

13:8-45 to 13:8-63

LEGISLATIVE HISTORY CHECKLIST

NJSA 13:8-45 to 13:8-63 ("New Jersey Wild and Scenic Rivers Act")

Laws of 1977 Chapter 236

Bill No. A1992

Sponsor(s) Stewart and others

Date Introduced May 27, 1976

Committee: Assembly Agriculture and Environment

Senate Energy & Environment

Amended during passage Yes ~~NO~~ Amendments during passage denoted by asterisks

Date of passage: Assembly April 18, 1977

Senate Sept. 19, 1977

Date of approval Sept. 28, 1977

Following statements are attached if available:

Sponsor statement Yes ~~NO~~

Committee Statement: Assembly Yes ~~NO~~

Senate Yes ~~NO~~

Fiscal Note Yes ~~NO~~

Veto message Yes ~~NO~~

Message on signing Yes ~~NO~~

Following were printed:

Reports Yes ~~NO~~

Hearings Yes ~~NO~~

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ASSEMBLY, No. 1992**STATE OF NEW JERSEY**

INTRODUCED MAY 27, 1976

By Assemblymen STEWART, HERMAN, PERSKIE and BASSANO

Referred to Committee on Agriculture and Environment

AN ACT authorizing the establishment of the New Jersey Wild and Scenic Rivers System; providing for the acquisition, designation, administration, and regulation of such rivers and their designated adjacent areas; and relating to the powers, duties, and responsibilities of the Department of Environmental Protection.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. This act shall be known and may be cited as the "New Jersey
2 Wild and Scenic Rivers Act."

1 2. The Legislature hereby finds and declares that many of the
2 rivers of New Jersey, or sections thereof, together with adjacent
3 land areas, possess outstanding scenic, recreational, geologic, fish
4 and wildlife, floral, historic, cultural, or similar values which are
5 of benefit and enjoyment to present and future generations of this
6 State; that selected rivers, or sections thereof, are a public trust
7 and should be preserved and protected so as to insure that this and
8 succeeding generations have the opportunity to enjoy the aesthetic
9 and recreational qualities of such rivers; and that it shall, there-
10 fore be the policy of this State to preserve, protect, and enhance
11 the natural and recreational values of such rivers through the
12 establishment of a New Jersey Wild and Scenic Rivers System,
13 and by prescribing the procedures and criteria for designating,
14 protecting and administering the system and for adding new com-
15 ponents to it from time to time.

1 3. As used in this act, unless the context clearly indicates other-
2 wise:

3 a. "Commissioner" means the Commissioner of the Department
4 of Environmental Protection.

5 b. "Department" means the Department of Environmental
6 Protection.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

7 c. "Designated adjacent area of land" means those lands im-
 8 mediately adjacent to rivers or sections of rivers included in the
 9 system which have been delineated by the department as a flood-
 10 way, flood fringe area or flood ****[hazard]**** ****hazard**** area, as
 11 determined by the department, pursuant to the provisions of
 12 P. L. 1962, c. 19 (C. 58:16A-50 et seq.), as amended by P. L. 1972,
 13 c. 185, as well as any additional lands to which the department
 14 acquires a fee simple interest or scenic easement in accordance
 15 with the provisions of this act.

16 d. "Free of impoundment," as applied to any river, means exist-
 17 ing or flowing in natural condition without impoundment, diver-
 18 sion, straightening, rip-rapping, or other significant modification
 19 of the waterway; provided, however, that the existence of low dams,
 20 diversion works, and other minor structures at the time any river
 21 or section of river is proposed for inclusion in the system shall not
 22 necessarily bar its consideration for such inclusion***]**; provided,
 23 further, however, that nothing in this act shall be construed so
 24 as to authorize, intend, or encourage future construction of such
 25 structures upon or across components of the system**]**.*

26 e. "River" means a flowing body of water or estuary or a sec-
 27 tion, portion, or tributary thereof, including but not limited to
 28 rivers, streams, creeks, runs, kills, rills, and small lakes.

29 f. "River area" means rivers and designated adjacent areas of
 30 land which are included in the system.

31 g. "Scenic easement" means a perpetual easement in land which
 32 (1) is held for the benefit of the public; (2) is specifically enforce-
 33 able by its holder or beneficiary; and (3) limits or obligates the
 34 holder of the servient estate, his heirs, and assigns with respect
 35 to their use and management of activities conducted thereon, the
 36 object of such limitations and obligations being the maintenance or
 37 enhancement of the natural beauty of the land in question or of
 38 the areas affected by it; provided, however, that nothing herein
 39 contained shall be construed as to affect, without the owner's con-
 40 sent, any normal or usual use of land **or water** exercised prior
 41 to the acquisition of a scenic easement therein.

