

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie signs bills to boost aquaculture, fight poaching – Christie signs bills on aquaculture, poaching – New Jersey set to share information on hunting, fishing violations," Press of Atlantic City, January 10, 2017

OTHER:

Task force meeting of 1st Legislative District Economic Development Task Force : the Task Force will take testimony from invited guests concerning the state of the aquaculture industry in the region [August 27, 2015, Wildwood, New Jersey] / hearing recorded and transcribed by the Office of Legislative Services, Public Information Office, Hearing Unit.

by New Jersey. Legislature. First Legislative District Economic Development Task Force, author.
[974.90 F537, 2015](#)

RWH/JA

§§1,2 -
C.4:27-10.2 &
4:27-10.3
§3 - Note

P.L.2016, CHAPTER 96, *approved January 9, 2017*
Assembly, No. 794 (*First Reprint*)

1 AN ACT concerning aquaculture permitting, and supplementing
2 P.L.1997, c.236 (C.4:27-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Secretary of Agriculture, in consultation with the
8 Commissioner of Environmental Protection, shall develop and
9 implement an aquaculture permitting review program to provide for
10 the coordinated review of any aquaculture project. The permitting
11 review program shall provide for a **['joint] coordinated¹** permit
12 application for any permit, approval, or authorization required for
13 an aquaculture project. The **permitted review¹** program shall
14 consolidate the review process for the **['joint] coordinated¹** permit
15 application.

16 b. The **['joint] coordinated¹** permit application shall include
17 any permit, approval, or other authorization required for an
18 aquaculture project, including, but not limited to, as applicable, a
19 permit, license, approval, or authorization required pursuant to
20 section 17 of P.L.1997, c.236 (C.4:27-17), R.S.12:3-1 et seq.,
21 R.S.12:5-1 et seq., the "Pesticide Control Act of 1971," P.L.1971,
22 c.176 (C.13:1F-1 et seq.), "The Wetlands Act of 1970," P.L.1970,
23 c.272 (C.13:9A-1 et seq.), the "Freshwater Wetlands Protection
24 Act," P.L.1987, c.156 (C.13:9B-1 et seq.), the "Coastal Area
25 Facility Review Act," P.L.1973, c.185 (C.13:19-1 et seq.), the
26 "Water Supply Management Act," P.L.1981, c.262 (C.58:1A-1 et
27 seq.), the "Water Pollution Control Act," P.L.1977, c.74 (C.58:10A-
28 1 et seq.), "The Realty Improvement Sewerage and Facilities Act
29 (1954)," P.L.1954, c.199 (C.58:11-23 et seq.), the "Water Quality
30 Planning Act," P.L.1977, c.75 (C.58:11A-1 et seq.), the "Safe
31 Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), or the
32 "Flood Hazard Area Control Act," P.L.1962, c.19 (C.58:16A-50 et
33 seq.), and any rules or regulations adopted pursuant thereto.

34 c. **['Within 180 days after the date of enactment of this act, the**
35 Department of Agriculture and the Department of Environmental
36 Protection shall adopt rules and regulations pursuant to the
37 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
38 seq.), to implement this section] Nothing in this act shall authorize
39 any change in environmental or regulatory policy, standards, or
40 requirements of any law subject to the aquaculture permitting

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted September 26, 2016.

1 review program, nor shall the permitting review program reduce or
2 diminish any opportunities for public review and comment or public
3 hearings currently required by those laws, any rules or regulations
4 adopted pursuant thereto, or any programs established pursuant
5 thereto¹.

6
7 ¹2. The Department of Agriculture and the Department of
8 Environmental Protection shall adopt, within 180 days after the date
9 of enactment of this act, rules and regulations pursuant to the
10 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
11 seq.), to develop and implement the aquaculture permitting review
12 program in accordance with section 1 of P.L. , c. (C.)
13 (pending before the Legislature as this bill).¹

14
15 ¹[2] 3¹. This act shall take effect 180 days after the date of
16 enactment ¹; provided, however, that the departments shall take
17 such preliminary action after the date of enactment necessary to
18 adopt the rules and regulations required pursuant to section 2 of this
19 act¹.

20
21
22
23
24 Requires Dept. of Agriculture and DEP to adopt coordinated
25 permit application and review program for aquaculture projects.

