

UU FaithAction NJ



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# Environmental Justice Task Force Newsletter

## June 2020

[covering 4/29/2020 –5/28/2020] <https://www.uufaithaction.org/blog/>

**UU Seventh Principle: Respect for the interdependent web of all existence of which we are a part.**  
**Environmental Justice (EJ): Addressing disproportionate and adverse human health or environmental effects in communities of low-income residents or persons of color.**

UU FaithAction NJ



**Annual  
Meeting  
2020**

**SAVE THE DATE**

June 6 from 10:00 am to ~ 2:00 pm

Virtual meeting via Zoom

Environmental Justice Keynote:



Dr. Ana Baptista,  
The New School



Dr. Nicky Sheats, Esq.,  
Thomas Edison State  
University

Zoom link: <https://default.salsalabs.org/Tc3221072-40f2-41dc-b7f2-ad511ed51954/08554315-04e2-430b-8cfe-0c38a642785f>

**Dr. Ana Baptista** is Chair of the Environmental Policy and Sustainability Management graduate program and an Assistant Professor of Professional Practice at the Milano School of Policy, Management, and Environment, The New School. Dr. Baptista's research and professional practice focuses on environmental and climate justice.

**Dr. Nicky Sheats, Esq.**, is currently the director of the Center for the Urban Environment of the John S. Watson Institute for Public Policy at Thomas Edison State University and has defined the primary mission of the Center as providing support for the environmental justice (EJ) community on both a state and national level.

Each of the five individual UUFANJ Task Forces - **Criminal Justice, Environmental Justice, Gun Violence Prevention, Immigration Justice, and Reproductive Justice** - will also have its own Breakout Session. Please send an email indicating your Task Force Breakout Session choice to: [thomasmoran.inspace@gmail.com](mailto:thomasmoran.inspace@gmail.com) and cc: [chaignere@gmail.com](mailto:chaignere@gmail.com) and [penguinent@msn.com](mailto:penguinent@msn.com).

**The Environmental Justice Task Force Breakout Session will feature a talk and Q&A on The Green Amendment by veteran environmentalist and original petitioner and leader of the Green Amendment movement - Maya K. Van Rossum, author of "The Green Amendment: Securing Our Right to A Healthy Environment."**

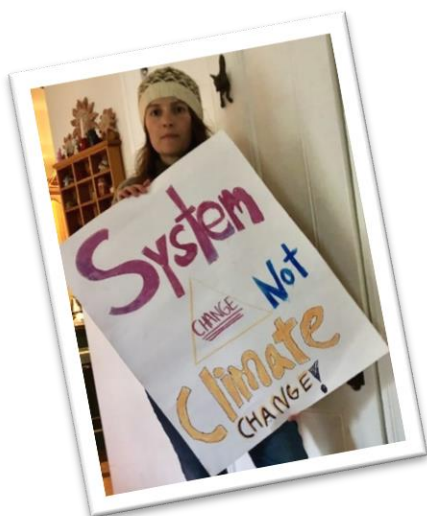
Background material on The Green Amendment is available in the form of the 30-minute PBS documentary "Here's the Story: The Green Amendment" available here: <https://forthe generations.org/the-green-amendment/green-amendment-story/> . Also, you may download the EJTF's Position Paper on The Green Amendment here: <https://www.uufaction.org/wp-content/uploads/2020/03/GA-Position-Statement-Final-3-12-20.docx>.

## ***UU CONGREGATIONAL ACTIVITIES***

### ***UNITARIAN UNIVERSALIST FELLOWSHIP OF SUSSEX COUNTY (UUFSC)***



Since September 2019, EJTF members from the Unitarian Universalist Fellowship of Sussex County (UUFSC) have held "Fridays for Future" Climate Strikes to support the world's youth in their effort to raise climate awareness as part of the Global Climate Strike begun by Greta Thunberg. Between last December and this March, in snow, rain or shine, they were on Newton Green every Friday. But since COVID-19 social distancing restrictions, "Fridays for Future" has gone digital indefinitely and so have the UUFSC Climate Strikers. They post photos like these from the Rabbitt family - a new photo every Friday - on their Sussex County Fridays for Future Instagram and Facebook pages, as well as to the broader online groups, such as NJ Students for Sustainability and NJ Climate Coalition.



## UNITARIAN SOCIETY OF RIDGEWOOD (USR)



In October 2019, the Unitarian Society of Ridgewood's (USR) Environmental Justice Committee, in combination with the Racial Justice Committee, organized a three-day social justice weekend titled "Disrupting Environmental Inequality". On Friday night they screened the film "Mann v. Ford" (now available to rent online) about the struggle of members of the Ramapough Nation in Ringwood NJ to demand a clean-up of their toxic land caused by the Ford Motor Company. On Saturday they invited the audience to a light supper and a panel discussion with Chief Vincent Mann of the Turtle Clan, Ramapough Lenape Nation, Amy Goldsmith of NJ Clean Water Action, and Steve Kehayes of Paterson Habitat for Humanity. The moderator was Jeff Tittel, Director of the NJ chapter of the Sierra Club. Each brought a different perspective concerning the connections between racial and environmental justice. The USR Minister, Rev Sarah Lenzi, rounded out the weekend by creating a Sunday service that drew from the presentations, and included thoughtful reflection and inspiration to action.