42 h. "System" means the New Jersey Wild and Scenic Rivers
 43 System established pursuant to this act.

1 4. The department is hereby authorized, empowered and di-
 2 rected to establish a State system of rivers to be known as the New
 3 Jersey Wild and Scenic Rivers System, which shall comprise river
 4 areas classified, designated and administered as wild, scenic, recre-
 5 ational, or developed recreational rivers. Such river areas shall

6 be administered by the department or by a local commission as
 7 provided in section 10 of this act. Such administration shall reflect
 8 the classification of such river area so as to prevent incompatible
 9 management or development which could detract from the quality
 10 or alter the character of such area. **The administration of all*
 10A *State-owned lands within any wild river area shall be consistent*
 10B *with the administration of lands included within the New Jersey*
 10C *Natural Areas System pursuant to the provisions of P. L. 1975,*
 10D *c. 363 (C. 13:1B-15.12a et seq.); provided, however that such lands*
 10E *within such river areas shall be deemed to be in addition to, and*
 10F *not a part of, the New Jersey Natural Areas System for the pur-*
 10G *poses of section 4 of P. L. 1975, c. 363 (C. 13:1B-15.12a3).** Such
 11 classifications shall be as follows:

12 a. Wild river areas, which are those rivers, or sections thereof,
 13 that are free of impoundment and generally inaccessible except
 14 by trail, with watersheds or shorelines essentially primitive and
 15 undeveloped and waters unpolluted.

16 b. Scenic river areas, which are those rivers, or sections thereof,
 17 that are free of impoundment, with watersheds or shorelines still
 18 largely primitive and undeveloped, but accessible in places by road.

19 c. Recreational river areas, which are those rivers, or sections
 20 thereof, that are readily accessible, that may have some develop-
 21 ment along their shorelines, and that may have undergone some
 22 impoundment or diversion prior to their inclusion in the New Jer-
 23 sey Scenic River System.

24 d. Developed recreational rivers, which are those rivers, or sec-
 25 tions thereof, that are readily accessible, that may have substantial
 26 development along their shorelines, that may have undergone sub-
 27 stantial impoundment or diversion, but which remain suitable for
 28 a variety of recreational uses.

1 5. In order to determine the suitability of any river for inclusion
 2 in the system, the department shall:

3 a. Complete the delineation of the flood hazard area for such
 4 river as required by section 3 of P. L. 1962, c. 19 (C. 58:16A-52).

5 b. Conduct such studies as are necessary in order to prepare
 6 a report containing the following information concerning the pro-
 7 posed river area: a map portraying the location and boundaries of
 8 such area; a summary of the current and potential ownership and
 9 uses of such lands; a discussion of the environmental and economic
 10 impact upon local communities and the State which would result
 11 from the inclusion of such area in the system; a recommendation
 12 concerning the proper classification and use of such proposed river
 13 area; and, an estimation of the cost which would be incurred by

14 the State in designating such area as a component of the system.
15 Such report shall be made available to the ***[Legislature]***
16 **Assembly Agriculture and Environment Committee, the Senate*
17 *Energy and Environment Committee** and to the public at least 30
17A days prior to the public hearing required by this section.

18 c. Conduct a public hearing in a location convenient to all
19 interested parties at least 30 days prior to designating any river
20 area as a component of the system. Public notices of such hearings
21 shall be published in at least two newspapers circulating within the
22 affected counties not less than 3 weeks prior to the hearings.
23 At least 2 weeks prior to the date set for such hearing, a copy
24 of the public notice shall be sent by certified mail to each owner
25 having a recorded interest in the lands within the proposed river
26 area as shown in the municipal tax office wherein such land is
27 located. Such notice shall be mailed to the address shown in the
28 records of the municipal tax office. **Following any such public*
29 *hearing, the commissioner shall consider the testimony presented*
30 *thereat and evaluate any reasonable alternative to, or revision of,*
31 *the designation of such proposed river area.**

32 d. ***[Following]*** **Subsequent to** the fulfillment of the above
33 requirements, the commissioner may designate such river area as
34 a component of the system. Upon such designation, the commis-
35 sioner shall cause notice thereof, including a map portraying the
36 boundaries of the river area, to be published in the New Jersey
37 Register.

