

Star Ledger Editorial

Economic argument will do

Monday, September 29, 2008

Lawmakers love to cloak a bill in the mantle of homeland security. It sounds much better to present a measure to block public access to prime waterfront land as a safeguard against terrorism rather than a money-saving sop to industry.

But a break for industry is precisely the goal behind A2954 and its companion bill in the state Senate. And Sen. Jeff Van Drew (D-Cape May) and other sponsors should be straightforward enough to say so. Especially since their economic argument is legitimate and their security concerns are not.

The waterfront bill says two things. First, to bolster security it would exempt properties with industrial facilities, power plants or other critical infrastructure from a general rule requiring waterfront property owners to give the public a way to get to the water.

Sounds good except there already are plenty of exemptions for vulnerable properties. State and federal rules have long recognized that beachgoers can't be traipsing across the Oyster Creek nuclear complex to dip their toes in the Atlantic.

It is the second part of the waterfront bill that reveals the real story. This part would undermine a 2007 state regulation that says if access cannot be allowed on a property, the owner must help to provide for it elsewhere. A property owner can end up paying thousands of dollars to comply.

Van Drew points out that businesses in New Jersey are already struggling to keep operating, hammered by the usual high costs here as well as by the national economic downturn. Van Drew says now is not the time to hit firms with yet another fee.

There is merit to this argument, enough so that it would be appropriate for lawmakers to craft a relief mechanism that would reduce or spread out the payment requirements. A reasonable compromise should be found that would make the cost less burdensome for industry while still providing resources to advance the public's ability to enjoy the state's waters, shorelines and riverbanks.

But there is no need for legislators to pretend the debate is about security. The public understands times are tough for employers as well as workers. Voters want a way to get to the shore during their time off. But they also want work.