



PO Box 333
Newport NJ 08345

www.baysave.org

May 22, 2018

State Senator Jeff Van Drew
211 S. Main Street, #104
Cape May Court House, NJ 08210

RE: MONEY ISLAND REDEVELOPMENT

Dear Senator Van Drew:

On May 15, 2018 the NJ Department of Justice took the unconscionable action of suing an undetermined number of local citizens, including me, as well as the local small businesses who are working together through the nonprofit organization Baysave to stabilize and restore our local community. The NJDEP's recent legal action against a range of defendants that include "John Doe", "Jane Doe" and "ABC Corporation" is apparently designed to intimidate those individuals and organizations who have volunteered their efforts to help rebuild our bayshore community. These local individuals like me and nonprofit organizations who participated in the execution of the "Cumberland County Delaware Bayshore Recovery Plan" (December 2013), the Downe Township EPA Environmental Justice Report "Downe Township NJ: Helping a Delaware Bayshore Community Adjust to Climate Change", the "Downe Township Master Plan Re-examination Report" (January 2016) and the "Downe Township Master Plan" (2000) and the "Money Island Working Waterfront Redevelopment Plan" (November 2017) are now threatened simply based on our participation and willingness to get involved as volunteers in these important community restoration projects. Rather than working with us, NJDEP is choosing to sue us!

BaySave is a 501(c)(3) nonprofit association registered as a New Jersey charity with a mission of advocacy, stabilization, restoration and sustainable economic redevelopment of tidal wetlands along the Delaware Bay

Since superstorm Sandy we have focused our local efforts on stabilizing and restoring the environmental and economic conditions at Money Island New Jersey. Money Island is unique in that while it is one of our smallest residential communities (about 12 full time residents) it is also the state's second most productive seafood landing port. We host seven nonprofit research organizations, including support for five of the major local universities. Yet 10 of the 11 most recent project applications that would have resulted in land use permitting have been blocked or declined by NJDEP. While other bayshore communities may disappear through the 'retreat' strategy, there are compelling reasons to keep Money Island open for a wide range of stakeholders. Our local redevelopment plan centers around supporting the expected explosive growth potential of the oyster industry, expands crab aquaculture infrastructure, and accommodates a new wave of ecotourism and transient recreational boat visitors. We have made a clear argument for our cause that is widely accepted by leadership at every level of government.

This latest hostile legal action follows years of my complaints to former Governor Christie and your office that certain people within the NJDEP were acting 'out-of-sync' with stated department policy and refusing to communicate with me on important local issues. In one instance I acted as whistleblower in reporting an apparently illegal action by a NJDEP employee to a federal investigator. In another instance a NJDEP official was ordered to stop communicating with me after I suggested inviting a reporter to join our conversations about an intentionally manipulated water quality report. We have acted honorably and openly in all our dealings with the state, Other than these specific occasional actions to expose observed corruption, I have done nothing to provoke this attack by the state.

For more than three decades I have built a reputation of service to New Jersey's small business communities and environmental organizations. Shortly before Sandy the NJDEP commended Baysave for its exemplary contributions to shoreline stabilization and living shoreline research. I was humbled to receive two Joint Legislative Accommodations for my service to the local bayshore community. Yet none of this seems to matter to NJDEP that has repeatedly declined my requests for formal and informal communications and information about their concerns at Money Island over the past six years.

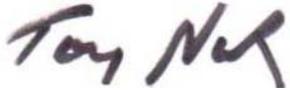
It appears that the NJDEP's legal complaint pivots on their unwillingness to consider or even enter into discussion regarding the community planning actions of the federal, state, county, local governments, the local residents, or the interests of the nonprofit and for-profit business stakeholders. The sole role of NJDEP since Sandy, as far as I can see, has been to block all of our sustainable redevelopment efforts. This is simply not the way that government is supposed to work!

We understand that your office is prohibited from interfering in an active legal matter. Yet the problems faced by the bayshore region and Money Island, in particular, are much larger and longer-lasting than this single litigation action. It is clear that there are reasonable solutions and that all of these issues can be resolved through stronger political leadership that would force NJDEP to enter discussion toward solutions rather than its current strategy of "reject and sue" without interacting with local government and community members. I am grateful for the efforts that you, your staff, and our state

assemblymen have made to voice support of our community. However, it seems clear at this point that stronger leadership action is required.

I urge you to use whatever influence you may have to force NJDEP to the table to discuss the viable redevelopment proposals made by our local leaders that will lead to a fully compliant and sustainable future for our community.

On behalf of the Board of Directors of Baysave Association,

A handwritten signature in black ink that reads "Tony Novak". The signature is written in a cursive, slightly slanted style.

Tony Novak, Controller