

ASSEMBLY SPECIAL COMMITTEE ON INFRASTRUCTURE AND NATURAL RESOURCES

STATEMENT TO ASSEMBLY, No. 5042

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 27, 2021

The Assembly Special Committee on Infrastructure and Natural Resources reports favorably and with committee amendments Assembly Bill No. 5042.

This bill, as amended by the committee, directs the Department of Environmental Protection (DEP), in consultation with the Department of Agriculture, to conduct a study of native plants in the State to assess their water absorption qualities and determine the species that are most advantageous for use in Blue Acres projects and green infrastructure projects. The bill directs the DEP to report its findings, including recommendations on the use of water absorbent plants in Blue Acres projects and green infrastructure projects and suggested rules and regulations necessary to implement the recommendations, no later than one year after the effective date of the bill.

The bill also directs the DEP to adopt rules and regulations, based on the report, which establish: (1) requirements for planting, on Blue Acres or green infrastructure projects, those species of native plants determined to be the most water absorbent and otherwise desirable; (2) maintenance guidelines for each species, including, but not limited to, how and how frequently the plants are to be mown, pruned, or otherwise maintained; and (3) any other provisions necessary for the implementation of the bill.

Finally, the bill requires that any Blue Acres or green infrastructure project undertaken by the State, a local government unit, or a qualifying tax exempt nonprofit organization after the adoption of rules and regulations pursuant to the bill must include the planting of water absorbent species of native plants and the maintenance of those plants in accordance with the rules and regulations, unless the costs of the appropriate native species are more than 50 percent greater than those of similar non-native species.

COMMITTEE AMENDMENTS

The committee amendments to the bill:

(1) replace a provision that would have authorized the DEP to adopt rules and regulations pursuant to the bill with a provision that

requires the DEP to adopt rules and regulations and provides additional specifications about the content of the rules and regulations; and

(2) adds a requirement that Blue Acres projects and green infrastructure projects carried out by the State, local governments, or tax-exempt nonprofit organizations include plantings and maintenance of certain native plant species in accordance with the DEP's rules and regulations, unless the costs of native species are 50 percent more than those of similar non-native species.