

New Jersey Department of Environmental Protection

2010 VISION STATEMENT

The purpose of this document is to define the strategic vision for the New Jersey Department of Environmental Protection for the next four years and to provide the foundation for structural changes that will make the DEP an effective organization for years to come.

MISSION

NJDEP's core mission is and will continue to be the protection of the air, waters, land, and natural and historic resources of the State to ensure continued public benefit. The Department's mission is advanced through effective and balanced implementation and enforcement of environmental laws to protect these resources and the health and safety of our residents.

At the same time, it is crucial to understand how actions of this agency can impact the State's economic growth, to recognize the interconnection of the health of New Jersey's environment and its economy, and to appreciate that environmental stewardship and positive economic growth are not mutually exclusive goals: we will continue to protect the environment while playing a key role in positively impacting the economic growth of the state.

DIRECTION

The DEP needs to have a new and very clear direction based on a set of realistic priorities that are known to all and managed by strong leadership from the top of the organization. The DEP must make decisions that are in the best interest of the environment as well as all the people of the state. A critical component of the Department's decision making process must include flexibility in implementing regulations while ensuring a net environmental gain to the state. The DEP must put in place a sustainable structure that enhances the environment and natural resources of the state.

Over the years, the DEP has garnered a reputation as a hindrance to economic growth in the State. This notoriety does not need to be the case, as clearly there are multiple examples of projects approved by the Department that have enhanced the economy. Unfortunately, there is also an equal or greater number of examples where project delays due to unreasonable regulatory hurdles or untimely Department decisions greatly increased project costs or thwarted an otherwise worthy project. Therefore, all managers and staff must develop a greater recognition of how their actions and processes can affect an outcome, and seek ways to provide more expeditious decisions. We must make permitting and inspection of individuals, businesses, governmental bodies and other organization both timely and predictable, basing our decisions on science, data, facts and cost-benefit analyses. All entities interacting with the DEP must be treated fairly and as our customers. Our actions must be transparent and we must be accountable.

A top priority for the DEP will be to establish a culture that performs efficiently, elevates customer service and manages through the effective use of metrics.

The people of the DEP are its greatest asset and pivotal in ensuring achievement of the Department's vision and goals. Management and staff must function as a team to create a positive work environment: a workplace environment that provides for fair and equitable treatment of all DEP employees, fosters professional growth, and thrives with diversity. Additionally, the agency must recognize the needs of and treat all Department stakeholders with respect.

To effectuate tangible reform, the culture outside of the Department must also change. External stakeholders also play a role in efficient and effective environmental protection. Permit applicants and their consultants must make timely, quality submissions consistent with the Department's regulations in order to expect predictable agency actions that meet with project schedules. Clearly there is a larger profit to be made by consultants preparing and submitting multiple documents iteratively; it is not uncommon for initial submissions to be substandard and facially inconsistent with Department regulations. Often, this practice also jeopardizes the availability of public and private investment in projects to the detriment of economic growth and development. This practice further encumbers processing time and contributes to the

Department backlog. All external stakeholders must strive for full compliance, not “trying to get a better deal”.

The DEP must change the view that it is an obstacle to both economic growth and environmental protection and that its processes do not address the needs of the regulated community and general public. The DEP must incorporate economic analysis into its decision-making processes. This does not mean that economic factors override environmental factors; however, a realistic assessment of potential environmental gain and public health advancement must be measured against the economic impact.

The Department also needs to make the regulatory process more efficient and take greater advantage of information technology to advance our mission and streamline our business processes. The DEP needs more flexibility in its permitting process because one size does not fit all. The DEP needs to rely more on permitting by rule, general permitting and electronic submittal and approval processes.

The parks and wildlife areas of the state are treasured assets and need a long-term plan to ensure their viability, maintenance and continued access to all residents of New Jersey.

The DEP must play a key role in shaping environmental policy for the Administration and collaborating with the Legislature to create legislation (not just reacting to bills introduced). At the same time, the Department must regain its status as an innovator and national leader in environmental protection.

CHALLENGES

Over the years, the Department has faced many externally imposed obstacles that have challenged its ability to execute its duties in an effective and efficient manner.

The Department historically has been subject to too many legislative mandates, often emanating from “crisis of the day” responses to current issues rather than well articulated long-term considerations that advance environmental protection and stimulate healthy economic growth.

Many of these mandates have been unfunded, thus requiring the shifting of limited resources to programs that do not address mission-critical priorities. Statutes and associated regulations are outdated or even contradictory. There have been approximately 450 new Federal and State laws that have affected the DEP over the past 15 years, of which 150 placed a significant burden on Department resources. Virtually nothing ever comes off the Department's regulatory plate. There has been a serious lack of setting priorities and putting long-term business plans in place.