## ***EJTF ACTIVITIES***



**VICTORY!!!**

**After almost four years of organized grassroots opposition, the Northeast Supply and Enhancement (NESE) project, a proposed 23-mile-long gas pipeline on the bottom of Raritan Bay and a compressor station in Franklin Township, has been stopped for good! On May 16, 2020, both NJ and NY denied key permits for the project. (See news articles on pp. 10-11.)**

The EJTF had prepared comprehensive comments on the application, which were submitted to the New Jersey Department of Environmental Protection (DEP) by UUFANJ. The comments addressed environmental, legal, and health aspects, and asked that the permit application be denied with prejudice so that it cannot be reconsidered. The letter delineated that The Freshwater Wetlands Protection Act requires a compelling public need to be demonstrated for the proposed activity that is greater than the need to protect the fresh-water wetland, whenever wetlands of exceptional resource value would be impacted. There is no need for this project, especially for NJ, since the project would benefit NY only. Further, the EJTF comments described the potential damage to health of New Jerseyans, and included correlations shown by a recent Harvard study between air pollution (PM2.5 fine particulates) and probability of death from the coronavirus.

Thousands of community members, elected officials, and local environmental groups spoke up and worked together for years to stop this project – from signing petitions, submitting comments, making phone calls, rallying, testifying, and more. A video montage of the amazing grassroots movement in action, from the NJ League of Conservation Voters, is available here:

[https://www.youtube.com/watch?v=J5QN\\_bx2tVo&feature=youtu.be&emci=fc85ba01-cd99-ea11-86e9-00155d03b5dd&emdi=ce360ec4-fe99-ea11-86e9-00155d03b5dd&ceid=194040](https://www.youtube.com/watch?v=J5QN_bx2tVo&feature=youtu.be&emci=fc85ba01-cd99-ea11-86e9-00155d03b5dd&emdi=ce360ec4-fe99-ea11-86e9-00155d03b5dd&ceid=194040)

**This was only one of many fossil fuel projects on EmpowerNJ's list, however, so please continue to contact Gov. Murphy every Monday and urge him to declare a climate emergency moratorium on fossil fuel projects! Either call through the EmpowerNJ number (866-586-4069) to get coaching on the topic of the week, emphasizing what is in the news, or call directly to the governor's office (609-262-6000). You might thank Governor Murphy for helping to put an end to this reckless, unnecessary and environmentally destructive NESE project once and for all, and to keep up the fight in opposing all new fossil fuel projects in NJ!**

**EVENTS AVAILABLE ONLINE**  
**(some upcoming, some viewable as videos)**

**Green Amendment Trivia (with prizes!)**  
**June 17, 2020**

Every third Wednesday of the month, "For the Generations" hosts a Green Amendment Trivia game - with prizes - with clues to the questions given throughout the month on their social media pages. The next game will be on June 17th, 2020, and you can play anytime between 7:00 pm and 10:00 pm to answer approximately 30 trivia questions. After you sign up (here: <http://bit.ly/GreenTrivia>) to participate, they will send you more game details. This month's theme will be: Water is Life! More information is available at: <https://forthe generations.org/events/greenamendmenttrivia/>.

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**8th Annual Delaware River Watershed Forum (Virtual)**

**"From the Headwaters to the Bay and the Tribs In-Between: Staying Connected Amidst a Pandemic"**  
**September 14 through September 17, 2020**



EJTF Co-Chair Ray Nichols highly recommends this forum and encourages everyone to get on the mailing list (<http://www.delriverwatershed.org/email-list>) and save the dates. While it's focused on protecting the Delaware River Watershed, many of the sessions will be relevant to environmentalists from throughout the East-central U.S. Each day is planned to feature 3-4 hours of sessions that include engaging speakers, facilitated discussions, and workshops. A more detailed schedule and list of sessions will be coming out soon, and more information will be available at: <http://www.delriverwatershed.org/2020-forum>. Registration will open in Summer 2020.

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**Rutgers Cooperative Extension Webinar Series "Earth Day at Home"**  
**June 8, 2020, June 15, 2020, June 22, 2020**

In celebration of the 50th anniversary of Earth Day, Rutgers Cooperative Extension has been presenting a webinar series "Earth Day at Home". This series focuses on steps everyone can take to protect the environment. Webinars are on Mondays at 6:30 pm and feature experts from Rutgers Cooperative Extension. Each live, interactive session is 1 hour. The series began April 20 and runs through June 29; here is the schedule for the rest of the series:

6/8/20- Exploring Your Watershed from Home; 6/15/20- Backyard Composting 101; 6/22/20- Ticks and Lyme Disease; 6/29/20- Understanding the 2019 Harmful Algae Blooms in NJ

In order to participate, you need to register here: <https://tinyurl.com/RCEEarthDay>. All sessions are free and provided via Webex. More information is available at: [https://envirostewards.rutgers.edu/EarthDayatHome2020.html#Date5\\_26\\_20](https://envirostewards.rutgers.edu/EarthDayatHome2020.html#Date5_26_20). Also, if you missed any previous sessions, you can view a recording of them.

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### **NJ Climate Change Resource Center Summer Webinar Series Multiple dates**

Multiple online events are listed on this site, including those from the Rutgers Climate Institute, such as "Sea Level Rise in New Jersey" on 6/3/2020 at noon, and also many climate-related events sponsored by multiple groups such as George Washington University, NOAA, and others. A listing is here: <https://climatechange.rutgers.edu/events/all-climate-events/range.listevents/>

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### **"Living in Harmony with Nature - General Green Practices " Warren Township Green Team Virtual Program June 05, 2020, 11:00 am - 12:30 pm**

Discover how to incorporate healthy environmental standards in your home and yard, and why it matters. There will be a slide show on LEED (Leadership in Energy and Environmental Design) and green building in general, and an opportunity to test your newfound knowledge in an "audit" of the library as a "test" to go over the check list. The program will be presented by Wayne DeFeo, Warren Environmental Commission and Executive Director of the NJ Chapter of the Green building Council. More information is available here: <https://sclsnj.libnet.info/event/4320313#branch>. Use this link to join the virtual program via Google Meet: <https://meet.google.com/wpn-gnvx-zqj> or join by phone at: +1 401-300-5970 PIN: 413 694 401#.

