

SENATE, No. 227

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator JAMES W. HOLZAPFEL

District 10 (Ocean)

Co-Sponsored by:

Senators T.Kean and Bateman

SYNOPSIS

Requires DOT, NJTA, and SJTA to use only native vegetation for landscaping, land management, reforestation, or habitat restoration.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning use of native vegetation by the Department of
2 Transportation, New Jersey Turnpike Authority, and the South
3 Jersey Transportation Authority, and supplementing Title 27 of
4 the Revised Statutes, P.L.1948, c.454 (C.27:23.1 et seq.) and
5 P.L.1991,c.252 (C.27:25A-1 et seq.).
6

7 **BE IT ENACTED** *by the Senate and General Assembly of the State*
8 *of New Jersey:*
9

10 1. a. Notwithstanding the provisions of any other law, rule or
11 regulation to the contrary, no later than the 180th day after the date
12 of enactment of this section, the Department of Transportation,
13 when planting vegetation for purposes of landscaping, land
14 management, reforestation, or habitat restoration, shall plant only
15 vegetation identified by the Department of Environmental
16 Protection pursuant to subsection b. of this section as being native
17 to the State and that will thrive in the particular plant hardiness
18 zone in which the vegetation is being planted.

19 b. No later than the 90th day after the date of enactment of this
20 section, the Department of Environmental Protection shall identify,
21 for each plant hardiness zone, all of the particular species of
22 vegetation that are native to the State, and that thrive in each plant
23 hardiness zone in the State.

24 c. As used in this section:

25 “Plant hardiness zone” means a zone identified as existing in
26 New Jersey pursuant to the most recent edition of the Plant
27 Hardiness Zone Map published by the United States Department of
28 Agriculture.
29

30 2. a. Notwithstanding the provisions of any other law, rule or
31 regulation to the contrary, no later than the 180th day after the date
32 of enactment of this section, the New Jersey Turnpike Authority,
33 when planting vegetation for purposes of landscaping, land
34 management, reforestation, or habitat restoration, shall plant only
35 vegetation identified by the Department of Environmental
36 Protection pursuant to subsection b. of this section as being native
37 to the State and that will thrive in the particular plant hardiness
38 zone in which the vegetation is being planted.

39 b. No later than the 90th day after the date of enactment of this
40 section, the Department of Environmental Protection shall identify,
41 for each plant hardiness zone, all of the particular species of
42 vegetation that are native to the State, and that thrive in each plant
43 hardiness zone in the State.

44 c. As used in this section:

45 “Plant hardiness zone” means a zone identified as existing in
46 New Jersey pursuant to the most recent edition of the Plant
47 Hardiness Zone Map published by the United States Department of
48 Agriculture.

1 3. a. Notwithstanding the provisions of any other law, rule or
2 regulation to the contrary, no later than the 180th day after the date
3 of enactment of this section, the South Jersey Transportation
4 Authority, when planting vegetation for purposes of landscaping,
5 land management, reforestation, or habitat restoration, shall plant
6 only vegetation identified by the Department of Environmental
7 Protection pursuant to subsection b. of this section as being native
8 to the State and that will thrive in the particular plant hardiness
9 zone in which the vegetation is being planted.

10 b. No later than the 90th day after the date of enactment of this
11 section, the Department of Environmental Protection shall identify,
12 for each plant hardiness zone, all of the particular species of
13 vegetation that are native to the State, and that thrive in each plant
14 hardiness zone in the State.

15 c. As used in this section:

16 “Plant hardiness zone” means a zone identified as existing in
17 New Jersey pursuant to the most recent edition of the Plant
18 Hardiness Zone Map published by the United States Department of
19 Agriculture.

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21 4. This act shall take effect immediately.

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STATEMENT

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26 This bill would require that whenever the Department of
27 Transportation (DOT), New Jersey Turnpike Authority (NJTA), or
28 South Jersey Transportation Authority (SJTA) plants vegetation for
29 purposes of landscaping, land management, reforestation, or habitat
30 restoration, the DOT, NJTA, or SJTA, as applicable, would be
31 required to plant only vegetation that is native to the State and that
32 will thrive in the area being planted.

33 The Department of Environmental Protection (DEP) would be
34 required to identify those particular species of vegetation that are
35 native to the State and that thrive in each plant hardiness zone found
36 within the State, as identified pursuant to the most recent edition of
37 the Plant Hardiness Zone Map published by the United States
38 Department of Agriculture. When planting in any given plant
39 hardiness zone, the DOT, NJTA, or SJTA, as applicable, would be
40 required to plant only those species identified by the DEP as being
41 native to the State and that thrive in the plant hardiness zone.