58:11A-12

LEGISLATIVE HISTORY CHECKLIST

NJSA: 58:11A-12 (Aquifer recharge area--map)

LAWS OF: 1988 **CHAPTER:** 41

Bill No: A1340

Sponsor(s): Ogden

Date Introduced: Pre-filed

Committee: **Assembly:** Environmental Quality; Appropriations

Senate: Revenue, Finance & Appropriations

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: **Assembly:** May 14, 1988

Senate: April 18, 1988

Date of Approval: June 22, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: **Assembly:** Yes 2-1-88 & 3-7-88

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

Reports mentioned in statements-not available as of 6-15-89.

For futher information contact N.J. Geological Survey, Gail Carter, 292-1185.

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6-22-88

[SECOND REPRINT]

ASSEMBLY, No. 1340

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblywoman OGDEN

AN ACT concerning the mapping of aquifer recharge areas, supplementing Title 58 of the Revised Statutes, and making an appropriation.

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

1. As used in this act, "aquifer recharge area" means an area which 2[transmits water to an aquifer under the influence of vertical head differentials and may extend to the ground surface in various locations; sometimes is] may be2 composed of sand or gravel, 2[or may occur where there is] may be located at points of2 substantial fracturing in 2[other geologic] geological2 formations2[;] , may extend to the ground surface in certain locations, and which transmits water to an aquifer under the influence of vertical head differentials2 and refills or "recharges" primarily by infiltration of precipitation through the ground surface.

2. The Department of Environmental Protection, within two years of the effective date of this act, shall prepare and publish a methodology which shall allow the user to define, rank and map aquifer recharge areas. In conjunction with this methodology, the department shall prepare and publish model land use regulations or best management practices designed to encourage ecologically sound development in aquifier recharge areas and to restrict therein those activities known to cause groundwater contamination.

3. The Department of Environmental Protection, within four years of the effective date of this act, shall prepare and publish a map of the aquifer recharge areas in the State, using, to the greatest extent possible, the revised State geologic map (scale 1:100,000), and any local and regional mapping efforts already completed or underway which the department shall verify. Periodically thereafter, as appropriate, the department shall update these maps.

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:
1 Assembly AAP committee amendments adopted March 7, 1988.
2 Senate SRF committee amendments adopted March 28, 1988.

4. The map of aquifer recharge areas prepared pursuant to section 3 of this act and the suggested land use regulations prepared pursuant to section 2 of this act are to be used solely at the discretion of a municipality; and are to be considered guidance as to how orderly development may proceed in conjunction with the sound protection and management of groundwater quality.

5. The department [2]shall adopt[2], pursuant to the "Administrative Procedure Act," P.L. 1968, c. 140 (C. 52:14B-1 et seq.) [2][shall adopt], any[2] rules and regulations necessary to implement the provisions of this act.

6. There is appropriated [2][to the department,][2] from the General Fund [2][, the sum of] to the Department of Environmental Protection[2] [1][$1,000,000.00] [2][$400,000.00[1]] $1,000,000.00[2] to implement the provisions of this act.

7. This act shall take effect immediately.

ENVIRONMENT
Flood and Drought Control

Requires DEP to develop methodology to guide defining and ranking of aquifer recharge areas; appropriates $1,000,000.

ASSEMBLY, No. 1340

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblywoman OGDEN

AN ACT concerning the mapping of aquifer recharge areas, supplementing Title 58 of the Revised Statutes, and making an appropriation.

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

1. As used in this act, "aquifer recharge area" means an area which transmits water to an aquifer under the influence of vertical head differentials and may extend to the ground surface in various locations; sometimes is composed of sand or gravel, or may occur where there is substantial fracturing in other geologic formations; and refills or "recharges" primarily by infiltration of precipitation through the ground surface.

2. The Department of Environmental Protection, within two years of the effective date of this act, shall prepare and publish a methodology which shall allow the user to define, rank and map aquifer recharge areas. In conjunction with this methodology, the department shall prepare and publish model land use regulations or best management practices designed to encourage ecologically sound development in aquifier recharge areas and to restrict therein those activities known to cause groundwater contamination.

3. The Department of Environmental Protection, within four years of the effective date of this act, shall prepare and publish a map of the aquifer recharge areas in the State, using, to the greatest extent possible, the revised State geologic map (scale 1:100,000), and any local and regional mapping efforts already completed or underway which the department shall verify. Periodically thereafter, as appropriate, the department shall update these maps.

4. The map of aquifer recharge areas prepared pursuant to section 3 of this act and the suggested land use regulations prepared pursuant to section 2 of this act are to be used solely

at the discretion of a municipality; and are to be considered guidance as to how orderly development may proceed in conjunction with the sound protection and management of groundwater quality.

5. The department, pursuant to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.) shall adopt rules and regulations necessary to implement the provisions of this act.

