

ASSEMBLY RESOLUTION No. 227

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 23, 2021

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Urges DEP to develop and adopt rules and regulations to implement “Prescribed Burn Act.”

CURRENT VERSION OF TEXT

As introduced.



1 **AN ASSEMBLY RESOLUTION** urging the Department of
2 Environmental Protection to develop and adopt rules and
3 regulations necessary to implement the “Prescribed Burn Act.”
4
5 **WHEREAS**, In 2018, the Governor and Legislature passed P.L.2018,
6 c.107 (C.13:9-44.11 et seq.), known as the “Prescribed Burn Act”
7 which authorizes and promotes the continued use of prescribed
8 burning for public safety, wildfire control, and ecological,
9 silvicultural, agricultural, and natural resource management
10 purposes; and
11 **WHEREAS**, Uncontrolled forest fires are extremely dangerous as they
12 don’t just remove trees; they kill and displace wildlife, alter water
13 cycles and soil fertility, and endanger the lives and livelihoods of
14 local communities; and
15 **WHEREAS**, Prescribed burning is a public safety tool which is
16 designed to reduce the danger of uncontrolled wildfire; and
17 **WHEREAS**, Prescribed burning reduces naturally occurring vegetative
18 fuels within forested areas and other types of ecosystems, and
19 thereby lessens the risk and severity of major wildfire and the
20 possible resulting loss of life and property; and
21 **WHEREAS**, Forested land, agricultural land, grassland, coastal
22 marshland, and other open lands constitute significant economic,
23 biological, and aesthetic resources of Statewide importance; and
24 **WHEREAS**, Wildfire has shaped the Pine Barrens ecosystem for
25 thousands of years; the plants that are found there have evolved to
26 survive in the Pinelands’ highly acidic, nutrient poor and fire-prone
27 conditions; wildfires were common, especially during the summer
28 months, before modern humans began suppressing them; and
29 **WHEREAS**, Many native species in the Pinelands, like the pitch pine,
30 have developed strategies for survival in these harsh conditions;
31 **WHEREAS**, Over time and across the landscape, wildfires can help
32 create open areas of the forest where some of the most beautiful and
33 interesting wildflowers are found;
34 **WHEREAS**, Over the last century, fire suppression has changed the
35 scale and frequency of this disturbance and the role it plays in
36 succession; the vast amount of fire suppression in the Pinelands
37 impacts the survival of herbaceous species of plants and may
38 eventually lead to a change in composition of tree species in the
39 Pinelands; and
40 **WHEREAS**, Changes in forest composition from pine dominated forest
41 to oak dominated forest has already occurred in the Pinelands
42 around developments that have suppressed fire for decades; and
43 **WHEREAS**, The ecology of the Pinelands region in particular, requires
44 periodic fire for maintenance of ecological integrity and proper
45 prescribed burning on those lands serves to reduce hazardous
46 accumulations of wildland fire fuels, prepares sites for both natural
47 and artificial forest regeneration, improves wildlife habitat, controls
48 insects and disease, and perpetuates fire dependent ecosystems; and

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1 that proper application of prescribed burning is essential to the
2 existence, continuation, restoration, and management of many plant
3 and animal communities, and the resulting vegetative growth
4 benefits rare, threatened, and endangered species, songbirds, and
5 other game and nongame species; and

6 **WHEREAS**, Natural wildfires have always been a natural part of life for
7 our native forests and wetlands; however, people have suppressed
8 wildfires which has allowed invasive plants to out-compete native
9 grasses and flowers, therefore reducing plant and animal diversity;
10 and

11 **WHEREAS**, One of the most notable prescribed burn benefits is to
12 maintain the health of an existing forest; the fire helps to manage
13 weeds and other growth and can also help restore nutrients, lead to
14 more desirable plant growth in the future, and ensure the forests'
15 long-term survival; and

