

# SENATE ENVIRONMENT AND ENERGY COMMITTEE

## STATEMENT TO

### SENATE, No. 4153

# STATE OF NEW JERSEY

DATED: DECEMBER 9, 2021

The Senate Environment and Energy Committee favorably reports Senate Bill No. 4153.

This bill appropriates \$80,539,578 from constitutionally dedicated corporation business tax (CBT) revenues and various Green Acres funds to the Department of Environmental Protection (DEP) to provide grants or low-interest loans, or both, to assist local government units in the State to acquire or develop lands for recreation and conservation purposes.

Of the total amount appropriated, \$76,802,956 is from constitutionally dedicated CBT revenues, and \$3,736,622 is made available due to loan repayments and interest earnings. The funds made available due to loan repayments and interest earnings are from the “Garden State Green Acres Preservation Trust Fund” and various Green Acres funds established pursuant to a Green Acres bond act.

The CBT revenues appropriated in this bill are provided from constitutionally dedicated CBT revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014.

The “Preserve New Jersey Act” implements the constitutional dedication of CBT revenues for open space, farmland, and historic preservation. The “Preserve New Jersey Green Acres Fund” was established by section 6 of the “Preserve New Jersey Act.” The act provides that a certain amount of the portion of dedicated CBT revenues allocated each year for the Green Acres program is to be used for: the acquisition of lands for open space, including Blue Acres projects, and development projects on State lands administered by the DEP’s Division of Fish and Wildlife and Division of Parks and Forestry; grants and loans to fund local government open space acquisition and development projects; and grants to nonprofit entities to acquire or develop lands for recreation and conservation purposes.

This bill appropriates funds to be used for grants and loans to fund local government open space acquisition and development projects. Further, of the funding allocated for local open space acquisition and development projects, a certain percentage may be used to fund stewardship activities undertaken by local governments. “Stewardship activity” is defined in the act as an activity, which is beyond routine operations and maintenance, undertaken to repair or restore lands acquired or developed for recreation and conservation purposes for the

purpose of enhancing or protecting those lands for recreation and conservation purposes.

The total amount of funding allocated for local government projects listed in this bill is \$80,539,578. Of this amount, \$35,884,518 is for projects to acquire lands for recreation and conservation purposes, and \$44,655,060 is for projects to develop lands for recreation and conservation purposes.

Of the sum for projects to acquire lands for recreation and conservation purposes: \$29,349,000 is allocated for planning incentive open space acquisition projects (i.e., projects located in municipalities and counties that have an open space tax and an approved open space plan); \$2,179,000 is allocated for projects in “urban aid” municipalities; \$3,191,518 is allocated for standard open space acquisition projects (i.e., projects located in municipalities that do not have an open space tax); and \$1,165,000 is allocated for site-specific incentive acquisition projects (i.e., projects located in municipalities that have an open space tax, but do not have an open space plan).

Of the sum for projects to develop lands for recreation and conservation purposes: \$35,297,330 is allocated for local park development projects in urban aid municipalities or sponsored by densely populated counties; \$5,172,288 is allocated for local park development projects in densely or highly populated municipalities or sponsored by highly populated counties; \$1.8 million is allocated for standard local park development projects (i.e., projects located in municipalities that do not meet the criteria of the prior two categories); and \$2,385,442 is allocated for stewardship activity projects.

The projects listed have been approved by the DEP and the Garden State Preservation Trust (GSPT).

The projects approved by the bill include projects in “urban aid” and densely or highly populated municipalities and counties. The bill defines a “densely or highly populated municipality” as a municipality with a population density of at least 5,000 persons per square mile or a population of at least 35,000 persons; a “densely populated county” as a county with a population density of at least 5,000 persons per square mile; and a “highly populated county” as a county with a population density of at least 1,000 persons per square mile.

To the extent that there are funds remaining after the local government unit projects listed in this bill are offered funding, the bill also authorizes the DEP, with the approval of the Joint Budget Oversight Committee (JBOC), to use those funds to provide additional funding for local government unit projects listed in this bill as well as for local government unit projects previously approved for funding pursuant to various other laws.