6. There is appropriated to the department, from the General Fund, the sum of $1,000,000.00 to implement the provisions of this act.

7. This act shall take effect immediately.

STATEMENT

This bill requires the Department of Environmental Protection to prepare a methodology to define, rank, and map aquifer recharge areas. The department is also required to prepare model land use regulations to manage these areas. Within four years of the effective date of this bill, the department is required to prepare a map of aquifer recharge areas in the State.

ENVIRONMENT
Flood and Drought Control

Requires DEP to develop methodology to guide defining and ranking of aquifer recharge areas.

ASSEMBLY ENVIRONMENTAL QUALITY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1340

STATE OF NEW JERSEY

DATED: FEBRUARY 1, 1988

Assembly Bill No. 1340 is reported favorably by the committee.

The bill requires the Department of Environmental Protection (DEP) to prepare and publish a methodology allowing a user to define, rank and map aquifer recharge areas; and develop model land use regulations and best management practices that encourage ecologically sound development in aquifer recharge areas while restricting activities known to cause groundwater contamination.

Section 3 requires DEP to prepare and publish a map of aquifer recharge areas within four years of the effective date of the bill.

Section 4 provides that the State map and "suggested land use regulations" are for the discretionary use of affected municipalities.

An appropriation of $1,000,000 is provided for implementation of the provisions of the bill.

The bill was pre-filed for introduction in the 1988 session. As reported the bill includes the changes required by technical review which has been performed.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1340

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 7, 1988

The Assembly Appropriations Committee favorably reports Assembly Bill No. 1340 with committee amendments.

Assembly Bill No. 1340, as amended, appropriates $400,000.00 to the Department of Environmental Protection to prepare and publish, within two years, a methodology which can be used to define, rank and map aquifer recharge areas. The department is also directed to develop, within two years, model land use regulations and best management practices to encourage ecologically sound development in aquifer recharge areas while restricting activities known to cause groundwater contamination. The department is further directed to prepare and publish, within four years, a map of the aquifer recharge areas in the State.

The bill also provides that the map of aquifer recharge areas and the model regulations are for the discretionary use of affected municipalities and are to be used as guidance.

FISCAL IMPACT

This bill, as amended, appropriates $400,000.00 from the General Fund to the Department of Environmental Protection to implement the provisions of the bill.

COMMITTEE AMENDMENTS:

The amendment reduces the appropriation from $1,000,000.00 to $400,000.00 after the department indicated that the amount of the appropriation would have been sufficient for a few years of operation.

SENATE REVENUE, FINANCE AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1340

with Senate Committee amendments

STATE OF NEW JERSEY

DATED: MARCH 28, 1988

The Senate Revenue, Finance and Appropriations Committee reported Assembly Bill No. 1340 (1R) favorably, with committee amendments.

Assembly Bill No. 1340(1R), as amended, appropriates $1,000,000 to the Department of Environmental Protection for the mapping of aquifer areas. Specifically, the department is to prepare and publish, within two years, a methodology for the definition, ranking, and mapping of the aquifer recharge areas in the State, and to publish a map of all the aquifer recharge areas in the State within four years. This bill would also require the department to prepare and publish model land use regulations designed to encourage ecologically sound development in aquifer recharge areas.

COMMITTEE AMENDMENTS

The committee amendments increase the appropriation from $400,000 to $1,000,000 to reflect the cost of the mapping project. In addition, the amendments make the bill identical to Senate Bill No. 140(1R) which this committee released March 21, 1988.

FISCAL IMPACT

This bill, as amended, appropriates $1,000,000 from the General Fund to the Department of Environmental Protection for the mapping of aquifer areas in the State. The department estimates that the mapping will take four years and that the $1,000,000 is sufficient to cover the project costs.

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OFFICE OF THE GOVERNOR
NEWS RELEASE

CN-001
Contact: JOHN SAMERJAN
609-292-8956 OR 292-6000 EXT. 207

TRENTON, N.J. 08625
Release: THURS., JUNE 23, 1988

Governor Thomas H. Kean yesterday signed the following legislation:

S-2191, sponsored by Senator John F. Russo, D-Ocean, appropriates $1,330,000 in federal funds to the Department of Environmental Protection as a result of the reauthorization of the federal Clean Water Act.

The legislation is effective immediately.

A-1340, sponsored by Assemblywoman Maureen Ogden, R-Essex, Assemblyman Joseph Kyrillos, R-Monmouth and Senator John F. Russo, D-Ocean, requires the Department of Environmental Protection to develop a methodology for defining and mapping aquifer recharge areas. The DEP will publish model land use regulations to encourage local governments to purse ecologically sound development in aquifer recharge areas.

The legislation is effective immediately.

S-2452, sponsored by Senator James Hurley, R-Cumberland, validates certain school bond authorization proceedings in the Township of Upper in Cape May County.

The legislation is effective immediately.

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