ASSEMBLY, No. 794

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblyman BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman R. BRUCE LAND

District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

Requires Dept. of Agriculture and DEP to adopt joint permit application and review program for aquaculture projects.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/9/2016)

1 AN ACT concerning aquaculture permitting, and supplementing
2 P.L.1997, c.236 (C.4:27-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Secretary of Agriculture, in consultation with the
8 Commissioner of Environmental Protection, shall develop and
9 implement an aquaculture permitting review program to provide for
10 the coordinated review of any aquaculture project. The permitting
11 review program shall provide for a joint permit application for any
12 permit, approval, or authorization required for an aquaculture
13 project. The program shall consolidate the review process for the
14 joint permit application.

15 b. The joint permit application shall include any permit,
16 approval, or other authorization required for an aquaculture project,
17 including, but not limited to, as applicable, a permit, license,
18 approval, or authorization required pursuant to section 17 of
19 P.L.1997, c.236 (C.4:27-17), R.S.12:3-1 et seq., R.S.12:5-1 et seq.,
20 the "Pesticide Control Act of 1971," P.L.1971, c.176 (C.13:1F-1 et
21 seq.), "The Wetlands Act of 1970," P.L.1970, c.272 (C.13:9A-1 et
22 seq.), the "Freshwater Wetlands Protection Act," P.L.1987, c.156
23 (C.13:9B-1 et seq.), the "Coastal Area Facility Review Act,"
24 P.L.1973, c.185 (C.13:19-1 et seq.), the "Water Supply
25 Management Act," P.L.1981, c.262 (C.58:1A-1 et seq.), the "Water
26 Pollution Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.), "The
27 Realty Improvement Sewerage and Facilities Act (1954),"
28 P.L.1954, c.199 (C.58:11-23 et seq.), the "Water Quality Planning
29 Act," P.L.1977, c.75 (C.58:11A-1 et seq.), the "Safe Drinking
30 Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), or the "Flood
31 Hazard Area Control Act," P.L.1962, c.19 (C.58:16A-50 et seq.),
32 and any rules or regulations adopted pursuant thereto.

33 c. Within 180 days after the date of enactment of this act, the
34 Department of Agriculture and the Department of Environmental
35 Protection shall adopt rules and regulations pursuant to the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
37 seq.), to implement this section.

38

39 2. This act shall take effect 180 days after the date of enactment.

40

41

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STATEMENT

43

44 This bill would require the Secretary of Agriculture, in
45 consultation with the Commissioner of Environmental Protection, to
46 develop and implement an aquaculture permitting review program
47 to provide for the coordinated review of any aquaculture project.
48 The permitting review program would provide for a joint permit

1 application for any permit, approval, or authorization required for
2 an aquaculture project and would consolidate the review process for
3 the joint permit application. The joint permit application would
4 include any permit, approval, or other authorization required for an
5 aquaculture project and would include, as applicable, a permit,
6 license, approval, or authorization required pursuant to the "New
7 jersey Aquaculture Development Act," R.S.12:3-1 et seq.
8 (concerning riparian grants and leases), R.S.12:5-1 et seq.
9 (concerning waterfront development), the "Pesticide Control Act of
10 1971," "The Wetlands Act of 1970," the "Freshwater Wetlands
11 Protection Act," the "Coastal Area Facility Review Act," the "Water
12 Supply Management Act," the "Water Pollution Control Act," "The
13 Realty Improvement Sewerage and Facilities Act (1954)," the
14 "Water Quality Planning Act," the "Safe Drinking Water Act," or
15 the "Flood Hazard Area Control Act," and any rules or regulations
16 adopted pursuant thereto.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 794

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2016

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 794.

This bill would require the Secretary of Agriculture, in consultation with the Commissioner of Environmental Protection, to develop and implement an aquaculture permitting review program to provide for the coordinated review of any aquaculture project. The permitting review program would provide for a joint permit application for any permit, approval, or authorization required for an aquaculture project and would consolidate the review process for the joint permit application. The joint permit application would include any permit, approval, or other authorization required for an aquaculture project and would include, as applicable, a permit, license, approval, or authorization required pursuant to the "New Jersey Aquaculture Development Act," R.S.12:3-1 et seq. (concerning riparian grants and leases), R.S.12:5-1 et seq. (concerning waterfront development), the "Pesticide Control Act of 1971," "The Wetlands Act of 1970," the "Freshwater Wetlands Protection Act," the "Coastal Area Facility Review Act," the "Water Supply Management Act," the "Water Pollution Control Act," "The Realty Improvement Sewerage and Facilities Act (1954)," the "Water Quality Planning Act," the "Safe Drinking Water Act," or the "Flood Hazard Area Control Act," and any rules or regulations adopted pursuant thereto.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 794

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 26, 2016

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 794, with committee amendments.