1 6. a. The department may use for the purposes of the system
2 lands owned by the State, with the concurrence of the head of the
3 administering agency, and acquire scenic easements in such lands
4 by written cooperative agreement, donation, or purchase with
5 donated or appropriated funds, or agree to manage any such lands
6 in a manner consistent with the provisions of this act.

7 b. The department may enter into such agreements with land-
8 owners, counties, municipalities, private organizations and indi-
9 viduals for the use of lands within the designated boundaries of
10 any river area of the system in accordance with the provisions of
11 this act, or may acquire therefor scenic easements by donation or
12 purchase with donated or appropriated funds.

13 ****[c.** The department may acquire scenic easements in the name
14 of the State within the designated boundaries of any river area of
15 the system by the exercise of the power of eminent domain in the
16 manner provided in P. L. 1971, c. 361 (C. 20:3-1 et seq.), without
17 the consent of the owner, where, in the judgment of the commis-

18 sioner, all reasonable efforts to acquire such scenic easements by
19 negotiation have failed.】**

1 **【7. Upon such exercise of the power of eminent domain, the
2 compensation to be paid thereunder shall be ascertained and paid
3 in the manner provided in the Eminent Domain Act of 1971 (P. L.
4 1971, c. 361, C. 20:3-1 et seq.).】**

1 **【8.】** **7.** The department is hereby authorized to apply
2 for, accept and expend funds from any public or private source for
3 the planning or acquisition of lands, scenic easements thereto, or
4 the development of facilities for the system as provided by this act.

1 **【9.】** **8.** a. The department is hereby empowered and
2 directed, pursuant to the "Administrative Procedure Act"
3 (C. 52:14B-1 et seq.), **and after public hearings thereon,** to
4 promulgate rules and regulations concerning the development and
5 use of designated adjacent areas of land, which rules and regula-
6 tions shall also serve as minimum standards for the adoption of
7 appropriate rules and regulations by any commission created by
8 the affected municipalities in accordance with section 10 of this
9 act; provided, however, that such rules and regulations shall not
10 be construed so as to affect any use of such lands which **【exist】**
11 ***exists*** at the time of the effective date of this act*; *provided,*
12 *further, however, that such rules and regulations shall not be*
13 *construed so as to prohibit or adversely affect the expansion of any*
14 *agricultural use of such lands which exists at the time of the*
14A *effective date of this act*.*

15 b. The department is further authorized, pursuant to the afore-
16 said "Administrative Procedure Act," **and after public hearings*
17 *thereon,** to adopt, amend or repeal such other rules and regulations
18 as are necessary to effectuate the purposes of this act.

19 **c. The department shall transmit copies of all rules and regula-*
20 *tions **【promulgated】** **proposed** pursuant to this section to*
21 *the Assembly Agriculture and Environment Committee and to the*
22 *Senate Energy and Environment Committee.**

23 ***d. The department shall further transmit copies of all rules*
24 *and regulations proposed pursuant to this section to the Senate and*
25 *General Assembly on a day on which both Houses shall be meeting*
26 *in the course of a regular or special session. The provisions of*
27 *the aforesaid 'Administrative Procedure Act' or any other law to*
28 *the contrary notwithstanding, no such rule or regulation shall take*
29 *effect if, within 60 days of the date of its transmittal to the Senate*
30 *and General Assembly, the Legislature shall pass a concurrent*
31 *resolution stating in substance that the Legislature does not favor*
32 *such proposed rule or regulation.***

1 ****[10.]** **9.**** a. Within 6 months of the adoption of rules and
 2 regulations pursuant to subsection a. of section 9 of this act, each
 3 affected municipality may, singly or jointly, create a commission to
 4 be known and designated as “the . . . wild and scenic river com-
 5 mission.” **Any existing environmental commission or joint*
 5A *environmental commission established pursuant to P. L. 1968, c. 245*
 5B *(C. 40:56A-1 et seq.), by any affected municipality or munici-*
 5C *palities may be designated as such a wild and scenic river com-*
 5D *mission.** Such commission shall have authority to adopt, amend
 6 and administer, with the approval of the commissioner, rules and
 7 regulations concerning the development and use of the appropriate
 8 designated adjacent area of land; provided, however, that no such
 9 rules and regulations shall be less restrictive than the minimum
 10 standards promulgated by the department pursuant to section 9
 11 of this act. Members of such commissions shall be appointed by the
 12 governing body of municipalities creating same. The method,
 13 number, and terms of such appointments shall be determined by
 14 such governing bodies with the approval of the commissioner.