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### **"A Closer Look: Exploring the Rights of Nature" online Community Environmental Legal Defense Fund June 3, 2020 - 7:00 pm**

This might tie into the Green Amendment discussion planned for the EJTF Breakout Session at the UUFANJ Annual Meeting. Join a conversation and live Q&A with Community Environmental Legal Defense Fund (CELDF) community organizers who are working with communities that are advancing the Rights of Nature (<https://celdf.org/2020/05/a-closer-look-exploring-the-rights-of-nature>).

A tenet of the CELDF is that there is a growing recognition that we must fundamentally change the relationship between humankind and nature. Making this fundamental shift means acknowledging our dependence on nature and respecting our need to live in harmony with the natural world. It means securing the highest legal protection and the highest societal value for nature through the recognition of nature's rights. The Rights of Nature means recognizing that ecosystems and natural communities are not merely property that can be owned. Rather, they are entities that have an independent and inalienable right to exist and flourish.

Under the current system of law, nature is considered to be property. Those who “own” ecosystems and the permits to destroy them are permitted to do so despite the known impacts on human and natural communities. Laws recognizing the Rights of Nature transform the status of ecosystems and natural communities to being recognized as rights-bearing entities. As such, they have rights that can be enforced by people, governments, and communities. According to CELDF, "The system is fixed. We need to break it."

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### **Sustainable Jersey Webinars**

Sustainable Jersey periodically holds webinars with an environmental focus. Their schedule also includes the Rutgers Cooperative Extension "Earth Day at Home" webinars listed on pp. 5-6. All scheduled events are listed here: <https://www.sustainablejersey.com/nc/events/>.

In addition, videos of previous webinars are available for viewing, such as the video of a recent webinar "Case Studies from New Jersey's Community Solar Energy Pilot Program Year 1". That and other previous webinars available for viewing are listed here: <https://www.sustainablejersey.com/resources/presentations/webinars/>.

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### **"We Don't Have Time" Global Climate Conference Videos**

During Earth Day Week, "We Don't Have Time" presented its 2020 global Climate Conference, with five 3-hour sessions covering the following areas: "Finance," "Circular Economy and Consumption," "Big Ideas and Education," "Food and Agriculture," and "Local Government, City Development and Transportation." The conference was uplifting, and included speakers from around the world, and featured hundreds of proven climate solutions. The videos of all of the sessions are available here: <https://www.wedonthavetime.org/event/earthdayweek>. Schedules of each day's presentation are also available, so you can click on those of interest and go straight to that portion of the video.

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### **Video of Webinar "Mercer County's Climate Emergency: Moving to a Green Economy & Holding Climate Polluters Accountable"**

This webinar, with presentations by Jeff Tittel, Director of Sierra Club NJ and Lauren O'Brien, NJ Campaign Director, Pay Up Climate Polluters, addressed the following topics: Mercer County and statewide climate impacts and costs, including effects on public health and direct links to COVID-19; the NJ Energy Master Plan positive's and negative's related to cutting fossil fuel emissions 45% by 2030; an update on NJ fossil fuel projects and the push for a moratorium; a history of the fossil fuel industry's knowledge of what their products do to the planet, and how they have been deceiving the public; the 16 U.S. lawsuits to hold fossil fuel companies accountable for climate damages; and actions we can take at home to advocate for a green economy and polluter accountability.

Christine Dunbar of EJTF attended the "Mercer County's Climate Emergency: Moving to a Green Economy & Holding Climate Polluters Accountable" webinar and provided the following summary of the "Pay Up Climate Polluters" portion:



Pay Up Climate Polluters is the national umbrella campaign run by the Center for Climate Integrity (CCI), a nonprofit, non-partisan project of the Institute for Governance and Sustainable Development. CCI's mission is to empower communities and elected officials with the knowledge and tools they need to hold polluters accountable for their contributions to the climate crisis, and to support climate liability efforts in the United States.

In New Jersey, SR 57 and AR 75 are Senate and Assembly Resolutions urging the Governor and the Attorney General to pursue legal action against fossil fuel companies for damages caused by climate change. They are sponsored by Loretta Weinberg, District 37 (Bergen) and John F. McKeon, District 27 (Essex and Morris). Additionally, non-profit organizations and individual elected officials can sign letters of support. For further information on the Pay Up Climate Polluters New Jersey campaign, contact Lauren O'Brien at [payupnjpolluters@gmail.com](mailto:payupnjpolluters@gmail.com) or on Facebook or Twitter @climatecosts.

This Webinar can be found on the Empower NJ Facebook page here:

<https://www.facebook.com/EmpowerNJNoFossilFuel/videos/283753026322516/> and on the Sierra Club NJ Facebook page.

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### **New Jersey Clean Energy Conference: Charting the Path to 2050 - POSTPONED**

The Conference was originally scheduled for April 6-7, 2020 in Atlantic City, NJ. Register for email updates about the rescheduling of the conference here:

<https://www.nj.gov/bpu/about/contact/subscribe.html>

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### **EJTF's GOALS FOR 2020**

**1) Mandatory emissions reductions in EJ communities, along with transitioning to electric vehicles, especially buses and trucks** (This is a re-focusing of our goal to get off fossil fuels, now that the Energy Master Plan is complete - we need to focus on the most important sources of emissions in EJ communities.)

