

December 10, 2015

Division of Coastal and Land Use Planning
Mail Code 401-07C
PO Box 420
401 East State Street
Trenton, NJ 08625



RE: Surfrider Foundation Comments on the Long Beach Township Municipal Public Access Plan December 2015

Long Beach Township is one of a handful of towns in the state with poor public access to the ocean in two sections of the Township; Loveladies and North Beach. Coupled with the fact that Long Beach Township is participating in the Army Corps of Engineers Shore Protection Project, whereby millions of public dollars may be placed on these very beaches, it is understandable that heightened scrutiny will be applied to the public access plan of Long Beach Township.

Deficiencies in the Document MPAP Document and Maps –

We find evidence that more attention could have been paid to preparing this document. Or at least there was not the level of attention paid that we would expect from Long Beach Township. While the intention is understood in this passage on page 13, there are at least four typos in this one paragraph pasted here:

Proposed plans include expanding the existing restrooms and constructing new changing rooms as well as rebuilding and existing gazebo at the south end of the park. Recently, the Ocean County Department of Engineering completed a new stormwater mitigation project along Long Beach Boulevard in the area of Bayview Park and constructed and outfall pipe near the north end of the park. As a result and to take advantage of the piling now available. the Township plans to construct a recreational dock/pier over the outfall pipe. It has yet to be determined of the pier will be conducive for fishing but it will at least be another public access point for members of the community.

In Appendix 4, there is a table with explanatory notes above the table. The word “pies” is unfamiliar to us in this context. If “pies” is some type of engineering or Planning jargon it should be explained.

The maps used in Appendix 6 are so old that their reliability is questionable. Instead of clarifying the picture for public access, in some cases these old maps only bring more questions. For example, the map showing the Brant Beach 1 section lists a paper street called Seaside Ave in the neighboring town of Beach Haven; a street that was never built. This tells us the maps used are at least 50 years old. The current and proposed access sites may be correctly displayed on the map, but the map of the terrain seems terribly dated. Modern maps widely available such as Google Maps do not show Seaside Avenue in Beach Haven. Another example from the Appendix 6 maps is in Loveladies, north of 87th Street near the border with Harvey Cedars. Modern maps show at least 7 streets existing north of 87th Street but south of Ladybug Lane. Yet on the maps provided in this plan, only one unnamed street is in that section. For a section of town with notoriously poor public access, the very least the town could do is to provide an accurate map to ensure the public that the Township is not trying to hide or omit anything in their MPAP.

Historic Lack of Access in Loveladies and North Beach is Not Detailed

The massive limitation to public access on the ocean in Loveladies and North Beach should be mentioned in the section of the document that deals with the limitations to public access. Furthermore, the current conditions should be detailed in Loveladies and North Beach. The number of access points in these sections should be listed, as well as the total length of both sections of town. The distance between the **existing** access points should be expressed in either feet or miles. An honest assessment of the current state of public access in this town would directly address and express the current lack of access in both sections. Plans for addressing access do come later in this document, but we find an honest assessment of the historic and current situation lacking.

Yet elsewhere in the document on page 16, pasted below, where it discusses the Army Corps project it states “There are particular areas within the Loveladies section of the town that are either not feasible for access construction or will not safely permit access if constructed.

This limitation above should be mentioned in section C as well.

Access via Fees and Monitoring?

This statement below that Long Beach Township protects and ensures public access through beach fees needs explanation. How do beach fees ensure access? One could argue that they inhibit and prevent access. If the Township means that beach fees collected are spent on land purchases for access, or for the maintenance of access

points, they should provide evidence of support. Beach fee expenditures are notoriously oblique. Hard evidence is needed to support this claim pasted here: Long Beach Township protects and ensures public access through conservation easements, ordinances and beach fees. For example, many of the open spaces or areas that

In the section on Limitations to Public Access, we find it disturbing that Long Beach Township “monitors” those who buy beach badges as written on page 10. An accounting of what kind of monitoring or surveillance should follow such a statement which we are pasting here:

Long Beach Township does utilize beach badges, commonly referred to as ‘beach tags’, to monitor beach access and establish regulation to ensure continued effectiveness of the

Long Beach Township is Claiming Access Points that are Not in their Town.