As amended, this bill requires the Secretary of Agriculture, in consultation with the Commissioner of Environmental Protection, to develop and implement an aquaculture permitting review program to provide for the coordinated review of any aquaculture project.

Under the bill, the program is to provide for a coordinated permit application for any permit, approval, or authorization required for an aquaculture project. The program is to consolidate the review process for the coordinated permit application. The coordinated permit application is to include any permit, approval, or other authorization required for an aquaculture project and include, as applicable, a permit, license, approval, or authorization required pursuant to the “New Jersey Aquaculture Development Act,” R.S.12:3-1 et seq. (concerning riparian grants and leases), R.S.12:5-1 et seq. (concerning waterfront development), the “Pesticide Control Act of 1971,” “The Wetlands Act of 1970,” the “Freshwater Wetlands Protection Act,” the “Coastal Area Facility Review Act,” the “Water Supply Management Act,” the “Water Pollution Control Act,” “The Realty Improvement Sewerage and Facilities Act (1954),” the “Water Quality Planning Act,” the “Safe Drinking Water Act,” or the “Flood Hazard Area Control Act,” and any rules or regulations adopted pursuant to these statutes.

The bill specifies that its provisions are not intended to authorize a change in environmental or regulatory policy, standards, or requirements of the statutes subject to the program. Additionally, the program is not to reduce or diminish any opportunities for public review and comment or public hearings currently required by those statutes subject to the program, any rules or regulations adopted pursuant thereto, or any programs established pursuant thereto.

The bill directs the Department of Agriculture and the Department of Environmental Protection to adopt, within 180 days after the date of the bill’s enactment, rules and regulations to implement the program.

The bill takes effect 180 days after the date of enactment, but provides for the departments to take preliminary action after the date

of enactment to adopt rules and regulations necessary to develop and implement the program.

As amended and reported, this bill is identical to Senate Bill No. 317 (1R), as also amended and reported by the committee.

COMMITTEE AMENDMENTS:

The amendments clarify that under the aquaculture permitting review program the application for permit is to be a coordinated permit, rather than a joint permit.

The amendments specify that the bill's provisions are not intended to authorize a change in environmental or regulatory policy, standards, or requirements of the statutes subject to the program, and that the program is not to reduce or diminish any opportunities for public review and comment or public hearings currently required by those statutes subject to the program, any rules or regulations adopted pursuant thereto, or any programs established pursuant thereto.

The amendments modify the effective date of the bill to provide for the adoption of rules and regulations after the date the bill is enacted but prior to the date the bill's requirements for the development and implementation of the program are effective.

FISCAL IMPACT:

The Office of Legislative Services (OLS) expects the bill may have a minimal recurring effect on Department of Agriculture and Department of Environmental Protection administrative costs related to the development and administration of the aquaculture permitting review program.

The OLS notes the departments will experience a one-time workload increase from developing the coordinated permit application process. However, the additional workload may or may not cause a minimal one-time expenditure increase, depending on the departments' resource allocation policies.

In addition, the ongoing operation of the coordinated permit application process may affect the departments' recurring administrative costs. While it is possible the streamlining of the application process may reduce recurring administrative costs, the OLS cannot anticipate with any certainty the operational responses of the departments to any application process revisions.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 794
STATE OF NEW JERSEY
217th LEGISLATURE

DATED: SEPTEMBER 20, 2016

SUMMARY

Synopsis: Requires Dept. of Agriculture and DEP to adopt joint permit application and review program for aquaculture projects.

Type of Impact: Potential recurring expenditure impact on State General Fund.