**2) Mitigating lead in the New Jersey water supply** (This affects much more than just Newark.) Report on drinking water: <https://www.jerseywaterworks.org/wp-content/uploads/2019/10/JWW-Lead-Report.pdf>



## NEWS RELATED TO EJTF ISSUES

### ENVIRONMENTAL JUSTICE

- **Bill Would Direct \$50M Annually for Clean Energy to Low-Income Areas** - On 5/14/2020, NJ State Senator Troy Singleton introduced a bill (S2484 - available here: [https://www.njleg.state.nj.us/2020/Bills/S2500/2484\\_11.PDF](https://www.njleg.state.nj.us/2020/Bills/S2500/2484_11.PDF)) that aims to help low-income NJ families hit hardest by financial and health impacts of COVID-19. It would establish an Office of Clean Energy Equity in the NJ Board of Public Utilities (BPU), and would direct the establishment of a number of clean energy and energy efficiency programs, as well as job training and outreach programs, for overburdened communities. The EJTF supports this bill, as part of the NJ Shines coalition; the NJ Shines press release about it is here: <https://www.njshines.org/11-2/senator-troy-singleton-and-advocates-introduce-nj-clean-energy-equity-act/>. The bill has been referred to the Senate Environment and Energy Committee. Funding would be 10% of the BPU's annual clean energy budget, or \$50M, whichever is larger. The program would establish solar and energy efficiency programs to benefit 250,000 low income households or 35 percent of the low income households in the State, whichever is larger, by 2030. Also included are provisions for energy storage and making all new construction in LMI and EJ communities solar-ready. <https://www.njspotlight.com/2020/05/bill-would-direct-50m-annually-for-clean-energy-to-low-income-areas/>
- **Op-Ed: Ensuring Underserved Communities Fully Benefit from Green Economy** (by Dave Daly, president and chief operating officer of Public Service Electric & Gas, and Richard Smith, president of the NJ State Conference of the NAACP) - The writers point out that energy efficiency has the potential to cut harmful emissions at lower costs than solar and wind power, while also creating thousands of jobs and cutting utility bills for low-income residents. Further, while energy efficiency is the energy industry's fastest job-growth sector, African Americans hold only 8% of the jobs. "New Jersey has a great opportunity to move forward with plans to leverage the potential of energy efficiency that, in addition to saving money, reducing emissions and slowing climate change, can help grow the economy by creating thousands of jobs and business opportunities that will include communities of color." <https://www.njspotlight.com/2020/05/op-ed-ensuring-underserved-communities-fully-benefit-from-green-economy/>

### ELECTRIC VEHICLES

The NJ Board of Public Utilities (BPU) has issued a Straw Proposal on Electric Vehicle (EV) Infrastructure Build Out, which addresses questions about who should construct, own, operate, and pay for the required infrastructure, including wiring and backbone infrastructure, and charging equipment and services. The Straw Proposal is available here: [https://www.nj.gov/bpu/pdf/Final\\_EV\\_Straw\\_Proposal\\_5.18.20.pdf](https://www.nj.gov/bpu/pdf/Final_EV_Straw_Proposal_5.18.20.pdf). A web-based Public Stakeholder Meeting to discuss the proposal is scheduled for Wednesday, June 3, 2020; the meeting Notice is here: [https://www.bpu.state.nj.us/bpu/pdf/publicnotice/Notice\\_Stakeholder\\_Meeting\\_EV\\_Straw\\_Proposal\\_5-18-20.pdf](https://www.bpu.state.nj.us/bpu/pdf/publicnotice/Notice_Stakeholder_Meeting_EV_Straw_Proposal_5-18-20.pdf). Comments may be submitted until June 17, 2020 at 5:00 pm.

- **BPU Straw Proposal Shifts Financing of EV Infrastructure to Shareholders, Not Ratepayers** - There has been an ongoing issue between electric utilities in NJ and the NJ Division of Rate Counsel regarding the utilities' proposals to build electric charging stations, and the Rate Counsel's contention that the proposals violate laws that prohibit taxpayer funds from being used for competitive projects. The Straw

Proposal on Electric Vehicle (EV) Infrastructure Build Out issued by the NJ Board of Public Utilities (BPU) - see information on p. 9 - addresses this issue, among other aspects of EV infrastructure. It emphasizes development of charging stations by the private sector, with the electric utilities involved in the following: wiring and backbone infrastructure; electrifying airports, seaports, bus terminals, rail terminals, and bus fleets; and possibly also in urban areas where the private sector may not be as committed to being involved. <https://www.njspotlight.com/2020/05/bpu-straw-proposal-shifts-financing-of-ev-infrastructure-to-shareholders-not-ratepayers/>

- **PSE&G Urges State to Get Going on \$364M Plan to Electrify Transportation Sector** - Public Service Electric & Gas (PSE&G) and Atlantic City Electric (ACE) had previously submitted proposals to the NJ Board of Public Utilities (BPU) to invest a total of \$406 million to build electric charging stations throughout NJ. Last month, the NJ Division of Rate Counsel asked the BPU to dismiss the proposals on the grounds that they violate laws that prohibit taxpayer funds from being used for competitive projects. PSE&G has filed a response with the BPU, stating that the Rate Counsel mischaracterized the law, and that it would not be possible to achieve legislative goals related to the Plug-In Vehicle Act and other state requirements without involvement and investment by the utilities. <https://www.njspotlight.com/2020/05/pseg-urges-state-to-get-going-on-364m-plan-to-electrify-transportation-sector/>

## FOSSIL FUEL INFRASTRUCTURE



- **Denial of Permits Signals End for Gas Pipeline Under Raritan Bay** - On 5/16/2020, both the NJ Department of Environmental Protection (DEP) and the New York Department of Environmental Conservation (NYSDEC) denied the latest in a three-year series of permit applications submitted by Transco for the Northeast Supply Enhancement (NESE) Project. In NJ, the project included the proposed construction of suction and discharge piping connecting a proposed compressor station with Transco's existing Mainlines A and C, and two new 26-inch diameter pipelines through freshwater wetlands, transition areas, coastal wetlands, flood hazard areas, riparian zones, and under the Raritan Bay. Transco has stated that it will not pursue the project further. This represents a major victory for environmental groups, who have oppose it since its initial announcement by Transco in 2016. The EJTF submitted comments on the permit application (see p. 4). The NYSDEC cited concerns over climate change and water quality in its denial. In DEP's denial (available here: <https://www.nj.gov/dep/nese/docs/20200515-njdep-nese-decision.pdf>), it cited concerns over water quality and aquatic life, noncompliance with the NJ Freshwater Wetland Protection Act which requires demonstration of a compelling public need, and the lack of an end point for the project given the NYSDEC's permit denial. <https://www.njspotlight.com/2020/05/denial-of-permits-signals-end-for-gas-pipeline-under-raritan-bay/>

