

PRESS RELEASE
with supporting documents
For Immediate Release
May 12, 2010

SECRET TALKS BRING FEAR OF POLITICAL DEAL

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Lacey Township, Ocean County: The Lacey Rail-Trail Environmental Committee (LRTEC) has released documents indicating that the New Jersey Department of Environmental Protection (NJDEP) has entered into settlement negotiations aimed at invalidating a 2009 CAFRA permit denial to construct a controversial 2- mile roadway on the Central Jersey Railroad Right-of-Way.

The non-profit organization said they became aware of the discussions via a routine Open Public Records Act request and were surprised to learn of such details.

An attendance sheet from an April 6, 2010 meeting detailed numerous Township officials, legal counsel (including Ocean County Republican Chairman George Gilmore) and consultants met with various NJDEP staff and Deputy Attorney General, Kristen Heinzerling.

Upon learning of this meeting, LRTEC's legal counsel, Bradley M. Campbell contacted DAG Heinzerling, questioning the appropriateness of the meeting in light of his client's motion to intervene in the appeal. (April 26th letter to DAG Heinzerling from Campbell)

When the Attorney General responded and confirmed that as a result of the April 6th meeting "The parties are in settlement discussions" (April 28th letter to Brad M. Campbell, Esq. from Heinzerling), Mr. Campbell then sent appropriate correspondence to the Administrative Law Judge objecting to any attempt at settlement. (April 28th letter to Honorable Judge Futey from Campbell).

Helen Henderson, Chair of the LRTEC said her organization is fearful of the nature of this meeting and potential outcomes of such settlement discussions.

"Ten years of advocacy that has protected the trail; two State CAFRA permit denials that found the road project failed to meet over a dozen regulatory requirements; a pending appeal in the Office of Administrative Law; and we now learn, by accident, that the DEP is in these discussions with the Township" she said.

Henderson added: "Considering the circumstances, it is hard not to be wary of political interference. But despite what could be political pressure, two DEP commissioners did the right thing in denying the permit and we have no reason to expect that Commissioner Martin will not do the same".

The LRTEC motion to intervene in the Township's lawsuit against NJDEP includes at least 12 adjacent property owners who would lose the use of some or all of their property should the road be built. One resident on the lawsuit would lose her entire home via eminent domain instituted by Lacey Township. The LRTEC supports the Department's CAFRA permit decision and believes the court and NJDEP should uphold the denial.

After 10 years of grassroots advocacy to preserve the Central Jersey Railroad Right-of-Way as the Ocean County Barnegat Branch Trail, a safe pedestrian recreation and non-motorized alternate transportation corridor, the LRTEC says they do not expect that New Jersey politics should overrun honesty and integrity on an issue that is right for today and would prove to benefit future generations.

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