Agencies Affected: Department of Agriculture and Department of Environmental Protection.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Potential State Cost Impact	Minimal – See comments below		

- The Office of Legislative Services (OLS) determines that this bill may have a minimal recurring effect on Department of Agriculture and Department of Environmental Protection administrative costs related to the development and administration of a joint aquaculture permitting review program.
- The OLS determines that there may be a one-time State cost increase from developing the joint permit application process; however, streamlining the application process may reduce recurring administrative costs.

BILL DESCRIPTION

Assembly Bill No. 794 of 2016 would require the Secretary of Agriculture, in consultation with the Commissioner of Environmental Protection, to develop and implement an aquaculture permitting review program to provide for the coordinated review of any aquaculture project. The permitting review program would provide for a joint permit application for any permit, approval, or authorization required for an aquaculture project. The program would consolidate the review process for the joint permit application.

The joint permit application would include any permit, approval, or other authorization required for an aquaculture project, including, but not limited to, as applicable, a permit, license, approval, or authorization required pursuant to section 17 of P.L.1997, c.236 (C.4:27-17) (concerning aquacultural organisms), R.S.12:3-1 et seq. (concerning riparian lands), R.S.12:5-1

et seq. (the waterfront development law), the "Pesticide Control Act of 1971," "The Wetlands Act of 1970," the "Freshwater Wetlands Protection Act," the "Coastal Area Facility Review Act," the "Water Supply Management Act," the "Water Pollution Control Act," "The Realty Improvement Sewerage and Facilities Act (1954)," the "Water Quality Planning Act," the "Safe Drinking Water Act," or the "Flood Hazard Area Control Act," and any rules or regulations adopted pursuant thereto.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that this bill may have a minimal recurring effect on Department of Agriculture and Department of Environmental Protection administrative costs related to the development and administration of a joint aquaculture permitting review program.

The departments will experience a one-time workload increase from developing the joint permit application process. Depending on the departments' resource allocation policies, however, the additional workload may or may not cause a minimal one-time expenditure increase.

In addition, the ongoing operation of the joint permit application process may affect the departments' recurring administrative costs. Although it is conceivable that the streamlining of the application process may reduce recurring administrative costs, the OLS cannot anticipate the operational responses of the departments to any application process revisions.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Neha Mehta
Assistant Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 794

STATE OF NEW JERSEY 217th LEGISLATURE

DATED: OCTOBER 7, 2016

SUMMARY

- Synopsis:** Requires Dept. of Agriculture and DEP to adopt coordinated permit application and review program for aquaculture projects.
- Type of Impact:** Potential recurring expenditure impact on State General Fund.
- Agencies Affected:** Department of Agriculture and Department of Environmental Protection.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Potential State Cost Impact	Minimal – See comments below		

- The Office of Legislative Services (OLS) determines that this bill may have a minimal recurring effect on Department of Agriculture and Department of Environmental Protection administrative costs related to the development and administration of a coordinated aquaculture permitting review program.
- The OLS determines that there may be a one-time State cost increase from developing the coordinated permit application process; however, streamlining the application process may reduce recurring administrative costs.

BILL DESCRIPTION

Assembly Bill No. 794 (1R) of 2016 would require the Secretary of Agriculture, in consultation with the Commissioner of Environmental Protection, to develop and implement an aquaculture permitting review program to provide for the coordinated review of any aquaculture project. The permitting review program would provide for a coordinated permit application for any permit, approval, or authorization required for an aquaculture project. The program would consolidate the review process for the coordinated permit application.

The coordinated permit application would include any permit, approval, or other authorization required for an aquaculture project, including, but not limited to, as applicable, a permit, license, approval, or authorization required pursuant to section 17 of P.L.1997, c.236

(C.4:27-17) (concerning aquacultural organisms), R.S.12:3-1 et seq. (concerning riparian lands), R.S.12:5-1 et seq. (the waterfront development law), the "Pesticide Control Act of 1971," "The Wetlands Act of 1970," the "Freshwater Wetlands Protection Act," the "Coastal Area Facility Review Act," the "Water Supply Management Act," the "Water Pollution Control Act," "The Realty Improvement Sewerage and Facilities Act (1954)," the "Water Quality Planning Act," the "Safe Drinking Water Act," or the "Flood Hazard Area Control Act," and any rules or regulations adopted pursuant thereto.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that this bill may have a minimal recurring effect on Department of Agriculture and Department of Environmental Protection administrative costs related to the development and administration of a coordinated aquaculture permitting review program.