- **Big Victory! NJ DEP Denies NESE Pipeline Permits Too** - Jeff Tittel, Director of the NJ Sierra Club, in a statement celebrating the victory over the Northeast Supply Enhancement (NESE) project (see article on p. 10), described the impact of the permit denials. Among other things, he stated, "Governors Cuomo and Murphy denied the 401 Water Quality Certificate, which is critical. Even if Transco came back and sued, they would have a hard time in court. There is precedent when NY denied the 401 Water Quality Certificate for the Constitution Pipeline it was upheld in federal court. New York and New Jersey rejected the permits because the pipeline would impact water quality and aquatic life. The pipeline could carry and release contaminated stormwater and sediment into the environment and both bodies of water and disturb contaminated sites." <https://www.sierraclub.org/new-jersey/blog/2020/05/big-victory-nj-dep-denies-nese-pipeline-permits-too>
- **Residents, Advocates Speak Out Against NJ Transit Fracked Gas Power Plant Proposal** - At the May 2020 NJ Transit board meeting, dozens of residents phoned in comments condemning its support of a new gas-fired power plant that will have major impacts on public health, without considering environmental impacts or other alternatives, especially in the middle of a pandemic. They stated that the power plant would violate the NJ Energy Master Plan's call for a reduction in CO2 emissions, would increase emissions in an area with some of the worst air pollution in the country, and would disproportionately impact environmental justice areas. In addition, no alternatives using renewables were even considered despite those energy sources having become more economical than gas-fired power plants. <https://www.insidernj.com/press-release/residents-advocates-speak-nj-transit-fracked-gas-power-plant-proposal/>
- **Contaminant May Have Leaked into Aquifer at Site of Planned LNG Terminal, Witness Says** - In June 2019, the Delaware River Basin Commission (DRBC) approved dredging for the controversial LNG terminal project at Gibbstown, NJ. The Delaware Riverkeeper Network (DRN) requested that the DRBC hold a hearing to enable it to present reasons for withdrawing the approval. An online hearing was held, and a hydrogeologist highlighted a reference to the presence of the toxic chemical aniline in an appendix to a report by the developer's consultant that was not included in the body of the report. The location cited for the aniline was described as having the potential of possibly leaking into the aquifer, which may be linked to drinking water. <https://www.njspotlight.com/2020/05/contaminant-may-have-leaked-into-aquifer-at-site-of-planned-lng-terminal-witness-says/>
- **Water Regulator Defends OK of Plan to Build LNG Export Terminal in South Jersey** - This article summarizes the history and some of the arguments given at an online hearing (see article above) requested by the Delaware Riverkeeper Network (DRN) regarding the Delaware River Basin Commission's (DRBC) approval of dredging for the LNG terminal project at Gibbstown, NJ. <https://www.njspotlight.com/2020/05/water-regulator-defends-ok-of-plan-to-build-lng-export-terminal-in-south-jersey/>
- **Critics of LNG Plan Say Army Corps Failed to Assess Impacts Before Issuing Permit** - The Delaware Riverkeeper Network (DRN) filed a complaint with the United States District Court for the District of New Jersey stating that the U.S. Army Corps of Engineers (USACE) failed to complete a full Environmental Impact Statement (EIS) for the LNG terminal project at Gibbstown, NJ, as required under the National Environmental Policy Act (NEPA). The USACE performed a shorter study, an Environmental Assessment, but DRN maintains that since this project is a "major federal action," a full EIS is needed, and would provide "facts, information, and scientific review that could change the mind of decisionmakers," according to the Delaware Riverkeeper, Maya van Rossum. <https://www.njspotlight.com/2020/04/critics-of-lng-plan-say-army-corps-failed-to-assess-impacts-before-issuing-permit/>

## RENEWABLE RESOURCES

- **Renewables Overtake Coal Over Last 40 Days – Clean Energy Trumps Dirty Power** - As reported on 5/6/2020, data from the U.S. Energy Information Administration (EIA) showed that for 40 days beginning 3/25/2020, renewable energy sources generated more electricity than coal. The decline in coal energy production is partially due to a lower demand for electricity during this time. According to Jeff Tittel, Director of the NJ Sierra Club, "If we can do this now, we should be able to do this after the pandemic is over. We must move forward with energy efficiency, renewable energy, and other ways to get us to a carbon-free future. This is even more important given the health impacts of coal and the link between coronavirus risk and air pollution." <https://www.insidernj.com/press-release/renewables-overtake-coal-last-40-days-clean-energy-trumps-dirty-power/>
- **Survey: Most N.J. Voters Support Offshore Wind** - A survey conducted on behalf of Ørsted, the company selected to build the Ocean Wind wind farm off the coast of Atlantic City, found that 82% of NJ voters contacted favor expanding wind energy in NJ, with 13% not approving of it. The top reason given for supporting the project was its creation of clean energy for half a million homes. <https://www.roi-nj.com/2020/05/14/industry/survey-most-n-j-voters-support-offshore-wind/>
- **Pandemic's Transformative Impact on Clean Energy: That's Up for Debate** - A webinar "Path Ahead for the Energy Industry & the World Energy Geopolitical Situation" was presented by the Colorado Energy & Water Institute, in partnership with the Duke University Energy Initiative. Various competing situations were debated, including the volatility of oil and gas markets, which might result in investors looking for alternatives like renewable energy, vs. the possible impacts of the low prices of natural gas on its attractiveness for jump-starting economies. Also, there is the question of whether the current lower energy use will be sustained in the future, or if there will be a rebound to even greater use, coupled with possible relaxation of environmental standards. <https://www.njspotlight.com/2020/05/how-will-the-pandemic-impact-njs-clean-energy-future/>



