

58:1A-1

LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

(Water supply--critical areas)

NJSA: 58:1A-1

LAWS OF: 1993 **CHAPTER:** 202

BILL NO: A2250

SPONSOR(S) Shinn

DATE INTRODUCED: February 8, 1993

COMMITTEE: **ASSEMBLY:** Environment

SENATE: ---

AMENDED DURING PASSAGE: Yes Amendments during passage
Third reprint enacted denoted by superscript numbers

DATE OF PASSAGE: **ASSEMBLY:** May 20, 1993

SENATE: June 17, 1993

DATE OF APPROVAL: July 24, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clippings--attached.

Report mentioned in statements not available as of 10-15-93.

KBG:pp

[THIRD REPRINT]
ASSEMBLY, No. 2250

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1993

By Assemblymen SHINN, Bryant and Roberts

1 AN ACT concerning water supply management, and amending and
2 supplementing P.L.1981, c.262.

3

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

6 1. Section 6 of P.L.1981, c.262 (C.58:1A-6) is amended to read
7 as follows:

8 6. a. The department in developing the permit system
9 established by ¹[this act] P.L.1981, c.262 (C.58:1A-1 et seq.)¹
10 shall:

11 (1) Permit privileges previously allowed pursuant to lawful
12 legislative or administrative action, except that the department
13 may, after notice and public hearing, limit the exercise of these
14 privileges to the extent currently exercised, subject to contract,
15 or reasonably required for a demonstrated future need. All
16 diversion permits issued by the Water Policy and Supply Council
17 prior to [the effective date of this act] August 13, 1981 shall
18 remain in effect until modified by the department pursuant to
19 ¹[this act] P.L.1981, c.262 (C.58:1A-1 et seq.)¹. Persons having or
20 claiming a right to divert more than 100,000 gallons of water per
21 day pursuant to prior legislative or administrative action,
22 including persons previously exempted from the requirement to
23 obtain a permit, shall renew that right by applying for a diversion
24 permit, or water usage certification, as the case may be, [within
25 180 days of the effective date of this act] no later than February
26 9, 1982. Thereafter, the conditions of the new diversion permit or
27 water usage certification shall be deemed conclusive evidence of
28 such previously allowed privileges.

29 (2) Require any person diverting 100,000 or more gallons of
30 water per day for agricultural or horticultural purposes to obtain
31 approval of the appropriate county agricultural agent of a [5]
32 five-year water usage certification program. This approval shall
33 be based on standards and procedures established by the
34 department. This program shall include the right to construct,
35 repair or reconstruct dams or other structures, the right to divert
36 water for irrigation, frost protection, harvesting and other
37 agriculturally-related purposes, and the right to measure the
38 amount of water diverted by means of a log or other appropriate
39 record, and shall be obtained in lieu of any permit which would
40 otherwise be required by ¹[this act] P.L.1981, c.262 (C.58:1A-1 et
41 seq.)¹.

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 AEN committee amendments adopted March 22, 1993.

² Assembly floor amendments adopted March 29, 1993.

³ Assembly floor amendments adopted May 13, 1993.

1 (3) Require any person diverting more than 100,000 gallons per
2 day of any waters of the State or proposing to construct any
3 building or structure which may require a diversion of water to
4 obtain a diversion permit. Prior to issuing a diversion permit, the
5 department shall afford the general public with reasonable notice
6 of a permit application, and with the opportunity to be heard
7 thereon at a public hearing held by the department.

8 b. In exercising the water supply management and planning
9 functions authorized by ¹P.L.1981, c.262 (C.58:1A-1 et seq.)¹,
10 particularly in a region of the State where excessive water usage
11 or diversion present undue stress, or wherein conditions pose a
12 significant threat to the long-term integrity of a water supply
13 source, ¹including a diminution of surface water supply due to
14 excess groundwater diversion,¹ the commissioner shall, after
15 notice and public hearing ¹as provided by and required pursuant
16 to the "Administrative Procedure Act," P.L.1968, c.410
17 (C.52:14B-1 et seq.)¹ , designate that region as an area of critical
18 water supply concern.

19 In designating an area of critical water supply concern, the
20 department shall be required to demonstrate that the specific
21 area is stressed to a degree which jeopardizes the integrity and
22 viability of the water supply source or poses a threat to the
23 public health, safety, or welfare. This designation shall conform
24 to and satisfy the criteria of an area of critical water supply
25 concern as defined in rules and regulations adopted by the
26 department pursuant to the "Administrative Procedure Act,"
27 P.L.1968, c.410 (C.52:14B-1 et seq.).

28 Those specific areas previously designated by the department
29 as ¹[areas of critical water supply concern] water supply critical
30 and margin areas, considered as Depleted or Threatened Zones,
31 respectively,¹ prior to the effective date of P.L. , c. (pending
32 in the Legislature as this bill) shall be considered to be areas of
33 critical water supply concern ¹for the purposes of P.L.1981, c.262
34 (C.58:1A-1 et seq.) or P.L. , c. (C.)(pending in the
35 Legislature as this bill)¹.

36 c. In designated areas of critical water supply concern, the
37 department, in consultation with affected ¹[water purveyors]
38 permittees¹ and local governing bodies and after notice and
39 public hearing, shall:

- 40 (1) study water supply availability;
- 41 (2) estimate future water supply needs;
- 42 (3) identify appropriate and reasonable alternative water
43 supply management strategies;
- 44 (4) select ¹[preferred] and adopt appropriate¹ water supply
45 alternatives; and
- 46 (5) require affected permittees to prepare water supply plans
47 consistent with the adopted water supply management
48 alternatives.