The departments will experience a one-time workload increase from developing the coordinated permit application process. Depending on the departments' resource allocation policies, however, the additional workload may or may not cause a minimal one-time expenditure increase.

In addition, the ongoing operation of the coordinated permit application process may affect the departments' recurring administrative costs. Although it is conceivable that the streamlining of the application process may reduce recurring administrative costs, the OLS cannot anticipate the operational responses of the departments to any application process revisions.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Neha Mehta
Assistant Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 317

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

Senator Cruz-Perez

SYNOPSIS

Requires Dept. of Agriculture and DEP to adopt joint permit application and review program for aquaculture projects.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/24/2016)

1 AN ACT concerning aquaculture permitting, and supplementing
2 P.L.1997, c.236 (C.4:27-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Secretary of Agriculture, in consultation with the
8 Commissioner of Environmental Protection, shall develop and
9 implement an aquaculture permitting review program to provide for
10 the coordinated review of any aquaculture project. The permitting
11 review program shall provide for a joint permit application for any
12 permit, approval, or authorization required for an aquaculture
13 project. The program shall consolidate the review process for the
14 joint permit application.

15 b. The joint permit application shall include any permit,
16 approval, or other authorization required for an aquaculture project,
17 including, but not limited to, as applicable, a permit, license,
18 approval, or authorization required pursuant to section 17 of
19 P.L.1997, c.236 (C.4:27-17), R.S.12:3-1 et seq., R.S.12:5-1 et seq.,
20 the "Pesticide Control Act of 1971," P.L.1971, c.176 (C.13:1F-1 et
21 seq.), "The Wetlands Act of 1970," P.L.1970, c.272 (C.13:9A-1 et
22 seq.), the "Freshwater Wetlands Protection Act," P.L.1987, c.156
23 (C.13:9B-1 et seq.), the "Coastal Area Facility Review Act,"
24 P.L.1973, c.185 (C.13:19-1 et seq.), the "Water Supply
25 Management Act," P.L.1981, c.262 (C.58:1A-1 et seq.), the "Water
26 Pollution Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.), "The
27 Realty Improvement Sewerage and Facilities Act (1954),"
28 P.L.1954, c.199 (C.58:11-23 et seq.), the "Water Quality Planning
29 Act," P.L.1977, c.75 (C.58:11A-1 et seq.), the "Safe Drinking
30 Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), or the "Flood
31 Hazard Area Control Act," P.L.1962, c.19 (C.58:16A-50 et seq.),
32 and any rules or regulations adopted pursuant thereto.

33 c. Within 180 days after the date of enactment of this act, the
34 Department of Agriculture and the Department of Environmental
35 Protection shall adopt rules and regulations pursuant to the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
37 seq.), to implement this section.

38

39 2. This act shall take effect 180 days after the date of
40 enactment.

41

42

43

STATEMENT

44

45 This bill would require the Secretary of Agriculture, in
46 consultation with the Commissioner of Environmental Protection, to
47 develop and implement an aquaculture permitting review program
48 to provide for the coordinated review of any aquaculture project.

1 The permitting review program would provide for a joint permit
2 application for any permit, approval, or authorization required for
3 an aquaculture project and would consolidate the review process for
4 the joint permit application. The joint permit application would
5 include any permit, approval, or other authorization required for an
6 aquaculture project and would include, as applicable, a permit,
7 license, approval, or authorization required pursuant to the "New
8 jersey Aquaculture Development Act," R.S.12:3-1 et seq.
9 (concerning riparian grants and leases), R.S.12:5-1 et seq.
10 (concerning waterfront development), the "Pesticide Control Act of
11 1971," "The Wetlands Act of 1970," the "Freshwater Wetlands
12 Protection Act," the "Coastal Area Facility Review Act," the "Water
13 Supply Management Act," the "Water Pollution Control Act," "The
14 Realty Improvement Sewerage and Facilities Act (1954)," the
15 "Water Quality Planning Act," the "Safe Drinking Water Act," or
16 the "Flood Hazard Area Control Act," and any rules or regulations
17 adopted pursuant thereto.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 317

with committee amendments

STATE OF NEW JERSEY

DATED: JULY 14, 2016

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 317.