15 b. If any affected municipality fails to create, or join in the
 16 creation of, such a commission, or if any such commission fails to
 17 adopt and enforce such rules and regulations, the department shall
 18 enforce existing State rules and regulations applicable to such land.

1 ****[11.]** **10.**** Nothing in this act shall be construed so as to
 2 prohibit the department from developing facilities **on any State-*
 3 *owned land** within a component river area of the system to provide
 4 for the public welfare, including recreational use and enjoyment of
 5 such area; provided, however, that such facilities shall be consistent
 6 with the relevant classification of the river area and with rules and
 7 regulations promulgated by the department or a local commission
 8 pursuant to this act.

1 ****[12.]** **11.**** Within 1 year of the effective date of this act,
 2 the commissioner shall promulgate guidelines for the preparation of
 3 the reports required for designation of component river areas of the
 4 system and for the management of the four classes of rivers herein
 5 established, including the goals, objectives, policies, and State
 6 rules and regulations which shall also serve as minimum standards
 7 for local rules and regulations concerning the development and
 8 use of designated adjacent areas of land.

1 ****[13.]** **12.**** a. The department may grant easements and
 2 rights-of-way upon, over, under, across, or through any ***State-*
 3 *owned land within a*** component river area of the system in
 4 accordance with the laws and rules and regulations applicable to

5 the department; provided, however, that any conditions precedent
6 to granting such easements and rights-of-way shall be related to
6A the policy and purposes of this act.

7 b. Subsequent to the designation procedure provided in section 5
8 of this act, the commissioner may reclassify the designation of any
9 component river area of the system.

1 ****[14.]**** ****13.**** Any person who violates the provisions of any
2 rule or regulation adopted by the department pursuant to this act
3 shall be guilty of a disorderly persons offense. If such violation is of
4 a continuing nature, each day in which it continues shall constitute
5 an additional, separate and distinct offense. The department is
6 hereby empowered to institute any action in a court of competent
7 jurisdiction for injunctive relief to prohibit and prevent such viola-
8 tion, and such court may proceed in a summary manner.

1 ****[15.]**** ****14.**** The commissioner may use any sum hereafter
2 appropriated by any act from the proceeds of the sale of bonds
3 under the "New Jersey Green Acres and Recreation Opportunities
4 Bond Act of 1974" (P. L. 1974, c. 102), which is intended for the
5 State acquisition of lands or interests in lands for recreation and
6 conservation purposes, and such other sums as may be appropriated
7 for like purposes for the acquisition of lands or scenic easements
8 thereto for the purposes of this act.

1 ****[16.]**** ****15.**** Any portion of a component river area included
2 in the system which is delineated as within the boundaries of a flood
3 hazard area pursuant to section 3 of P. L. 1962, c. 19 (C. 58:16A-52),
4 or which is or shall become a part of any State park, wildlife refuge
5 or similar area shall be subject to the provisions of this act and the
6 acts under which such other areas may be administered; in the case
7 of conflict between the provisions of such acts, the more restrictive
8 provisions shall apply.

1 ****[17.]**** ****16.**** The Governor is hereby authorized to make
2 application on behalf of the State for the inclusion of component
3 river areas of the New Jersey Wild and Scenic Rivers System in the
4 National Wild and Scenic Rivers System. The Governor is further
5 authorized to enter into written cooperative agreements concern-
6 ing such inclusion and for the joint Federal-State administration
7 of a New Jersey component river area of such system; provided,
8 however, that no such agreement for the administration of such
9 area shall be less restrictive than the provisions of this act or the
10 rules and regulations promulgated pursuant hereto.

1 ****[18.]**** ****17.**** If any provision of this act or the application
2 thereof to any person or circumstance is held invalid, the remainder
3 of the act and the application of such provision to persons or cir-

4 cumstances other than those to which it is held invalid, shall not
5 be affected thereby.

1 **[19.]** **18.** This act shall be liberally construed to effectuate
2 the purpose and intent hereof.