- **BPU Has Good News for Solar Developers: If It's Solar, It's Essential** - On 5/1/2020, the NJ Board of Public Utilities (BPU) issued a press release clarifying that "All new and ongoing solar construction, including both commercial and residential projects, can move forward" during the NJ State of Emergency and Public Health Emergency, stating that "Solar is a critical and growing contributor to energy, notably clean energy, in the state, and energy provision is an essential service," which cleared up some confusion based on the wording regarding essential and non-essential activities in Gov. Murphy's Executive Order. <https://www.njspotlight.com/2020/05/bpu-has-good-news-for-solar-developers-if-its-solar-its-essential/>



- **Amid COVID-19, Solar Firms Get More Time to Secure Key Certificates** - The availability for solar installations to qualify for NJ Solar Renewable Energy Certificates (SRECs) was mandated by law to end after 5.1% of the state's retail electricity came from solar power, which has been determined to be 4/30/2020. In order to qualify, a solar installation had to be completed and have received a Permission to Operate (PTO) certificate, which required inspections that may not have been able to have been completed in time because of the COVID-19 State of Emergency. The Board of Public Utilities (BPU) has issued an Order providing more time in those cases where companies can submit required affidavits and other documentation showing that the project was fully constructed and would have achieved commercial operations but was prevented from reaching PTO due to not being able to complete the required final inspection. <https://www.njspotlight.com/2020/04/amid-covid-19-solar-firms-get-more-time-to-secure-key-certificates/>
- **NJ Goes to Court to Fight Federal Order on Renewable Energy Sources** - Last December, the Federal Energy Regulatory Commission (FERC), issued a ruling that the nation's biggest electric grid operator, PJM, must include electricity from state-subsidized renewable sources in its "capacity market," a move designed to bring the price of clean power in line with that generated by fossil fuels. The change was designed to address what FERC saw as a distortion of competition in the energy market as a result of state subsidies for clean fuels. However, in NJ, the rule may prevent the state from meeting its clean-energy goals, and may also affect the Regional Greenhouse Gas Initiative (RGGI). As a result, the NJ Attorney General's office and the NJ Board of Utilities (BPU) filed a petition for review with the U.S. Court of Appeals for the District of Columbia Circuit. The NJ Division of Rate Counsel, along with consumer advocacy groups in the District of Columbia, Delaware, and Maryland, filed a separate petition for review. <https://www.njspotlight.com/2020/04/nj-goes-to-court-to-fight-federal-order-on-renewable-energy-sources/>
- **Op-Ed: Batteries Can Help NJ Achieve Clean-Energy Goals, Save Money for Ratepayers** - (by Jeanne Fox, a former president of the New Jersey Board of Public Utilities, and co-founder of the Center for Renewables Integration) - Energy storage is an objective of the NJ Clean Energy Act of 2018, and the writer states that "we must enable customer investments in energy storage to ensure they provide the most benefit possible to the energy system as a whole." A case is made for NJ to follow NY (PSEG on Long Island), Vermont, Massachusetts, and New Hampshire in implementing a residential consumer "Bring Your Own Device" (BYOD) program, in which customers are able to provide peak-demand reduction benefits and other grid services to the utility and are compensated for the value provided through an on-bill credit. (An illustrated description of the Vermont system is available here: <https://greenmountainpower.com/bring-your-own-device/>.) <https://www.njspotlight.com/2020/05/op-ed-batteries-can-help-nj-achieve-clean-energy-goals-save-money-for-ratepayers/>
- **Op-Ed: Let Solar Energy Grow at Schools** (by Lawrence S. Feinsod, Ed.D., executive director of the New Jersey School Boards Association) - NJ schools have developed more than 600 solar energy projects; however, the NJ Board of Public Utilities (BPU) incentives for solar development need to be revised to recognize characteristics of solar siting related to school projects, which they do not currently do. <https://www.njspotlight.com/2020/04/op-ed-let-solar-energy-grow-at-schools/>
- **Op-Ed: Solar Development Can Be Key in New Jersey's Recovery** (by Eric Graber-Lopez, president of BlueWave Solar) - The writer is a proponent of "Dual-use solar development", in which agriculture and solar coexist on the same plot of land, with financial, agricultural, sustainability, and next-generation job training benefits. [Note: a Fact Sheet from the U. Mass. Amherst regarding Dual-use Farm Operations Considerations is available here: <https://ag.umass.edu/clean-energy/fact-sheets/dual-use-farm-operations-considerations> and descriptions of dual-use farm projects around the world are available here: <https://www.scientificamerican.com/article/solar-farms-produce-power-and-food/>] <https://www.njspotlight.com/2020/05/op-ed-solar-development-can-be-key-in-new-jerseys-recovery/>