As amended and reported, this bill requires the Secretary of Agriculture, in consultation with the Commissioner of Environmental Protection, to develop and implement an aquaculture permitting review program (program) to provide for the coordinated review of any aquaculture project. The program is to provide for a coordinated permit application for any permit, approval, or authorization required for an aquaculture project. The program is to consolidate the review process for the coordinated permit application. The coordinated permit application is to include any permit, approval, or other authorization required for an aquaculture project and include, as applicable, a permit, license, approval, or authorization required pursuant to the "New Jersey Aquaculture Development Act," R.S.12:3-1 et seq. (concerning riparian grants and leases), R.S.12:5-1 et seq. (concerning waterfront development), the "Pesticide Control Act of 1971," "The Wetlands Act of 1970," the "Freshwater Wetlands Protection Act," the "Coastal Area Facility Review Act," the "Water Supply Management Act," the "Water Pollution Control Act," "The Realty Improvement Sewerage and Facilities Act (1954)," the "Water Quality Planning Act," the "Safe Drinking Water Act," or the "Flood Hazard Area Control Act," and any rules or regulations adopted pursuant to these statutes.

The committee amended the bill to provide that the bill does not authorize a change in environmental or regulatory policy, standards, or requirements of the statutes subject to the program, nor is the program to reduce or diminish any opportunities for public review and comment or public hearings currently required by those statutes, any rules or regulations adopted pursuant thereto, or any programs established pursuant thereto. The amendments also provide that the permit application is to be a coordinated permit rather than a joint permit.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 317

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 26, 2016

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 317 (1R), with committee amendments.

As amended, this bill requires the Secretary of Agriculture, in consultation with the Commissioner of Environmental Protection, to develop and implement an aquaculture permitting review program to provide for the coordinated review of any aquaculture project.

Under the bill, the program is to provide for a coordinated permit application for any permit, approval, or authorization required for an aquaculture project. The program is to consolidate the review process for the coordinated permit application. The coordinated permit application is to include any permit, approval, or other authorization required for an aquaculture project and include, as applicable, a permit, license, approval, or authorization required pursuant to the “New Jersey Aquaculture Development Act,” R.S.12:3-1 et seq. (concerning riparian grants and leases), R.S.12:5-1 et seq. (concerning waterfront development), the “Pesticide Control Act of 1971,” “The Wetlands Act of 1970,” the “Freshwater Wetlands Protection Act,” the “Coastal Area Facility Review Act,” the “Water Supply Management Act,” the “Water Pollution Control Act,” “The Realty Improvement Sewerage and Facilities Act (1954),” the “Water Quality Planning Act,” the “Safe Drinking Water Act,” or the “Flood Hazard Area Control Act,” and any rules or regulations adopted pursuant to these statutes.

The bill specifies that its provisions are not intended to authorize a change in environmental or regulatory policy, standards, or requirements of the statutes subject to the program. Additionally, the program is not to reduce or diminish any opportunities for public review and comment or public hearings currently required by those statutes subject to the program, any rules or regulations adopted pursuant thereto, or any programs established pursuant thereto.

The bill directs the Department of Agriculture and the Department of Environmental Protection to adopt, within 180 days after the date of the bill’s enactment, rules and regulations to implement the program.

The bill takes effect 180 days after the date of enactment, but provides for the departments to take preliminary action after the date of enactment to adopt rules and regulations necessary to develop and implement the program.

As amended and reported, this bill is identical to Assembly Bill No. 794, as also amended and reported by the committee.

COMMITTEE AMENDMENTS:

The amendments modify the effective date of the bill to provide for the adoption of rules and regulations after the date the bill is enacted but prior to the date the bill's requirements for the development and implementation of the program are effective.

FISCAL IMPACT:

The Office of Legislative Services (OLS) expects the bill may have a minimal recurring effect on Department of Agriculture and Department of Environmental Protection administrative costs related to the development and administration of the aquaculture permitting review program.

The OLS notes the departments will experience a one-time workload increase from developing the coordinated permit application process. However, the additional workload may or may not cause a minimal one-time expenditure increase, depending on the departments' resource allocation policies.

