

SENATE, No. 254

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Monmouth)

Senator ANTHONY R. BUCCO

District 25 (Morris)

Co-Sponsored by:

Senator Allen

SYNOPSIS

Concerns reforestation of lands by State entities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning reforestation of land, and amending and
2 supplementing P.L.1993, c.106.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 2 of P.L.1993, c.106 (C.13:1L-14.2) is amended to
8 read as follows:

9 2. a. Each State entity, by July 1, 1993, and at least annually
10 thereafter, shall develop, and submit to the Division of Parks and
11 Forestry in the Department of Environmental Protection, a plan for
12 compensatory reforestation for all areas at least ~~[one]~~ one-half acre in
13 size that is owned or maintained by that State entity and is scheduled
14 for deforestation. A reforestation plan required pursuant to this act
15 shall establish a goal of no net loss of forested area, based upon an
16 approximation of at least a one-for-one replacement of trees lost due
17 to deforestation, and shall be subject to approval of the division. No
18 project that would deforest land at least ~~[one]~~one-half acre of size
19 that is owned or maintained by a State entity may be commenced
20 without approval of that State entity's plan by the division. A
21 reforestation plan shall provide that if tree planting cannot be
22 conducted adjacent to the deforested area, that it be conducted either
23 within the municipality in which the deforestation occurred or within
24 five miles of the site of the deforestation, if the division determines
25 that it is not practicable to conduct the tree planting efforts within the
26 municipality.

27 b. A reforestation plan developed pursuant to subsection a. of this
28 section may provide:

29 (1) that tree planting be conducted off-site by the State entity, if
30 the division determines that it is not practicable to conduct the tree
31 planting efforts on-site. Off-site property may include property owned
32 or maintained by a State entity other than the one developing and
33 implementing the plan if the State entity that is to receive the benefits
34 of the off-site tree planting efforts agrees thereto;

35 (2) that the State entity plant seedlings to meet the goal of no net
36 loss of forested area, which seedlings shall be planted from six to 10
37 feet apart, or at a distance mutually agreed to by the division and the
38 State entity; and

39 (3) for the planting of species of trees or seedlings that are
40 obtainable from a tree nursery owned and operated by the State,
41 including, but not limited to, such species as white pine, Norway
42 spruce, pitch pine, shortleaf pine, loblolly pine, Virginia pine, oaks,
43 ash, poplar, sweet gum, and black locust. Subject to availability from

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 a State tree nursery, the trees used in reforestation by a State entity
2 pursuant to this act shall be those that are the most suitable for the
3 site.

4 (cf: P.L.1993, c.106, s.2).

5

6 2. (New section) When a State entity owns or maintains land on
7 which an area of at least one-half acre in size is scheduled for
8 deforestation, at least 180 days prior to the deforestation of the area
9 the State entity shall hold at least one public hearing within the
10 municipality in which the deforestation is scheduled, to present its plan
11 for deforestation and its plan for reforestation. The public shall be
12 permitted to present oral and written comments to the State entity.
13 No more than 60 days after the comment period has closed, the State
14 entity shall publish written responses to the comments presented.

15

16 3. This act shall take effect immediately.

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STATEMENT

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21 This bill would amend and supplement the law concerning the
22 reforestation of land that is owned or maintained by a State entity.
23 Current law requires that every State entity have in place a plan for
24 compensatory reforestation for all areas at least one acre in size
25 scheduled for deforestation that is owned or maintained by a State
26 entity. This bill would require a plan when area scheduled for
27 deforestation is one-half acre in size. The bill would also require that
28 if the reforestation cannot be conducted adjacent to the deforested
29 area, that the reforestation be within the municipality or within five
30 acres of the deforested area. Finally, the bill would require that the
31 State entity hold a public hearing within the municipality in which the
32 deforestation is scheduled, to present its plan for deforestation and its
33 plan for reforestation. The public shall be permitted to present oral
34 and written comments to the State entity. No more than 60 days after
35 the comment period has closed, the State entity shall publish written
36 responses to the comments presented.