## CLIMATE CHANGE

- **Modern Sea-Level Rise Linked to Human Activities, Rutgers Research Reaffirms** - New research by Rutgers scientists reaffirms that modern sea-level rise is linked to human activities and not to changes in the Earth's orbit. "Our team showed that Earth's history of glaciation was more complex than previously thought," said lead author Kenneth G. Miller, a Distinguished Professor in the Department of Earth and Planetary Sciences in the School of Arts and Sciences at Rutgers University. "Although carbon dioxide levels had an important influence on ice-free periods, minor variations in Earth's orbit were the dominant factor in terms of ice volume and sea-level changes – until modern times." <https://www.rutgers.edu/news/modern-sea-level-rise-linked-human-activities-rutgers-research-reaffirms>
- **NOAA To Study COVID-19 Impacts on Environment** - The National Oceanic and Atmospheric Administration (NOAA) will begin to study the effects that the coronavirus pandemic has had on the environment, looking for changes in atmospheric composition, weather, climate, precipitation, and the effects of short-term reductions in pollution and decreased underwater noise levels on marine life. The studies are described here: <https://research.noaa.gov/article/ArtMID/587/ArticleID/2617/NOAA-exploring-impact-of-coronavirus-response-on-the-environment>. According to Jeff Tittel, Director of the NJ Sierra Club, "NOAA ... has been a key source of independent science ... That is why it is critical that they will look at the impacts, both positive and negative, of the coronavirus pandemic on the environment, and climate in particular ... Studying how these reductions may benefit the environment will help provide a scientific basis for environmental policy going forward." <https://www.insidernj.com/press-release/noaa-study-covid-19-impacts-environment/>

## POLLUTION

- **7 Steps State DEP Recommends Residents Take to Reduce Air Pollution** - Air Quality Awareness Week (5/4/2020 - 5/8/2020) coincided with the start of ground-level ozone season. The New Jersey Department of Environmental Protection (DEP) recommends seven steps for residents to take to reduce air pollution. [Note: daily air quality data for worldwide locations (enter zip code or city) is available here: <https://www.airnow.gov>] - <https://www.njspotlight.com/2020/05/7-5/>



- **Covanta Says It Has Stopped Accepting Waste That Caused a 'Purple Plume' Over Newark** - A purple plume was emitted over the Ironbound district of Newark from a trash incinerator operated by the waste management company Covanta. The company stated that speculation that the plume might have been from iodine from medical waste was incorrect, that it had identified the source and would not be accepting that type of waste in the future, and that it was well below the level that would be considered a respiratory irritant. Advocates for the residents informed the NJ Department of Environmental Protection (DEP) and the NJ Attorney General that this incident was the latest in "hundreds" of air permit violations by the plant. <https://www.njspotlight.com/2020/04/covanta-says-it-has-stopped-accepting-waste-that-caused-a-purple-plume-over-newark/>

- **NJ Gets \$2.1M from EPA for Cleanup, Redevelopment of Major Polluted Sites** - The U.S. Environmental Protection Agency (EPA) selected the New Jersey Economic Development Authority, the City of Camden, Cooper's Ferry Partnership, Inc., and the City of Jersey City to receive a total of \$2,099,451 to assess and clean up contaminated properties under the agency's Brownfields Program. <https://njbiz.com/nj-gets-2-1m-epa-cleanup-redevelopment-major-polluted-sites/> [Note: EPA news release with additional detail is available here: <https://www.epa.gov/newsreleases/epa-announces-2-million-brownfield-grants-communities-across-new-jersey>]
- **Appeals Court Says Not Government's Job to Clean Up 'Erin Brockovich' Chemical in Jersey City** - During World War II, NRDC (the predecessor to PPG Industries) was producing chromium 6 compounds - the chemical Erin Brockovich investigated, which was used to protect military vehicles from corrosion and deemed critical to the war effort - in Jersey City. PPG Industries has maintained that the government should be responsible for cleanup of disposal sites for this toxic chemical because it directed its use. However, a federal appeals court upheld a lower court decision that the government did not direct how the chemical was processed or how it was disposed of, and therefore the site operator is responsible for the storage and subsequent cleanup of the waste. <https://www.njspotlight.com/2020/05/appeals-court-says-not-governments-job-to-clean-up-erin-brockovich-chemical-in-jersey-city/>

## **DRINKING WATER-RELATED ISSUES (other than lead)**

- **Before Reopening, Flush Internal Drinking Water System in Buildings** - When water sits inside pipes, fixtures and tanks for long periods of time, the disinfectant in the water dissipates and loses its effectiveness, which can allow microorganisms to grow in the building's internal water system. Some of these microorganisms may have the ability to cause disease in some people. Also, when drinking water leaves the treatment plant, it's treated to coat the pipes and fixtures to keep lead out of the water, but when water sits in the pipes for extended periods of time, the coatings can weaken and destabilize and lead particles can dissolve and get into the drinking water. [Note: A brochure giving detailed instructions on how to flush a building is available here: [https://www.pvwc.com/wp-content/uploads/2019/10/PVWC\\_Bldg\\_Open\\_vilores\\_200508.pdf](https://www.pvwc.com/wp-content/uploads/2019/10/PVWC_Bldg_Open_vilores_200508.pdf)] - <https://www.tapinto.net/categories/press-releases/articles/before-reopening-flush-internal-drinking-water-system-in-buildings>
- **AG Grewal, Coalition of States File Lawsuit to Block EPA Rule That Would Narrow Protections for Vital Wetlands, Waters** - NJ, 18 other states, and the District of Columbia filed a lawsuit against the U.S. Environmental Protection Agency (EPA) and the U.S. Corps of Engineers (USACE), seeking a declaration that "The Navigable Waters Protection Rule: Definition of 'Waters of the United States'" is arbitrary and capricious and not otherwise in accordance with law, and requesting that the Court set aside and vacate the rule. The Rule rule significantly narrows the scope of waters subject to federal regulation under the Clean Water Act (CWA), and is an effort by EPA to roll back water quality protections clarified and fortified under the Obama Administration's Clean Water Rule of 2015. The lawsuit states that the new definition conflicts with the text of the CWA, contradicts the CWA's objective, overlooks the Agencies' prior scientific findings and longstanding policy and practice, and overlooks the recommendations of the EPA's own Science Advisory Board. The lawsuit explains that the new rule will harm more environmentally friendly states by increasing the risk of pollution coming in from less protective jurisdictions, will disrupt state-level regulatory programs, and will incentivize certain operators to relocate to states with less stringent water quality rules. It will irrevocably harm vital waters and wetlands in the NJ that are relied upon for drinking water, wildlife habitats, agriculture and recreation, among other things. <https://www.nj.gov/oag/newsreleases20/pr20200504a.html>

