## **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.
5	
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,

1	<b>BE IT RESOLVED</b> by the Senate of the State of New Jersey:
2	
3	1. The Commissioner of Environmental Protection is urged to rescind
4	Administrative Order 1996-06.
5	
6	2. Duly authenticated copies of this resolution, signed by the President of
7	the Senate and attested by the Secretary thereof shall be sent to the Governor
8	and the Commissioner of Environmental Protection.
9	
10	
11	STATEMENT
12	
13	This resolution urges the Commissioner of Environmental Protection is
14	urged to rescind Administrative Order 1996-06. The order requires that the
15	goals and objectives of the New Jersey State Development and
16	Redevelopment Plan become part of the decision-making process of officials
17	in the Department of Environmental Protection. The order also requires all
18	assistant commissioners to take steps to insure that policies and regulations are
19	applied to be made consistent with the New Jersey State Development and
20	Redevelopment Plan. This vague and unwise order could result in the control
21	of local planning issues from the State's most unresponsive bureaucracy, and
22	imposes requirements upon permittees without providing notice or the
23	opportunity to comment. Therefore, the Commissioner is urged to rescind the
24 25	order.
25 26	
26	
27	
28 20	Unang Commission of Environment-1 Dectarties to service dead
29 20	Urges Commissioner of Environmental Protection to rescind order requiring
30	incorporation of State Plan goals in all environmental programs.