

ASSEMBLY, No. 4843

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED OCTOBER 19, 2020

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Requires forest stewardship plan for certain lands acquired for recreation and conservation purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/27/2021)

1 AN ACT concerning forest stewardship plans for certain lands
2 acquired for recreation and conservation purposes, and
3 supplementing P.L.2016, c.12 (C.13:8C-43 et seq.).
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. a. Whenever the department acquires lands for recreation
9 and conservation purposes for each acquisition that contains 25
10 acres or more of forested area using, in whole or in part,
11 constitutionally dedicated CBT moneys, constitutionally dedicated
12 moneys pursuant to P.L.1999, c.152 (C.13:8C-1 et seq.), or Green
13 Acres bond act moneys, the department shall prepare and
14 implement a forest stewardship plan for those lands within two
15 years after the date of acquisition.

16 b. A forest stewardship plan prepared and implemented
17 pursuant to subsection a. of this section shall conform with the rules
18 and regulations adopted by the department pursuant to section 8 of
19 P.L.2009, c.256 (C.13:1L-36) designed to ensure the sustainability
20 of forest lands.
21

22 2. a. Within five years after the date of enactment of this act,
23 the department shall prepare and implement a forest stewardship
24 plan for all lands owned in fee simple by the State for recreation
25 and conservation purposes that contain 25 acres or more of forested
26 area on the date of enactment of this act.

27 b. A forest stewardship plan prepared and implemented
28 pursuant to subsection a. of this section shall, at a minimum,
29 conform with the rules and regulations adopted by the department
30 pursuant to section 8 of P.L.2009, c.256 (C.13:1L-36) designed to
31 ensure the sustainability of forest lands.
32

33 3. a. Whenever a local government unit or a qualifying tax
34 exempt nonprofit organization acquires lands for recreation and
35 conservation purposes for each acquisition that contains 25 acres or
36 more of forested area using, in whole or in part, constitutionally
37 dedicated CBT moneys, constitutionally dedicated moneys pursuant
38 to P.L.1999, c.152 (C.13:8C-1 et seq.), or Green Acres bond act
39 moneys, the local government unit or qualifying tax exempt
40 nonprofit organization, as applicable, shall prepare and implement a
41 forest stewardship plan for those lands within two years after the
42 date of acquisition.

43 b. (1) The forest stewardship plan shall be submitted to the
44 department for review and approval, and the department shall
45 approve, approve with changes, or disapprove the plan within 30
46 days after receipt thereof. If the department disapproves a plan, the
47 local government unit or qualifying tax exempt nonprofit

1 organization, as applicable, shall work with the department to
2 develop a mutually acceptable plan.

3 (2) Upon request of the local government unit or qualifying tax
4 exempt nonprofit organization, the department shall provide
5 technical assistance in the preparation of the forest stewardship
6 plan.

7 c. A forest stewardship plan prepared and implemented
8 pursuant to subsection a. of this section shall, at a minimum,
9 conform with the rules and regulations adopted by the department
10 pursuant to section 8 of P.L.2009, c.256 (C.13:1L-36) designed to
11 ensure the sustainability of forest lands.

12
13 4. In prioritizing applications submitted by local government
14 units or qualifying tax exempt nonprofit organizations for funding
15 for the acquisition or development of lands for recreation and
16 conservation purposes, the department shall accord a higher weight
17 to any application submitted by a local government unit or
18 qualifying tax exempt nonprofit organization, as applicable, that
19 implements a forest stewardship plan on lands owned for recreation
20 and conservation purposes by that local government unit or
21 qualifying tax exempt nonprofit organization, as applicable, for
22 which a forest stewardship plan is not required pursuant to section 3
23 of this act. This additional weight shall be in addition to any other
24 criteria and ranking procedures established by the department
25 pursuant to P.L.1999, c.152 (C.13:8C-1 et seq.) and P.L.2016, c.12
26 (C.13:8C-43 et seq.).

27
28 5. This act shall take effect immediately.

29

30

31

STATEMENT

32

33 This bill would require the preparation and implementation of a
34 forest stewardship plan for certain lands acquired for recreation and
35 conservation purposes by the State, local government units, or
36 qualifying tax exempt nonprofit organizations with funding
37 provided through the State's open space preservation program,
38 commonly referred to as the "Green Acres Program."

39 The bill would require the Department of Environmental
40 Protection (DEP) to prepare and implement a forest stewardship
41 plan when it acquires lands for recreation and conservation
42 purposes that contain 25 acres or more of forested area. This plan
43 would be required within two years after the date the DEP acquires
44 the property.

45 In addition, the bill would require the DEP, within five years
46 after the date the bill is enacted into law, to prepare and implement
47 a forest stewardship plan for all lands that contain 25 acres or more

1 of forested area owned in fee simple by the State for recreation and
2 conservation purposes on the date the bill is enacted into law.

3 The bill would also require local government units and
4 qualifying tax exempt nonprofit organizations to prepare and
5 implement forest stewardship plans when they acquire lands for
6 recreation and conservation purposes that contain 25 acres or more
7 of forested area. Local government units and qualifying tax exempt
8 nonprofit organizations would be required to submit their plans to
9 the DEP for review and approval. The DEP would be required to
10 approve, approve with changes, or disapprove the plan within 30
11 days after receipt. If the DEP disapproves a plan, the local
12 government unit or qualifying tax exempt nonprofit organization
13 would be required to work with the DEP to develop a mutually
14 acceptable plan.

15 A forest stewardship plan prepared and implemented pursuant to
16 the bill would be required to conform with the DEP's rules and
17 regulations adopted pursuant to section 8 of P.L.2009, c.256
18 (C.13:1L-36) designed to ensure the sustainability of forest lands.

19 Lastly, the bill directs the DEP, when prioritizing applications
20 submitted by local government units or qualifying tax exempt
21 nonprofit organizations for funding for the acquisition or
22 development of lands for recreation and conservation purposes, to
23 give a higher weight to any application submitted by a local
24 government unit or qualifying tax exempt nonprofit organization, as
25 applicable, that implements a forest stewardship plan on lands
26 owned for recreation and conservation purposes by that entity for
27 which a forest stewardship plan is not required pursuant to the bill.
28 This additional weight would be in addition to any other criteria and
29 ranking procedures established by the DEP pursuant to law.