- **Enviros Sue Trump Administration as Agencies Finalize Water Rule Rollback** - A group of eight environmental groups, including the National Resources Defense Council (NRDC) filed a lawsuit (similar to the one described in the article on p. 15), asking that "The Navigable Water Protection Rule: Definition of 'Waters of the United States'" be blocked by the court. The Rule narrows the definition of "waters of the United States" to exclude wetlands (unless directly connected on the surface to water bodies covered by the definition) and minor or intermittent streams, which results in the removal from federal protection of close to 20% of the nation's streams and nearly half of its wetlands. The administration has argued that the change removes regulatory uncertainty for landowners who no longer have to determine whether that part of their land is federally protected before they build houses or plant crops on it.  
<https://www.njspotlight.com/2020/05/enviros-sue-trump-administration-as-agencies-finalize-water-rule-rollback/>



- **Renewed Calls for NJ Limit on Toxic Chemical as EPA Reportedly Rejects National Regulation** - Perchlorate, a component of rocket fuel that has been linked to health issues, has been found in groundwater in almost half of NJ counties. There is a court order requiring the U.S. Environmental Protection Agency (EPA) to impose a limit on the chemical's concentration in drinking water, but it appears that EPA may decline to do so. NJ previously had proposed a state limit, but it was not put into place before the proposal expired under the Christie administration; if EPA issues a final decision not to regulate perchlorate, it may be taken up again in NJ. <https://www.njspotlight.com/2020/05/renewed-calls-for-nj-limit-on-toxic-chemical-as-epa-reportedly-rejects-national-regulation/>

## OTHER

- **Property-Tax Relief, Municipal Aid, Other Programs Hit as Treasury Draws Up New Budget** - A "Report on the Financial Condition of the State Budget" issued by Gov. Murphy on 5/22/2020 (available here: <https://www.state.nj.us/treasury/omb/publications/NJ-Financial-Condition.pdf>) estimates a revenue shortfall for the state of nearly \$10 billion through the end of Fiscal Year 2021 (e.g., 6/30/2021) as a result of COVID-19-related impacts. As part of its roadmap for addressing this shortfall, the report proposes a combination of spending cuts, deferrals, and use of budget reserves. \$1 billion in spending that had been frozen earlier in the year is now listed for deappropriation, including the following environmental amounts: "Uncommitted Lead-Safe Home Renovation Funding" (\$10 million) and "Environmental Protection" (\$4.6 million). In addition, Governor's Proposals are slated for elimination, including the following environmental proposals: "Environmental Protection Lead Infrastructure" (\$80 million); "Environmental Protection NJ Infrastructure Bank" (\$6 million); "Environmental Protection Harmful Algal Blooms" (\$2 million); and "Other Solution Items" including "Revenue Offset Clean Energy Fund Uncommitted Balances" (\$86 million). Some revisions require legislative approval.  
<https://www.njspotlight.com/2020/05/property-tax-relief-municipal-aid-other-programs-hit-as-treasury-draws-up-new-budget/>



- **Senate Votes to Extend Permits for Projects that Were Halted by COVID-19** - On 5/14/2020, the NJ Senate approved a bill (A3919, previously approved by the NJ Assembly) that would extend certain State, regional, county, and municipal agency permits, approvals, and deadlines during the COVID-19 emergency, for 6 months (or 12 months for construction projects). The permit extensions would include those for land use, wetlands, stream encroachment, water quality, coastal and other uses. While most business interests were in favor of the extensions, environmentalists were not. Jeff Tittel, president of the NJ Sierra Club, stated that said the organization would press Gov. Murphy to veto the bill, and that if it was signed into law, "there will be no room for the public to comment on these extensions."  
<https://www.njspotlight.com/2020/05/senate-votes-to-extend-permits-for-projects-that-were-halted-by-covid-19/>
- **DEP Extends Public Comment Periods on Permit Applications** - As part of NJ's response to COVID-19, the NJ Department of Environmental Protection (DEP) issued an administrative order that extends deadlines for public comment on applications for certain permits and approvals, to ensure opportunities for meaningful public engagement during the COVID-19 pandemic. The administrative order extends the minimum public comment periods on applications for the following: individual and general permits under the Coastal Zone Management rules, Freshwater Wetlands Protection Act rules and the Flood Hazard Area Control Act rules; water quality management plans; water allocation, water usage certifications and temporary dewatering permits; solid waste facility and hazardous waste permits; and certain preconstruction and draft operating permits under the Air Pollution Control Rules. Details about the extension for each public comment period is described in Administrative Order 2020-06, available here: <https://www.nj.gov/dep/covid19regulatorycompliance/docs/ao2020-06.pdf>.
- **House Probe: Energy Regulators Almost Always Side with Gas Pipeline Companies** - Preliminary findings of a U.S. House Oversight and Reform Committee (Civil Rights and Civil Liberties Subcommittee) probe found that the Federal Energy Regulatory Commission (FERC) had decided in favor of natural gas pipeline companies over property owners in cases of eminent domain in more than 99 percent of cases in the past 20 years. (A video from the Subcommittee is available here: <https://www.youtube.com/watch?v=gY4E2JarHoU&feature=youtu.be>.) Further, FERC routinely extends its timeframe for responding to property owners' appeals, so that by the time the property owners can file suit to challenge agency decisions, construction has often already begun.  
<https://thehill.com/policy/energy-environment/495060-energy-regulators-almost-always-side-with-gas-pipeline-companies>

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UU FaithAction NJ - Environmental Justice Task Force - <https://uufaithaction.org/environment/>  
Co-Chairs – Peggy Middaugh and Ray Nichols

Visit our website for Environmental links and resources / sign up for email alerts / join the EJTF