



NJ Gasoline, C-Store, Automotive Association
615 Hope Road, Bldg. 2, 1st Floor
Eatontown, NJ 07724
Phone: 732-256-9646
Web: www.njgca.org

November 6, 2024

To: New Jersey Department of Environmental Protection
From: Eric Blomgren, Executive Director
New Jersey Gasoline, Convenience Store, Automotive, Association

Re: New Jersey's Protecting Against Climate Threats (NJPACT) Rules-DEP Docket No. 05-24-05

NJGCA represents mostly small and independent business owners in the motor fuel retail, convenience store, and automotive repair industries. It is on their behalf that we oppose the State moving forward with these proposed regulations.

In the near term, small business owners with affected properties will see their ability to invest in their business and make substantial improvements and renovations restricted, whether explicitly or implicitly through expensive standards that they cannot practically meet. This includes changes such as building a new store on the property or adding a car wash, or converting a repair shop to a c-store.

Ultimately, the major threat to these business owners is that the restrictions and burdens placed on development will make the property itself less valuable. For many small business owners, especially those in the industries we represent, their ownership of their business is a major part of their retirement plan. For some the plan is to sell the property entirely and live off the revenue, for others it is to instead hold onto the land and lease it for some other purpose and earn a regular passive income. Gas stations in particular are valuable commercial real estate, spread out on a meaningful plot of land which can be used for other useful commercial purposes or for the construction of small- to mid-sized apartment buildings, providing additional housing which is much needed in this state right now, and will continue to be needed in the ensuing decades. Without the ability to sell the property for redevelopment, our state's future will see more greyed-out abandoned gas stations in the coming decades, a blight on streets near the affected rivers and coast. Worse is that the artificially lower valuations will hurt these people who have spent decades working long hours to pay off their mortgage and plan for a long retirement—their quality of life in retirement will be hurt by these changes.

Putting these restrictions in place now, to suffocate our economy for decades in advance of a problem that may not materialize (to anywhere near this degree), is unfair and unwise. If there is to be a “managed retreat” from certain areas, that should be determined through the explicit votes

of our elected officials in the Legislature, who are elected directly by the people to make decisions as important as these.

Sea level rise is a genuine problem that should be accounted for when planning for the future, but the benchmark being adopted as fact by this proposed regulation treats it as virtually a guarantee. Taking into account some sea level rise is fair and relevant giving the reality of climate change, but this regulation goes beyond the science. Even if it were correct, it should be adapted to in stages over the coming decades, not right now, with entire lifetimes to be lived in the interim.

We ask that you not move forward with this proposal as written.

