

**SENATE, No. 1417**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**  
**Senator STEVEN V. OROHO**  
**District 24 (Morris, Sussex and Warren)**

**SYNOPSIS**

Provides for no net loss of DEP lands for fishing, hunting, and trapping purposes.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT providing for no net loss of certain State lands for the  
2 purposes of fishing, hunting, and trapping, and supplementing  
3 P.L.1983, c.324 (C.13:1L-1 et seq.) and Title 23 of the Revised  
4 Statutes.

5  
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*  
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9 1. The Department of Environmental Protection shall administer  
10 State parks and forests in a manner to support, promote and enhance  
11 public recreational fishing, hunting, and trapping opportunities and  
12 shall recognize fishing, hunting, and trapping as primary uses of  
13 those lands. The Commissioner of Environmental Protection shall not  
14 give preference to public recreational fishing, hunting, or trapping  
15 over other primary uses of State parks and forests or other priorities  
16 established by law.  
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18 2. The Department of Environmental Protection shall inventory  
19 the amount of acreage in State parks and forests available for public  
20 recreational fishing, hunting, and trapping as of the date of enactment  
21 of this act. The Commissioner of Environmental Protection shall not  
22 make land management decisions or take any other action that results  
23 in any net loss of acreage in State parks and forests available for public  
24 recreational fishing, hunting, and trapping opportunities on or after  
25 the date of enactment of this act. The commissioner shall  
26 expeditiously find replacement acreage to compensate for closures of  
27 any existing State park and forest land to public recreational fishing,  
28 hunting, and trapping. The commissioner shall open as much State  
29 park and forest land as possible for the purposes of public recreational  
30 fishing, hunting, and trapping and shall, as much as possible, expand  
31 public recreational fishing, hunting, and trapping opportunities when  
32 acquiring any new land.  
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34 3. All State park and forest land shall be accessible for public  
35 recreational fishing, hunting, and trapping, except for reasons of  
36 public safety or homeland security, as determined by the  
37 Commissioner of Environmental Protection in consultation with the  
38 State Police, or for reasons of environmental or wildlife management,  
39 or as otherwise provided by law.  
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41 4. The Department of Environmental Protection shall inventory  
42 the amount of acreage in State wildlife management areas, wildlife  
43 refuges, public hunting grounds, and recreational areas managed by  
44 the Division of Fish and Wildlife as of the date of enactment of this  
45 act. The Commissioner of Environmental Protection shall not make  
46 any land management decisions or take any action that results in any  
47 net loss of acreage, managed by the division, available for public  
48 recreational fishing, hunting, and trapping opportunities on or after

1 the date of enactment of this act, except in the following  
2 circumstances:

3 a. Closure due to environmental or biological reasons for the  
4 protection of wildlife or fisheries or their associated habitat; or

5 b. Reduction of acreage as a result of a land exchange wherein the  
6 department or division receives property of equal or greater value.

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8 5. The Commissioner of Environmental Protection shall submit a  
9 written report, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),  
10 to the Legislature, the Senate Environment and Energy Committee,  
11 and the Assembly Agriculture Committee, no later than the first day of  
12 March of each calendar year, which shall include:

13 a. An inventory of, and information about, the acreage  
14 managed by the department that was available for public  
15 recreational fishing, hunting, and trapping during the previous year,  
16 the closure of such acreage, and the reasons for any closures of  
17 acreage to those uses;

18 b. An inventory of, and information about, the acreage  
19 managed by the department that was opened to public recreational  
20 fishing, hunting, and trapping to compensate for any acreage closed;  
21 and

22 c. The reasons why any newly acquired State parks and forests,  
23 wildlife management areas, wildlife refuges, public hunting  
24 grounds, and recreational areas were not open to public recreational  
25 fishing, hunting, and trapping.

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27 6. The department shall work in cooperation with sportsmen,  
28 conservation organizations, and others to encourage participation in  
29 recreational fishing, hunting, and trapping at a level to ensure  
30 continuation of such activities in perpetuity and prevent any reduction  
31 in the amount of acreage available for the purposes of public  
32 recreational fishing, hunting, and trapping.

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34 7. This act shall take effect immediately.

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## STATEMENT

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39 This bill would protect fishing, hunting, and trapping  
40 opportunities by providing for no net loss of certain State lands  
41 made available for the purposes of public recreational fishing,  
42 hunting, and trapping. This bill requires the Commissioner of  
43 Environmental Protection to recognize fishing, hunting, and trapping  
44 as primary uses of the lands and to exercise management authority in  
45 order to promote and enhance public recreational fishing, hunting,  
46 and trapping opportunities. The commissioner would not be required  
47 to give preference to fishing, hunting, or trapping over other primary  
48 uses of State park and forest land or other priorities established by law.

1       The commissioner would be required to make land management  
2 decisions that do not result in any net loss of acreage available for  
3 public recreational fishing, hunting, and trapping opportunities and  
4 would provide for the expeditious replacement of acreage to  
5 compensate for any closures of existing land for such uses. By  
6 providing for no net loss of acreage, the department would be  
7 prohibited from reducing the amount of acreage of land,  
8 administered by the department, available for public recreational  
9 fishing, hunting, and trapping opportunities in the State, on or after  
10 the date of enactment of this bill into law. Acreage dedicated to  
11 State wildlife management areas, wildlife refuges, public hunting  
12 grounds, and recreational areas, managed by the Division of Fish and  
13 Wildlife, would not be reduced except due to environmental or  
14 biological reasons for the protection of wildlife or fisheries or their  
15 associated habitat, or as a result of a land exchange wherein the  
16 department receives property of equal or greater value. State parks  
17 and forests would be accessible for the purposes of recreational  
18 fishing, hunting, and trapping unless restricted for reasons of public  
19 safety or homeland security, as limited by the commissioner in  
20 consultation with the State Police.

21       The commissioner would further be required to submit an annual  
22 report to the Legislature, the Senate Environment and Energy  
23 Committee, and the Assembly Agriculture Committee, which includes  
24 information regarding: the acreage managed or owned by the  
25 department that had been available for public recreational fishing,  
26 hunting, and trapping during the previous year, and the reasons for  
27 such closures; the amount of acreage opened to public recreational  
28 fishing, hunting, and trapping to compensate for the acreage closed;  
29 and the reasons why any newly acquired State public park and forest  
30 land, wildlife management areas, wildlife refuges, public hunting  
31 grounds, and recreational areas were not open to public recreational  
32 fishing, hunting, and trapping.

33       A number of states are considering legislation similar to this bill  
34 and a growing number of states have passed laws protecting public  
35 recreational fishing, hunting, and trapping land by preventing the  
36 net loss of acreage for such uses. Similar legislation has also been  
37 introduced in Congress to prevent the net loss of Federal public  
38 land for the purposes of fishing, hunting, and trapping.