

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 227

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 26, 2016

The Senate Environment and Energy Committee favorably reports Senate Bill No. 227 with committee amendments.

This bill, as amended by the committee, would require, with one exception, that whenever the Department of Transportation (DOT), New Jersey Turnpike Authority (NJTA), or South Jersey Transportation Authority (SJTA) plants vegetation for purposes of landscaping, land management, reforestation, or habitat restoration, that it plant only vegetation that is native to the State and that will thrive in the area in which it is being planted.

As amended by the committee, the bill requires the Department of Environmental Protection (DEP), in consultation with the Division of Plant Industry in the Department of Agriculture, to identify those particular species of vegetation that are native to the State and that thrive in each plant hardiness zone found within the State, as identified pursuant to the most recent edition of the Plant Hardiness Zone Map published by the United States Department of Agriculture. When planting in any given plant hardiness zone, the DOT, NJTA, or SJTA, as applicable, generally would be required to plant only those species so identified.

The bill, as amended, allows for an exception to the native vegetation only requirement. Specifically, the bill, as amended, provides that the DEP in consultation with the Division of Plant Industry in the Department of Agriculture and representatives of appropriate plant industry organizations and environmental organizations selected by the DEP, may authorize the DOT, NJTA, or SJTA, as the case may be, to use non-native vegetation for purposes of landscaping, land management, reforestation, or habitat restoration in prescribed circumstances where and when necessary if the use of native vegetation is not feasible, provided that the non-native vegetation is deemed to be non-invasive and not otherwise detrimental to the environment.

The committee amendments (1) would require the DEP to consult with the Division of Plant Industry in the Department of Agriculture in the identification of native plants for each plant hardiness zone, and (2) provide for a limited exception to the native vegetation only requirement in the bill.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.