

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 1085

STATE OF NEW JERSEY

DATED: JUNE 17, 2013

The Assembly Budget Committee reports favorably Senate Bill No. 1085 (SCS).

The bill directs the Department of Environmental Protection (DEP) to develop a program to provide for the stewardship of forests on State-owned lands. The bill directs DEP to identify State-owned forested lands for which a forest stewardship plan has not been developed and establish a priority order for the development of those plans. The bill further directs DEP to develop, review, and adopt forest stewardship plans in the priority order established. The bill requires the development, adoption, and implementation of forest stewardship plans to meet the standards adopted for forest stewardship plans by the independent not-for-profit Forest Stewardship Council. The bill also requires DEP to seek and obtain the forest management certification from the Forest Stewardship Council, and to provide for the audit of the implementation of the plans by a Forest Stewardship Council certification body to obtain Forest Stewardship Council certification.

The bill prohibits forest harvesting in State natural areas administered by DEP pursuant to section 2 of P.L.1966, c.54 (C.13:1B-15.101), lands held by the New Jersey Natural Lands Trust created pursuant to P.L.1968, c.425 (C.13:1B-15.119), or sensitive ecological areas, unless DEP finds, in writing, that there will be a net environmental benefit on the site from the forest harvesting activities. Further, the bill requires DEP to consider designating and including additional State-owned forested lands in the natural areas system pursuant to the "Natural Areas System Act," P.L.1975, c.363 (C.13:1B-15.12a et seq.).

The bill directs all revenues from forestry activities in excess of the costs of development and implementation of any forest stewardship plan implemented on wildlife management areas administered by the Division of Fish and Wildlife in the DEP to be deposited in the "hunters' and anglers' license fund" established pursuant to R.S.23:3-11 and R.S.23:3-12, to be used for the purposes prescribed for moneys in that fund. The bill further requires all revenues derived from forestry activities on all other State-owned lands to be deposited into a

dedicated, nonlapsing special account within DEP. The bill provides that moneys in the special account are to be used by DEP to cover the reasonable costs of implementing the program. The bill specifies that any remaining revenues are to be used for restoration projects to increase biodiversity, or to enhance habitat for rare, threatened or endangered flora or fauna, in State parks, forests, or wildlife management areas. The bill further provides that interest earnings and any return on investment of moneys deposited in the account must be credited to the account.

The bill requires the State Forester to biennially prepare a written report concerning the program, to be submitted to the Commissioner of Environmental Protection, the Governor, the Legislature, and the Chairpersons of the Senate Environment and Energy Committee and the Assembly Environment and Solid Waste Committee, or their successor committees. The bill requires the report to include an explanation of the process developed for the adoption of forest stewardship plans, a list of the forest stewardship plans adopted, a description of the locations of the forest stewardship activities performed pursuant to the plans, ecological goals for each area on which forest stewardship activities have occurred, any forest regeneration procedures employed, cost effectiveness of the stewardship techniques used, environmental problems encountered in the program, the costs of the program, and any other information the State Forester deems appropriate.

As reported by the committee, Senate Bill No. 1085(SCS) is identical to the Assembly Bill No. 2837(ACS) as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services is without sufficient data at this time to determine the fiscal impact of this bill.

The bill includes a number of provisions concerning the deposit of revenues from activities authorized under the bill. However, it is uncertain the extent to which, if at all, revenues will exceed implementation costs.