In addition, the ongoing operation of the coordinated permit application process may affect the departments' recurring administrative costs. While it is possible the streamlining of the application process may reduce recurring administrative costs, the OLS cannot anticipate with any certainty the operational responses of the departments to any application process revisions.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 317

STATE OF NEW JERSEY 217th LEGISLATURE

DATED: OCTOBER 7, 2016

SUMMARY

- Synopsis:** Requires Dept. of Agriculture and DEP to adopt coordinated permit application and review program for aquaculture projects.
- Type of Impact:** Potential recurring expenditure impact on State General Fund.
- Agencies Affected:** Department of Agriculture and Department of Environmental Protection.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Potential State Cost Impact	Minimal – See comments below		

- The Office of Legislative Services (OLS) determines that this bill may have a minimal recurring effect on Department of Agriculture and Department of Environmental Protection administrative costs related to the development and administration of a coordinated aquaculture permitting review program.
- The OLS determines that there may be a one-time State cost increase from developing the coordinated permit application process; however, streamlining the application process may reduce recurring administrative costs.

BILL DESCRIPTION

Senate Bill No. 317 (2R) of 2016 would require the Secretary of Agriculture, in consultation with the Commissioner of Environmental Protection, to develop and implement an aquaculture permitting review program to provide for the coordinated review of any aquaculture project. The permitting review program would provide for a coordinated permit application for any permit, approval, or authorization required for an aquaculture project. The program would consolidate the review process for the coordinated permit application.

The coordinated permit application would include any permit, approval, or other authorization required for an aquaculture project, including, but not limited to, as applicable, a permit, license, approval, or authorization required pursuant to section 17 of P.L.1997, c.236

(C.4:27-17) (concerning aquacultural organisms), R.S.12:3-1 et seq. (concerning riparian lands), R.S.12:5-1 et seq. (the waterfront development law), the "Pesticide Control Act of 1971," "The Wetlands Act of 1970," the "Freshwater Wetlands Protection Act," the "Coastal Area Facility Review Act," the "Water Supply Management Act," the "Water Pollution Control Act," "The Realty Improvement Sewerage and Facilities Act (1954)," the "Water Quality Planning Act," the "Safe Drinking Water Act," or the "Flood Hazard Area Control Act," and any rules or regulations adopted pursuant thereto.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that this bill may have a minimal recurring effect on Department of Agriculture and Department of Environmental Protection administrative costs related to the development and administration of a coordinated aquaculture permitting review program.

The departments will experience a one-time workload increase from developing the coordinated permit application process. Depending on the departments' resource allocation policies, however, the additional workload may or may not cause a minimal one-time expenditure increase.

In addition, the ongoing operation of the coordinated permit application process may affect the departments' recurring administrative costs. Although it is conceivable that the streamlining of the application process may reduce recurring administrative costs, the OLS cannot anticipate the operational responses of the departments to any application process revisions.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Neha Mehta
Assistant Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Chris Christie Signs Legislation Enhancing Protections For Domestic Violence Survivors

Monday, January 9, 2017 Tags: [Bill Action](#)



Trenton, NJ - Governor Chris Christie today signed legislation to enhance protections for survivors of domestic violence.

This new law will deter domestic violence, partly by increasing criminal penalties for offences including maximums for repeat offenders, as urged in Governor Christie's conditional vetoes of earlier versions of this legislation.

"This new law will help prevent domestic violence in New Jersey by enhancing criminal penalties and ensuring immediate compliance with stronger protective orders," Governor Christie said. "Survivors of domestic violence will be safer than ever before. I am proud we came together to enact this model legislation that is much more than just symbolic and is real reform that fulfills our primary responsibility of improving public safety in New Jersey."

This new law reinforces existing laws by creating a more in-depth process to ensure domestic violence offenders' firearms, identification cards and permits are confiscated as required while they are subject to restraining orders. It forces offenders to immediately upon sentencing – rather than after several days – arrange for the surrender of their firearms, identification cards and permits to a law enforcement officer. It also requires an order for a temporary or final restraining order to include notice to the defendant of the penalties for a violation of any provision of the order, including but not limited to the penalties for contempt of court and unlawful possession of a firearm or other weapon.

