

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 4070

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2021

The Senate Environment and Energy Committee favorably reports Senate Bill No. 4070, with committee amendments.

This bill, as amended by the committee, would increase the monetary thresholds at which certain transportation projects are required to submit environmental assessments (EA) or environmental impact statements (EIS) to the Department of Environmental Protection (DEP).

Pursuant to Executive Order No. 215 of 1989 (EO 215), a department, agency, or authority of the State that seeks to carry out a transportation project with anticipated construction costs greater than \$1 million is required to submit an EA to the DEP. In addition, EO 215 requires the submission of an EIS for a project with anticipated construction costs greater than \$5 million and land disturbance in excess of five acres. This bill would increase these thresholds to \$3 million and \$7 million, respectively, for the New Jersey Turnpike Authority, the South Jersey Transportation Authority, the New Jersey Transit Corporation, and the Department of Transportation. These new thresholds would be annually adjusted for inflation, under the bill. Finally, the bill would clarify that the DEP may require an EA for a project with a land disturbance in excess of five acres and estimated costs between \$5 million and \$7 million (which, under current law, would require an EIS).

The committee amendments would clarify that the location of the publication of adjusted thresholds be on the DEP's website.