

[DATE]

The Honorable Jon Corzine
Governor of New Jersey
State House, PO Box 001
Trenton, New Jersey 08625-0001

Dear Governor Corzine:

On behalf of _____ Township, I respectfully urge you to propose threatened and endangered species habitat modification rules this spring.

Our state is home to some of the most beautiful and diverse open spaces and wildlife habitats in the country. However, overdevelopment threatens the safety of these lands, particularly areas critical to the survival of many rare species. Scientists have identified over 500 resident wildlife species in New Jersey and an additional 400 species that occur as transients. These include bobcats, bald eagles, tiger salamanders, bog turtles and yellow-crowned night-herons. Each of these species has its own particular habitat needs, but each species shares a common threat – their habitat is quickly disappearing.

Although the New Jersey Endangered and Nongame Species Conservation Act (ENSCA) was enacted over thirty years ago, regulations protecting critical habitat have never been adopted. The critical habitat modification rules would regulate activities that harass threatened and endangered species by altering or destroying their habitat. Rule-based habitat planning prevents continued loss of important habitat while creating stability and certainty in the land use decision-making process.

More specifically, the habitat modification rules should standardize critical habitat protections across permit programs. They should identify habitat-modifying activities that would trigger application of the rule; apply species occurrence data and information system mapping to delineate areas presumed to be habitat for threatened or endangered species; and create a permitting system to govern the extent of regulated activities in properly delineated species habitat.

In addition, the rules should allow the development of regional habitat conservation plans. These plans would provide an overview of the habitat resources in a defined area and the general parameters of how that area could be used in conjunction with the wildlife resource.

Since the passage of ENSCA thirty years ago, much of the habitat critical to the survival of rare species protected by the act has been lost. According to a study by Rutgers University, between 1986 and 1995, a habitat area equal to the size of Union and Essex Counties was lost, including 52,000 acres of freshwater wetlands and 44,500 acres of forests. Immediate protection of habitat on public and private lands is essential to the survival of New Jersey's rare species and the preservation of our rich natural heritage. We must act now to ensure that no additional habitat is destroyed.

Habitat protection rules do more than protect wildlife and prevent the continued loss of their habitat. The rules provide significant benefits for New Jersey's communities by:

- Creating stability and certainty in the land use decision-making process, which results in lowered development costs and decreased litigation.
- Adding a needed component to the municipal land-use decision-making process, by providing important informational tools to assist municipal officials in carrying out their public responsibilities under the Municipal Land Use Law.
- Protecting a 3.9 billion dollar wildlife-related recreation industry. Each year, fishing, hunting and wildlife-watching activities create over 37,000 jobs and generate nearly \$150 million in sales tax revenue for New Jersey.
- Providing additional protection for areas critical to our water supply. Critical species habitat occupies many of the same large forested tracts, headwaters, recharge areas and water supply streams essential for the protection of clean and plentiful drinking water. The habitat rules would provide additional protections for these areas by further controlling ill-planned expansion.
- Ensuring a high quality of life for communities throughout the state. Preserving habitat through the habitat rules would safeguard the last remaining open spaces in our state for future generations.

During your campaign, you outlined an environmental agenda that seeks to ensure that our state remains a leader in preserving open space and protecting natural resources. As you know, a key element of this agenda is the adoption of regulations protecting endangered species habitat. In addition, critical habitat modification rules were recommended by the Environment Transition Policy Group in their Final Report to you as part of a six-month policy agenda.

In keeping with your campaign commitment, I urge you to act now to protect threatened and endangered species habitat by taking a leadership role in proposing the habitat rules this spring. Please take action to protect this fragile and disappearing resource and New Jersey's communities before it is too late.

Sincerely,

Cc: Commissioner Lisa Jackson, NJDEP