1 **[20.]** **19.** The department shall, within 1 year of the
2 effective date of this act, complete all of the necessary requirements
3 as herein provided for the designation of *that portion of* the
4 Mullica river *from Lake Atsion at State Highway 206 to Bur-*
4A *lington County Route 542 at Pleasant Mills* *and that creek known*
4B *as Cedar creek, which has headwaters in Lacey, Berkeley, Man-*
5 *chester and Ocean townships in Ocean county, and flows thence*
6 *easterly to a terminus in Barnegat bay*, or portions thereof, as
7 the initial **[component]** *components* of the system.

1 **[21.]** **20.** This act shall take effect immediately.

4 Wild and Scenic Rivers System. The Governor is further
5 authorized to enter into written cooperative agreements concern-
6 ing such inclusion and for the joint Federal-State administration
7 of a New Jersey component river area of such system; provided,
8 however, that no such agreement for the administration of such
9 area shall be less restrictive than the provisions of this act or the
10 rules and regulations promulgated pursuant hereto.

1 18. If any provision of this act or the application thereof to any
2 person or circumstance is held invalid, the remainder of the act
3 and the application of such provision to persons or circumstances
4 other than those to which it is held invalid, shall not be affected
5 thereby.

1 19. This act shall be liberally construed to effectuate the purpose
2 and intent hereof.

1 20. The department shall, within 1 year of the effective date of
2 this act, complete all of the necessary requirements as herein pro-
3 vided for the designation of the Mullica river, or portions thereof,
4 as the initial component of the system.

1 21. This act shall take effect immediately.

STATEMENT

This bill would authorize the establishment of a New Jersey Wild and Scenic Rivers System. This system would consist of river areas designated as wild, scenic, recreational or developed recreational. A river area would include a river, or section of river, together with all or a portion of the adjacent lands within the flood hazard area, as well as any lands to which the State acquired a fee simple interest or scenic easement. In this manner, lands already subject to restrictions intended to minimize flood damages would preserve, protect and enhance the natural and recreational qualities of such rivers.

Under the provisions of this bill, the Department of Environmental Protection would be authorized to designate component river areas, acquire lands or scenic easements thereto, and promulgate rules and regulations for the administration of the system. Prior to the designation of a particular river area, the provisions of this bill would require the delineation of the flood hazard area of the proposed river, the preparation and publication of a report concerning the details and effects of including such river in the system, and the holding of a public hearing in the affected

area. Following such designation, affected municipalities would have the option of creating a local commission to administer a component river area in accordance with minimum standards promulgated by the department.

This bill would also authorize the Governor to seek the inclusion of New Jersey Rivers in the National Wild and Scenic Rivers System, and directs the department, within 1 year of its effective date, to complete all of the requirements necessary to designate the Mullica river, or portions thereof, as the initial component of the New Jersey Wild and Scenic Rivers System.

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1992

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 1977

This bill would authorize the establishment of a New Jersey Wild and Scenic Rivers System. This system would consist of river areas designated as wild, scenic, recreational or developed recreational. A river area would include a river, or section of river, together with all or a portion of the adjacent lands within the flood hazard area, as well as any lands to which the State acquired a fee simple interest or scenic easement. In this manner, lands already subject to restrictions intended to minimize flood damages would preserve, protect and enhance the natural and recreational qualities of such rivers.

Under the provisions of this bill, the Department of Environmental Protection would be authorized to designate component river areas, acquire lands or scenic easements thereto, and promulgate rules and regulations for the administration of the system. Prior to the designation of a particular river area, the provisions of this bill would require the delineation of the flood hazard area of the proposed river, the preparation and publication of a report concerning the details and effects of including such river in the system, and the holding of a public hearing in the affected area. Following such designation, affected municipalities would have the option of creating a local commission to administer a component river area in accordance with minimum standards promulgated by the department.

This bill would also authorize the Governor to seek the inclusion of New Jersey Rivers in the National Wild and Scenic Rivers System, and directs the department, within 1 year of its effective date, to complete all of the requirements necessary to designate the Mullica river, or portions thereof, as the initial component of the New Jersey Wild and Scenic Rivers System.

After considering this bill at a number of meetings, the Assembly Agriculture and Environment Committee adopted amendments to this bill which would (1) recognize the compatibility of the continuance or

expansion of certain agricultural activities (such as cranberry and blueberry operations) with lands to be included in the system; (2) provide a limited legislative oversight role for the Assembly Agriculture and Environment Committee and the Senate Energy and Environment Committee; (3) require the Commissioner of Environmental Protection to consider local alternatives to or revision of, the designation of a proposed river area; (4) require the department to hold public hearings prior to adopting any rule or regulation pursuant to this bill; (5) insure that the administration of all State-owned lands within a wild river area be consistent with the administration of lands included within the New Jersey Natural Areas System; (6) authorize the affected municipality or municipalities to designate any existing environmental commission or joint environmental commission as the local wild and scenic river commission established pursuant to this bill; and (7) provide for the designation of Cedar Creek, in Ocean County, as an initial component of the system.

