Synopsis
Prohibits offshore oil and gas exploration, development, and production in State waters, and issuance of DEP permits and approvals for activities associated with offshore oil and gas activities.

Current Version of Text
As reported by the Senate Environment and Energy Committee on March 5, 2018, with amendments.

(Sponsorship Updated As Of: 4/13/2018)
AN ACT concerning offshore [drilling for] oil and natural gas
exploration, development, and production, and supplementing
Title 13 of the Revised Statutes.

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

1. This act shall be known and may be cited as the “Shore
Tourism and Ocean Protection from Offshore Oil and Gas Act” or
“STOP Offshore Oil and Gas Act.”

2. The Legislature finds and declares that:
   a. The Jersey Shore is a vital component of New Jersey’s annual
$38 billion tourism industry; its 127-mile shoreline provides endless
opportunities for recreation; and its tidal waters are home to
countless animal and plant species and support a billion dollar
commercial and recreational fishing industry;
   b. The State holds in trust for the people of the State those lands
flowed by tidal waters to the mean high water mark so that its
residents can use and enjoy the State’s tidal waters and adjacent
shorelines for recreational uses, including, but not limited to,
bathing, swimming, fishing, and other shore-related activities;
   c. The State has primary jurisdiction over the management of
coastal and ocean natural resources within three nautical miles of its
coastline, and from three nautical miles seaward to the boundary of
the 200-mile exclusive economic zone, the federal government has
primary jurisdiction. Since protection, conservation, and
development of the natural resources in the exclusive economic
zone directly affect New Jersey’s economy and environment, the
State has an inherent interest in how these resources are managed;
   d. In 2010, a single rig located in the exclusive economic zone,
BP’s Deepwater Horizon, released an estimated 170 million gallons
of oil into ocean waters, severely impacting more than 600 miles of
shoreline, resulting in numerous beach closings, harming countless
numbers of marine mammals, fish, shellfish, marine birds, and other
wildlife, and causing an estimated loss of more than a billion dollars
to the commercial fishing industry and an estimated loss of more
than $22 billion dollars to the tourism industry in Gulf States; and
   e. Therefore, oil and natural gas exploration, development, and
production both in New Jersey waters and in the exclusive
economic zone proximate to New Jersey waters or the Gulf Stream
to the south of New Jersey waters, poses a serious and unacceptable
risk to the coastal resources of the State, the water quality of State

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:
1Assembly AEN committee amendments adopted February 1, 2018.
2Senate SEN committee amendments adopted March 5, 2018.
Notwithstanding the provisions of any other law, rule, or regulation to the contrary:

(1) offshore oil or natural gas exploration, development, and production shall be prohibited in State waters;

(2) no tidal or submerged lands in State waters shall be leased for the purposes of oil or natural gas exploration, development, or production.

The Department of Environmental Protection shall not:

(1) issue any permit or other approval pursuant to the "Coastal Area Facility Review Act," P.L.1973, c.185 (C.13:19-1 et seq.), R.S.12:5-3, the federal "Coastal Zone Management Act of 1972," 16 U.S.C. s.1451 et seq., or any other State or federal law, rule, or regulation, for any development of any facility, or related infrastructure, associated with offshore drilling for oil or natural gas, whether proposed for in State waters or outside of State waters;

(2) permit, approve, or otherwise authorize any oil or natural gas exploration, development, or production in State waters; or

(3) develop, adopt, or endorse any plans for the exploration, development, or production of oil and natural gas in State waters.

As used in this section, “development” means, but is not necessarily limited to, any pipeline or other infrastructure that transports oil or natural gas from production facilities located in federal waters or other coastal state waters in the Atlantic Ocean through New Jersey State waters, and any land-based support facilities for offshore oil or natural gas production facilities located in the Atlantic Ocean.

The Department of Environmental Protection shall implement the provisions of section 3 of this act through the enforceable policies of the State, including, but not limited to, any rules and regulations adopted pursuant to R.S.12:5-3.

Within 30 days after the effective date of this act, the Commissioner of Environmental Protection shall submit this act to the National Oceanic and Atmospheric Administration under the provisions of the federal “Coastal Zone Management Act of 1972,” as amended, 16 U.S.C. s.1451 et seq., for incorporation into the enforceable policies of the approved State coastal management program.

The Department of Environmental Protection shall review any proposed oil or natural gas lease, license, permit, or plan for exploration, development, or production of oil and natural gas in the
LAND, ANDRZEJCZAK

2[Mid-Atlantic or South]² Atlantic ²[regions] region² of the exclusive economic zone of the United States to determine if the proposal can reasonably be expected to affect State waters, particularly in terms of proximity to State waters or to the Gulf Stream south of State waters. Whenever a review pursuant to this section results in an affirmative finding, the commissioner shall advise the Governor thereof and take all actions necessary to initiate a consistency review under the federal “Coastal Zone Management Act of 1972,” as amended, 16 U.S.C. s.1451 et seq.¹

¹[2.] ⁶¹ This act shall take effect immediately.