In Appendix 3, Part B the Ocean Access Tables, Nelson Ave is listed as an access site with 16 parking spaces but this street is not in Long Beach Township; it is in Beach Haven Borough. Long Beach Township should not be able to claim access in others towns as part of its MPAP.

Proposed New Access Points in Loveladies and North Beach are Insufficient

The proposals to add access points along the ocean-side in Loveladies and North Beach are desperately needed and they correct a longstanding injustice of keeping the people of NJ from being able to easily access what is rightfully theirs. But we vehemently oppose any construction of the Long Beach Island Shore Protection Project in Long Beach Township until these access points and their associated amenities like parking are constructed and in use. There is a long history of access being promised in NJ to satisfy the requirements of an Army Corp project where the project went forward and the access was never built. Decades of legal fights ensued to ensure the promised access was created. We seek to avoid such situations. The NJ DEP should require Long Beach Township to build the access first, before any beach replenishment activity proceeds anywhere in this Township.

Of the five public access points proposed for Loveladies and North Beach, three are pedestrian only. We find this meaningless and insulting. How are people supposed to access the beach through these points if there is nowhere to park? At the very least, an assessment of the number of legal parking places in the surrounding area should be conducted. The number of legal parking places (on street) should be listed as part of this plan. Only with a clear and objective number of public parking places available nearby these proposed pedestrian access points, can we determine if a pedestrian only access point is sufficient. We remind you that the Army Corps standard for public access includes sufficient parking, and street parking is generally not acceptable. Their exact language on this can be found on page 14 of this PDF <https://jerseyshore.surfrider.org/wp-content/uploads/2015/10/ACOE-Regs-on-Beachfills.pdf>

The other two access points listed in these sections, Loveladies and North Beach, are proposed to have parking added that will require crossing the busy Long Beach Boulevard. We would like to see the plan, the design, and the traffic studies to ensure the safety of those parking in the median or west of Long Beach Boulevard.

Furthermore, the table on page 14 says there will be 20 parking spaces in each location, but the Enhanced Public Access Location maps in Appendix 6 say there will be 14 spaces at the North Beach location and 24 parking spaces at the Loveladies location. Which is it? In these parts of town, with zero public parking available, it is not an insignificant difference.

Poor Quality Maps

The combination of old and poor quality maps, the use of “tract numbers” in one table on page 14, and the use of a street name in the table on page 53 makes it hard to figure out exactly where this access point will be. In the Table on page 53 it says “Loveladies Lane. Yet there is no such street on the maps in Appendix 6 provided. The use of the tract numbers may be useful to the town but since a zoning map is not provided, it makes it hard to see where this access point will actually be. This adds suspicion that the town is purposefully obfuscating the exact whereabouts of this access point.

The maps presented are confusing. There are three sets of maps in the Appendices; Public Access Locations, Enhanced Public Access Locations, and Proposed Public Access Locations. The maps for the Loveladies and North Beach sections in the set of Public Access Locations show no access points whatsoever. Yet in the Enhanced Public Access Locations set they show access points with parking lots, one in each section, and in the Proposed Public Access Locations set of maps they show six existing public access points as well as the proposed ones. This is confusing. Do these access points exist already or not? If they do, then why aren't they on the set of maps showing existing access points?

Conclusion

Before accepting this plan the NJ DEP should ask Long Beach Township to submit a revised plan, free of typos and jargon and clear in meaning. This revised plan should include maps that are similar and recognizable to popular and modern map programs like Google Maps or Google Earth.

The NJ DEP should require the Township to also recognize and account for the historic lack of oceanfront access in Loveladies and North Beach in its narrative.

The NJ DEP should require that public access points and parking lots listed in the town's access inventory are all actually within the Township's borders.

The NJ DEP should require an accounting of legal public parking places in North Beach and Loveladies. This should include maps, numerical counts, and an explanation of how this parking meets the Army Corps requirement for federal participation in the Shore Protection Project.

The NJ DEP should require the Township to submit a detailed plan to explain the safety precautions that will be taken for pedestrians moving from the proposed public access parking areas to the public access points in Loveladies and North Beach.

Sincerely,

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