In addition to signing S-2483/A-4126 (Weinberg, Beck/Mosquera, Greenwald, Downey, Houghtaling, Munoz, Sumter, Benson, Lampitt, Wimberly) into law, the Governor also took action today on the following legislation:

BILL SIGNINGS:

S-909/A-2688 (Rice/Spencer, Pintor Marin) - Exempts person who remediates property in environmental opportunity zone from remediation funding source requirement

S-976/A-2332 (Gordon, Beck/Benson, Downey, Eustace) - Requires Public Health Council to promulgate rules and regulations for use of quality control programs in bio-analytical and clinical laboratories

S-981/A-2375 (Smith, Bateman, Greenstein/McKeon, Gusciora, Spencer) - Revises "Electronic Waste Management Act"

S-1489/A-1465 (Cruz-Perez, Cunningham/Lampitt, Mosquera, Wimberly, Downey, McKnight) - Ensures equal rights and opportunities for pregnant students in institutions of higher education

S-2098/A-3549 (Sacco, Pennacchio/Johnson, Zwicker, Wisniewski, Benson) - Exempts hydrogen fuel cell-powered vehicles from certain labeling requirements

S-2463/A-3892 (Vitale, Rice, Allen/Vainieri Huttie, Lampitt, Mukherji) - Changes the time when child placement review hearings are initiated from 45 days to 60 days

S-2526/A-4105 (Diegnan, Thompson/Dancer, DeCroce, Clifton, Pinkin, Mukherji) - Designates portion of Interstate Highway Route 195 in Upper Freehold Township as "State Trooper Anthony A. Raspa Memorial Highway"

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More Information

- [SENATE BILL NO. 790](#)
- [ASSEMBLY BILL NO. 312](#)

S-2601/A-4207 (Pou, Beck/Vainieri Huttie, Holley, Downey, Mukherji, Muoio, Jasey) - Modifies scope of "Sexual Assault Survivor Protection Act of 2015" and enforcement of protective orders under that act

S-2708/A-4064 (Codey/Jasey, McKeon, Mukherji) - Authorizes State Treasurer to convey surplus real property known as Millburn Regional Day School in Millburn Township, Essex County, to Millburn Township Board of Education or to Millburn Township for \$3,550,000

SJR-29/AJR-58 (Weinberg/Vainieri Huttie, Jasey, Jones, McKnight, Phoebus, Wimberly) - Designates one night in November of each year as a "Night of Conversation" about drug and alcohol addiction

A-793/S-316 (Andrzejczak, Land, Taliaferro/Van Drew, Connors) - Requires Dept. of Agriculture and DEP to work with US Army Corps of Engineers to establish joint permit application process for aquaculture projects

A-794/S-317 (Andrzejczak, Land, Taliaferro, Van Drew, Connors) - Requires Dept. of Agriculture and DEP to adopt coordinated permit application and review program for aquaculture projects

A-1424/S-1050 (Johnson, Wimberly, Sumter/Weinberg, Stack) - Authorizes Victims of Crime Compensation Office to make payment for relocation expenses of certain witnesses of crimes

A-2106/S-2351 (Mukherji, Chaparro, Holley, Jimenez, Pintor Marin, Sumter, Wimberly/Ruiz, Madden) - Permits homeless to receive certified copy of birth certificate without fee

A-2107/S-2350 (Mukherji, Holley, Gusciora, Pintor Marin, Wimberly/Ruiz, Madden) - Exempts homeless from fee for non-driver identification cards

A-2158/S-2241 (Coughlin, Wolfe, Holley, McKnight/Diegnan) - Authorizes use of emergency reserve fund or proceeds from bonds issued by EDA to finance school security improvements

A-2763/S-1933 (Mazzeo, Mosquera, Mukherji, Andrzejczak, Land, Houghtaling/Sweeney, Stack) - Enters NJ in Interstate Wildlife Violator Compact

A-3534/S-2086 (A.M. Bucco, Singleton, Webber, Benson, Moriarty/A.R. Bucco, Van Drew) - Permits authorities and local units operating water supply or sewerage facilities to waive, reduce, or defer sewerage and water service fees for deployed military personnel

BILLS VETOED:

S-790/A-3256 (Sarlo, O'Toole/Lagana, Benson, Sumter) – CONDITIONAL - Requires Police Training Commission to develop accelerated training course for certain county corrections officers

A-312/S-2557 (Singleton, Lampitt, Quijano, Pintor Marin, Wimberly, Downey/Cruz-Perez, Stack) – CONDITIONAL - Requires Division of Local Government Services to include certain property tax information on division's web page

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