lori Charkey, Director, Bergen SWAN

Alexa Fantacone, Executive Director, Teaneck Creek Conservancy

Clea Carchia, Executive Director, Rahway River Watershed Association

Stephen Wiessner, Executive Director, Flat Rock Brook Nature Association

Vera Lazar, President, Friends of Garret Mountain Reservation

Lauren Morse, Environmental Committee Chair, Westfield 20/20

Paula Rogovin, co-founder, The Coalition To Ban Unsafe Oil Trains

Kathryn Heintz, Executive Director, New York City Audubon

Blair Nelsen, Executive Director, Waterspirit

Taffy Williams, President, NY4Whales

Christine Datz-Romero, Executive Director, Lower East Side Ecology Center