

SENATE RESOLUTION No. 68

STATE OF NEW JERSEY

INTRODUCED OCTOBER 28, 1996

By Senators LaROSSA and LITTELL

1 **A SENATE RESOLUTION** urging the Commissioner of Environmental Protection
2 to rescind Administrative Order 1996-06 requiring that the goals of the
3 State Development and Redevelopment Plan be incorporated into
4 environmental programs.
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6 **WHEREAS**, The Commissioner of Environmental Protection issued
7 Administrative Order 1996-06 on July 29, 1996 without notice to the
8 public or the regulated community; and
9 **WHEREAS**, The order requires that the goals and objectives of the State
10 Development and Redevelopment Plan become part of the department's
11 decision making process and that the assistant commissioners at the
12 Department of Environmental Protection shall take "those necessary steps
13 to insure that all policies and regulations which guide and regulate their
14 respective programs to the extent permitted by law, are applied to be made
15 consistent with and compatible with the New Jersey State Plan;" and
16 **WHEREAS**, The New Jersey State Development and Redevelopment Plan was
17 adopted pursuant to the "State Planning Act" which does not provide an
18 enforcement mechanism for its implementation, and has always been
19 understood to be a guide to the local government entities which have
20 traditionally been responsible for planning in the State; and
21 **WHEREAS**, The order will result in the control of local planning from a central
22 State bureaucracy which influences development by virtue of its permit and
23 land use programs; and
24 **WHEREAS**, Centralized State control of planning is unlikely to be as responsive
25 to local concerns such as loss of property values and other community and
26 economic impacts as planning at the local level; and
27 **WHEREAS**, The regulated community was granted no notice or opportunity
28 to comment on the new standards to be applied to Department of
29 Environmental Protection decisions, because the order does not provide
30 for the amendment or readoption of the department's existing regulations,
31 but instead rather vaguely requires that the existing regulations be applied
32 in a manner compatible with the State Development and Redevelopment
33 Plan; now, therefore,

