

[Second Reprint]

SENATE, No. 317

STATE OF NEW JERSEY
217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

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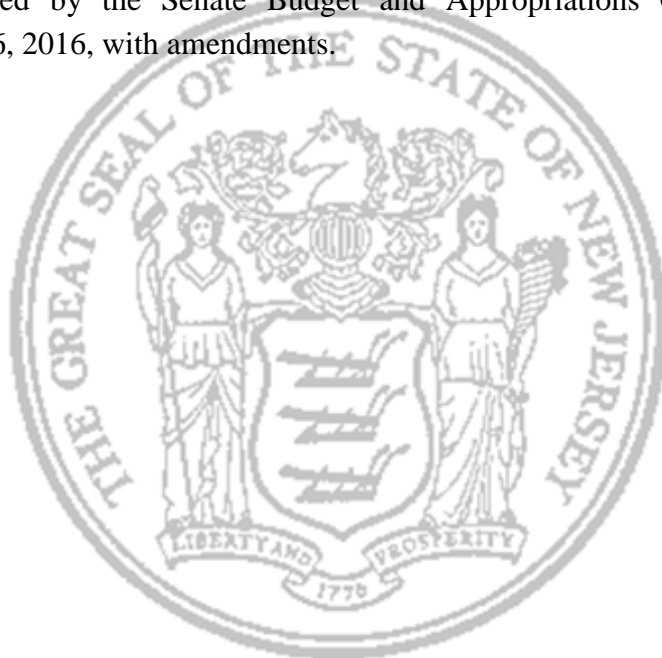
Senator Cruz-Perez

SYNOPSIS

Requires Dept. of Agriculture and DEP to adopt coordinated permit application and review program for aquaculture projects.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on September 26, 2016, with amendments.



(Sponsorship Updated As Of: 6/24/2016)

1 AN ACT concerning aquaculture permitting, and supplementing
2 P.L.1997, c.236 (C.4:27-1 et seq.).

3

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

6

7 1. a. The Secretary of Agriculture, in consultation with the
8 Commissioner of Environmental Protection, shall develop and
9 implement an aquaculture permitting review program to provide for
10 the coordinated review of any aquaculture project. The permitting
11 review program shall provide for a ¹**[joint]** coordinated¹ permit
12 application for any permit, approval, or authorization required for
13 an aquaculture project. The ¹permitting review¹ program shall
14 consolidate the review process for the ¹**[joint]** coordinated¹ permit
15 application.

16 b. The ¹**[joint]** coordinated¹ permit application shall include
17 any permit, approval, or other authorization required for an
18 aquaculture project, including, but not limited to, as applicable, a
19 permit, license, approval, or authorization required pursuant to
20 section 17 of P.L.1997, c.236 (C.4:27-17), R.S.12:3-1 et seq.,
21 R.S.12:5-1 et seq., the "Pesticide Control Act of 1971," P.L.1971,
22 c.176 (C.13:1F-1 et seq.), "The Wetlands Act of 1970," P.L.1970,
23 c.272 (C.13:9A-1 et seq.), the "Freshwater Wetlands Protection
24 Act," P.L.1987, c.156 (C.13:9B-1 et seq.), the "Coastal Area
25 Facility Review Act," P.L.1973, c.185 (C.13:19-1 et seq.), the
26 "Water Supply Management Act," P.L.1981, c.262 (C.58:1A-1 et
27 seq.), the "Water Pollution Control Act," P.L.1977, c.74 (C.58:10A-
28 1 et seq.), "The Realty Improvement Sewerage and Facilities Act
29 (1954)," P.L.1954, c.199 (C.58:11-23 et seq.), the "Water Quality
30 Planning Act," P.L.1977, c.75 (C.58:11A-1 et seq.), the "Safe
31 Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), or the
32 "Flood Hazard Area Control Act," P.L.1962, c.19 (C.58:16A-50 et
33 seq.), and any rules or regulations adopted pursuant thereto.

34 c. ¹Nothing in this act shall authorize any change in
35 environmental or regulatory policy, standards, or requirements of
36 any law subject to the aquaculture permitting review program, nor
37 shall the permitting review program reduce or diminish any
38 opportunities for public review and comment or public hearings
39 currently required by those laws, any rules or regulations adopted
40 pursuant thereto, or any programs established pursuant thereto.

41 ²**[d.]**¹ Within 180 days after the date of enactment of this
42 act, the Department of Agriculture and the Department of
43 Environmental Protection shall adopt rules and regulations pursuant

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEG committee amendments adopted July 14, 2016.

²Senate SBA committee amendments adopted September 26, 2016.

1 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
2 1 et seq.), to implement this section.】²

3

4 ²2. The Department of Agriculture and the Department of
5 Environmental Protection shall adopt, within 180 days after the date
6 of enactment of this act, rules and regulations pursuant to the
7 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
8 seq.), to develop and implement the aquaculture permitting review
9 program in accordance with section 1 of P.L. , c. (C.)
10 (pending before the Legislature as this bill).²

11

12 ²**[2]** 3². This act shall take effect 180 days after the date of
13 enactment ²; provided, however, that the departments shall take
14 such preliminary action after the date of enactment necessary to
15 adopt the rules and regulations required pursuant to section 2 of this
16 act².