This myriad of legislation and regulations has forced most DEP programs to become driven by process rather than end results. The DEP must focus on the end result: protecting the environment and resources of the State. In some programs, the Department has developed regulations that impose burdensome and complex requirements that treat large, regulated companies and homeowners alike. Although there is flexibility in many DEP regulations, the Department's staff and managers are not always empowered to use their best professional judgment in the application of regulations. Lastly, despite efforts to better integrate programs, statutory and regulatory mandates have resulted in programs sometimes working at cross-purposes.

At the same time, the State's fiscal constraints have led to DEP staff cuts of almost 20 percent over the past eight years, and limited operational dollars are available for even the most basic equipment upgrades or to streamline business practices through technological advancements. A hiring freeze for the past five years and the large number of retirements has stretched resources, created a drain on institutional knowledge, and hampered growth of the next generation of DEP professionals required to keep the organization running.

CORE PRINCIPLES OF TRANSFORMATION

To advance our above-stated Mission, the following core principles must guide our efforts to effectuate meaningful agency improvements:

- Direct DEP's resources to DEP's priorities. The DEP must dedicate resources to its top priorities, those that accomplish our mission while eliminating unnecessary programs. The DEP must also focus on communities who need more of the Department's attention as

they are overburdened by pollution sources. The Department's priorities will be driven by an assessment of data and performance metrics, allocating and reallocating human and technologic resources to meet priority needs.

- Change the culture of DEP to be more customer service focused. DEP employees must be cognizant of the types and levels of need of all of the Department's constituencies. Whether they are individuals, organizations, local governments or businesses coming to the DEP for permits, approvals or other services, each one is a valued customer that must be treated in a professional and courteous manner (e.g. phone calls need to be returned, and questions need to be answered.)
- Leadership and management must occur at all levels of the DEP. Senior DEP Leadership needs to provide clear direction to the entire organization and all managers need to manage.
- Our people are our biggest assets. DEP's almost 3,000 professionals are critical to transforming the organization. All personnel need to get involved in helping to shape the future of the DEP.
- Maximize technology. The Department must take full advantage of available technologies to streamline operations and improve service to the regulated community and public.
- Encourage stakeholder input. The Department must utilize inclusive and transparent processes that encourage stakeholder input in the establishment of policy and regulation. Stakeholder involvement and transparent decision-making must be part of standard operating procedures to ensure that DEP's actions are well-informed and balanced.
- Integrate economic considerations into statutes and regulations. All future reforms must ensure uncompromised environmental protection while minimizing adverse economic impacts. Credible cost/benefit analyses must be performed to ensure that economic

impacts are weighed as part of the State's decision-making process. The Department's business model must focus on timeliness and predictability.

- Communications and transparency. Our communications must be constant, transparent and clear to both our internal personnel as well as our external stakeholders.
- Simplify business practices. The Department must undergo a culture change to foster a workplace environment of continuous process improvement. All DEP employees can provide valuable input on how to fix broken processes and business practices. This includes utilizing more permits by rule, general permits, and electronic approval processes.
- Review of regulations to "untie our hands". The Department must provide a systematic review of all DEP regulations, simplify those regulations, provide flexibility, and ensure they focus on the end result. Only then can managers and staff use their best professional judgment, confidently.
- Rely on metrics to measure success and identify challenges. In order to continuously review and improve the Department's operations, processes must be measured and impediments identified through a systematic application of metrics.

THE TRANSFORMED DEP

The goals of the Department's transformation are:

- Stronger protections for the environment and natural resources of the state.
- Managers who are leaders and change agents for the Department.
- Employees who know that they are valued as an integral part of the Department's ability to fulfill its mission and who are passionate about the work that they do.

- Stakeholders who provide valuable input as an important component of the development of policy and regulations.
- Regulations that are balanced, incorporate science, provide flexibility and accurately evaluate potential impacts including cost-benefit analyses.
- Regulated communities, including all environmental professionals that recognize the impact their actions and decisions have on environmental protection and economic growth in this state.
- Technology that provides real efficiencies to DEP and its stakeholders.
- Departmental business practices that will serve as a model for all state agencies.
- Science-based decisions based on input from our Science Advisory Board and the State's colleges and universities.

New Jersey Department of Environmental Protection

2010 PRIORITIES

The DEP will focus on two key sets of priorities over the next four years. They include both “Program” Priorities and “Transformation” Priorities.