16 **WHEREAS,** The “Prescribed Burn Act” allows for the use of prescribed
17 burns for ecological goals in addition to fire safety, and offers
18 greater protections to private land owners that look to use
19 prescribed burns on their properties;

20 **WHEREAS**, This law can increase the opportunities to use fire as a
21 management tool and improve the stewardship of Pinelands forests;
22 and

23 **WHEREAS**, The Department of Environmental Protection is urged to
24 develop and adopt rules and regulations necessary to implement the
25 “Prescribed Burn Act”; now, therefore,

26

27 **BE IT RESOLVED** *by the General Assembly of the State of New*
28 *Jersey:*

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1. This House respectfully urges the Commissioner of Environmental Protection to develop and adopt rules and regulations necessary to implement the “Prescribed Burn Act” (C.13:9-44.11 et seq.).

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2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the Commissioner of the Department of Environmental Protection.

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40 STATEMENT

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42 This resolution urges the Department of Environmental
43 Protection to develop and adopt rules and regulations to implement
44 the “Prescribed Burn Act.”

45 Forested land, agricultural land, grassland, coastal marshland, and
46 other open lands constitute significant economic, biological, and
47 aesthetic resources of Statewide importance. Wildfire has shaped the
48 Pine Barrens ecosystem for thousands of years. The plants that are

1 found there have evolved to survive in the Pinelands' highly acidic,
2 nutrient poor and fire-prone conditions. Wildfires were common,
3 especially during the summer months, before modern humans began
4 suppressing them. Many native species in the Pinelands, like the pitch
5 pine, have developed strategies for survival in these harsh conditions.
6 Over time and across the landscape, wildfires can help create open
7 areas of the forest where some of the most beautiful and interesting
8 wildflowers can be found. Over the last century, fire suppression has
9 changed the scale and frequency of this disturbance and the role it
10 plays in succession. The vast amount of fire suppression in the
11 Pinelands impacts the survival of herbaceous species of plants and
12 may eventually lead to a change in composition of tree species in the
13 Pinelands. Changes in forest composition from pine dominated forest
14 to oak dominated forest has already occurred in the Pinelands around
15 developments that have suppressed fire for decades.

16 The ecology of the Pinelands region in particular requires periodic
17 fire for maintenance of ecological integrity and proper prescribed
18 burning on those lands serves to reduce hazardous accumulations of
19 wildland fire fuels, prepares sites for both natural and artificial forest
20 regeneration, improves wildlife habitat, controls insects and disease,
21 and perpetuates fire dependent ecosystems. Proper application of
22 prescribed burning is essential to the existence, continuation,
23 restoration, and management of many plant and animal communities.
24 The resulting vegetative growth benefits the region's rare, threatened,
25 and endangered species, songbirds, and other game and nongame
26 species. As such, one of the most notable prescribed burn benefits is to
27 maintain the health of an existing forest. The fire helps manage weeds
28 and other growth, can also help restore nutrients, and lead to more
29 desirable plant growth in the future and ensure the forests long-term
30 survival. Further, prescribed burning is a public safety tool that reduces
31 the danger of uncontrolled wildfire. Prescribed burning reduces
32 naturally occurring vegetative fuels within forested areas and other
33 types of ecosystems, and thereby lessens the risk and severity of major
34 wildfire and the possible resulting loss of life and property.

35 Legislation, referred to as the "Prescribed Burn Act," P.L.2018,
36 c.107 (C.13:9-44.11 et seq.) was enacted to authorize and promote the
37 continued use of prescribed burning for public safety, wildfire control,
38 and ecological, silvicultural, agricultural, and natural resource
39 management purposes. The "Prescribed Burn Act" allows for the use
40 of prescribed burns for ecological goals in addition to fire safety, and
41 offers greater protections to private land owners that look to use
42 prescribed burns on their properties. This law can increase the
43 opportunities to use fire as a management tool and improve the
44 stewardship of Pinelands forests.