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ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1992

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 21, 1977

The Assembly Agriculture and Environment Committee statement on this bill, dated February 14, 1977, adequately describes the provisions of this bill as it was reported on that date. On February 17, 1977, Assembly Bill No. 1992 was recommitted to this committee for further consideration. Following such consideration, further amendments were adopted which would (1) provide a mechanism whereby rules and regulations proposed pursuant to this bill would be subject to disapproval by the Legislature; (2) clarify the original components of the New Jersey Wild and Scenic Rivers System to be designated by the Department of Environmental Protection within 1 year of the effective date of this bill; and (3) delete the authorization for the department to utilize the power of eminent domain in the acquisition of scenic easements for the purposes of this bill.

The deletion of eminent domain authorization was adopted in recognition of the existing powers granted the department by section 6 of P. L. 1975, c. 155.

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FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

SEPTEMBER 28, 1977

ANNE BURNS

Governor Brendan Byrne today signed into law A-1992, which creates the New Jersey Wild and Scenic Rivers System.

The bill was signed at a press conference at Batsto Village in the Pinelands. Secretary of the Interior Cecil Andrus attended the signing.

The bill is a complement to the National Wild and Scenic Rivers System already established by federal law. The federal legislation provides for grants for land acquisitions in river valleys.

Enactment of the State legislation will permit New Jersey to apply for federal recognition of its wild and scenic rivers as part of the national system with the potential of receiving grants for land acquisition.

The bill authorizes the Department of Environmental Protection to designate rivers for inclusion within the system, to adopt land use and other regulations consistent with the bill's purposes and to acquire lands which will promote the scenic and recreations objectives of the legislations.

The Department of Environmental Protection is also directed to complete all requirements necessary to designate the Mullica River in South Jersey and Cedar Creek in Ocean County as the initial component of the New Jersey Wild and Scenic Rivers System.

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FACT SHEET

New Jersey Wild and Scenic Rivers Act

General: Establishes the New Jersey Wild and Scenic Rivers System and provides for the designation, administration, acquisition, and regulation of rivers and their adjacent areas.

Purpose: To preserve rivers, or sections thereof, which possess outstanding scenic, recreational, geologic, fish and wildlife, floral, historic, cultural or similar values.

Designation: The law provides for study of the suitability of rivers and of public hearings prior to designation by the Commissioner of the Department of Environmental Protection.

Classes of River Areas: Four classes of river areas are established for administrative purposes:

- a. Wild river areas - rivers that are free of impoundment and generally inaccessible except by trail, with shorelines that are essentially primitive and undeveloped.
- b. Scenic river areas - rivers that are free of impoundment with largely primitive and undeveloped shorelines, but which are accessible in places by road.
- c. Recreational river areas - rivers with shorelines that have undergone some development but which still maintain a predominately natural character.
- d. Developed river areas - rivers which are readily accessible with shorelines that have undergone substantial development.

Wild and Scenic River Commissions: Provides for the establishment of commissions by an affected municipality or municipalities with the power to adopt, amend and administer development and use rules and regulations for designated land areas which are not less stringent than the State regulations.

Protection: Authorizes the Department of Environmental Protection to acquire lands and to promulgate rules and regulations concerning development and use of land adjacent to rivers delineated as a floodway, flood fringe or flood hazard areas. The regulations are minimal standards and may be adopted by municipal Wild and Scenic Rivers Commissions. They will not affect existing uses or the expansion of existing agricultural uses.

Study and Management guidelines: Requires that within one year of the act's effective date, guidelines for river designation studies and the management of the four classes of rivers be prepared.

Initial Components: Requires the completion of necessary requirements for designation of the section of the Mullica River from Atsion Lake in Wharton State Forest to the Route 542 crossing at Pleasant Mills and Cedar Creek (Ocean County).

National Wild and Scenic Rivers System: Provides for making application for national designation of components of the state system. National designation would protect a river area from federally funded, licensed or otherwise assisted projects which would adversely impact the character of the designated area.