THE DEPARTMENT OF ENVIRONMENTAL PROTECTION’S PROGRAM PRIORITIES

While reform and efficiency are needed across all agency operations, the Department’s focus will be framed around very clear and specific program priorities. They include:

- Ensure the successful implementation of the Licensed Site Remediation Professional (LSRP) Program and site remediation reforms. This is critical to cleaning-up the 20,000 contaminated sites in the State
- Establish the Site Remediation Licensing Board.
- Evaluate stream designations, including C1 criteria, to protect New Jersey's most important waters.
- Determine the best approach for the long-term restoration of Barnegat Bay.
- Determine a solution to address the cooling systems at Oyster Creek nuclear plant.
- Protect the ocean from other off shore drilling and LNG, and increase and improve ocean water testing.
- Optimize stewardship of the Atlantic Ocean, its beaches and tributaries. Maximize shore protection and public access to the most reasonable extent while minimizing impacts to the resources the ocean provides.
- Develop a sensible Public Access rule incorporating concerns for safety, security, economic vitality and recreational opportunity.
- Identify sustainable funding for operation and maintenance of parks and wildlife management areas.
- Manage natural resources in a comprehensive manner that looks at the overall viability and enhancement of species and habitat.
- Consolidate ecological restoration programs into one office and establish a new strategy for restoring, enhancing and mitigating damages to ecosystems.
- Aggressively address air pollution generated in other parts of the nation that impact New Jersey’s air quality.

- Determine the best approach and implement a program to accelerate the retrofit of diesel engines across the state.
- Build green energy, especially by accelerating the expansion of wind and solar energy through appropriately streamlined regulation and establishment of meaningful incentives. Begin to investigate new electric vehicles and the infrastructure to make that technology workable.
- Oppose Delaware River dredging. There are too many open issues that have not been addressed including insufficient testing, CDFs solely in New Jersey, and no real air mitigation.
- Utilize the Science Advisory Board to promote sound decision making. Establish a Science Plan for the DEP.
- Establish a new Alternative Dispute Resolution program.
- Work with the Lieutenant Governor's Office, other state agencies, and stakeholders to ensure development of a State Plan that recognizes growth should occur in areas that yield economic growth opportunities which benefit the State as a whole, while ensuring that there is no net environmental loss of resources.

THE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S TRANSFORMATION PRIORITIES

- Ensure the DEP manages through the use of metrics, makes informed, well-grounded decisions, and applies customer service principles.
- Develop baseline metrics and work plans based on our Transformation Plan with clear priorities, goals, time frames and metrics for measuring progress. Each Bureau, within each Division, within each Assistant Commissioner area will monitor progress on a quarterly basis and our Assistant Commissioners will prepare annual reports, available to the public, to summarize our efforts.
- Make policy decisions at the highest level and make certain decisions are passed on to all staff to ensure equal and uniform treatment of our customers across the board.
- Identify non-mission critical functions and redundant processes that the DEP can eliminate.
- Establish processes for the flow of information to improve communications efforts with the Department's internal as well as external constituencies, to ensure that staff, stakeholders and the general public are accurately informed about our decisions and activities.
- Expand and improve the Office of Permit Coordination to ensure well-coordinated reviews of complex projects between DEP program areas, as well as provide new assistance to smaller businesses.
- Immediately focus on operational and regulatory reforms in the Land Use permitting program, including the expanded use of information technology, electronic submittals, general permits and permits-by-rule.
- Advance more meaningful pre-application meetings. Establish a process to help regulated entities avoid expending funds for projects or portions of projects with limited probability of success, identify and minimize environmental impacts early in the process. Streamline reviews for entities utilizing a pre-application process.
- Ensure consistency and predictability in all permitting and approval processes.
- Streamline permitting and approval processes that maximize the use of technology.
- Establish processes within each program to facilitate dialogue with applicants during the permit evaluation process.
- Make Environmental Justice a priority, recognizing the injustice that pollution imposes on overburdened communities.

- Structure processes and policies to help change the culture outside of the Department, to make regulated entities and their consultants more responsible for the quality of submittals.
- Develop a new opportunity model and plan for enhancing and sustaining parks and wildlife areas.
- Base enforcement priorities and actions on environmental risk. Establish a better connection between the enforcement and permitting programs.
- Work with the Governor's Office and the Privatization Task Force to evaluate how the agency can take advantage of outsourcing, contracting and privatization opportunities.
- Evaluate the usage of the landscape maps as they relate to regulatory programs.
- Establish a training program for all DEP managers and staff that will incorporate customer service, continuous process improvements and management skills.
- Address issues adversely impacting managers.