49 d. Following implementation of the adopted water supply
50 management alternatives, the department shall monitor water
51 levels and water quality within the designated area of critical
52 water supply concern to determine the effectiveness of the
53 alternative water supply management strategies selected. If the
54 department determines that the alternatives selected are not

1 effective in protecting the water supply source of concern, the
2 department may revise the designation and impose further
3 restrictions in accordance with the procedures set forth in this
4 section. The results of all monitoring conducted ¹[by the
5 department]¹ pursuant to this section shall be reported to all
6 affected ¹[water purveyors] permittees¹ on an annual basis.

7 e. ²¹Where a viable alternative source of water supply exists,
8 the department shall prohibit the use of the Kirkwood-Cohansey
9 aquifer as a water supply source, and shall not approve any
10 ground water withdrawals therefrom, unless it can be
11 demonstrated that the use or withdrawals will not result in any
12 adverse ecological impact on the pinelands area.

13 f. ¹² Nothing in ¹[this act] P.L.1981, c.262 (C.58:1A-1 et seq.)
14 or P.L. , c. (C.)(pending in the Legislature as this bill)¹
15 shall prevent the department from including, or require the
16 department to include, the presently ¹[nonutilized] non-utilized¹
17 existing privileges in [the] any new, modified or [any] future
18 diversion [permits] permit issued to the present [possessors]
19 holder of these privileges, except as otherwise expressly provided
20 in subsection [a.] b. of [this] section 7 of P.L.1981, c.262
21 (C.58:1A-7).

22 (cf: P.L.1981, c.277, s.3)

23 2. Section 7 of P.L.1981, c.262 (C.58:1A-7) is amended to read
24 as follows:

25 7. a. [Except as provided by section 6 of this act, no] No
26 person may divert more than 100,000 gallons per day of any
27 waters of the State or construct any building or structure which
28 may require a diversion of water unless he obtains a diversion
29 permit or water usage certification, as appropriate, pursuant to
30 section 6 of P.L.1981, c.262 (C.58:1A-6). [Prior to issuing these
31 permits, the department shall afford the general public with
32 reasonable notice of permit applications, and with the
33 opportunity to be heard thereon at a public hearing held by the
34 department.]

35 b. Every diversion permit issued [pursuant to this section and
36 every] or water usage certification approved pursuant to section
37 6 of [this act] P.L.1981, c.262 (C.58:1A-6) shall be renewed by
38 the department upon the expiration thereof, with any conditions
39 deemed appropriate by the department, for the same quantity of
40 water, except that the department may, after notice and public
41 hearing, limit that quantity to the amount currently diverted,
42 subject to contract, or reasonably required for a demonstrated
43 future need. In designated areas of critical water supply concern,
44 the department may, after notice and public hearing, modify the
45 conditions of an existing diversion permit or water usage
46 certification in order to (1) limit or reduce the quantity of water
47 which lawfully may be diverted to ²[less than the amount
48 currently diverted] the safe or dependable yield of the resource²;
49 (2) transfer ²[points] the point² of diversion; or (3) require a
50 permittee to utilize alternate sources of water², upon a
51 determination that the existing diversion or continued use of the
52 same source in excess of the safe and dependable yield, as the
53 case may be, adversely impacts or threatens to adversely impact
54 the water resources of the State².

55 (cf: P.L.1981, c.262, s.7)

1 3. (New section) Notwithstanding the provisions of P.L.1981,
 2 c.262 (C.58:1A-1 et seq.) or any other law, rule or regulation to
 3 the contrary, for a period not to exceed 10 years following the
 4 effective date of ¹[this act] P.L. , c. (C.)[pending in the
 5 Legislature as this bill]¹, the authority of the department to
 6 modify the conditions of an existing diversion permit issued or
 7 water usage certification approved pursuant to section 6 of
 8 P.L.1981, c.262 (C.58:1A-6) within the area designated and
 9 established by the department as Water Supply Critical Area II
 10 shall be limited as hereinafter provided:

11 a. No existing diversion permit or water usage certification
 12 shall be reduced to an amount less than that ¹withdrawn from the
 13 Depleted and Threatened Zone in 1991 or that¹ specified through
 14 application of the formulas set forth as follows ¹, whichever is
 15 less¹:

16
 17 (1) Depleted Zone base allocations:

18
 19 $DZ = (0.65 \times D83) + (Dmax - D83)$ where:

20
 21 $DZ =$ Depleted Zone base allocation ¹issued to a person and
 22 expressed¹ in million gallons per year (MGY);

23 $D83 =$ ¹A person's total¹ Annual Potomac-Raritan-Magothy
 24 aquifer system (PRM) withdrawal from the Depleted Zone in
 25 MGY¹ in 1983¹; and

26 $Dmax =$ ¹A person's total¹ Annual PRM withdrawal from the
 27 Depleted Zone in any year between 1983 and 1991 in MGY.

28 The calculation of the Depleted Zone base allocation shall be
 29 based on the selection of one year for each affected permittee.

30
 31 (2) Threatened Zone base allocations:

32
 33 The Threatened Zone base allocation shall be equal to the
 34 ³maximum³ annual withdrawal from the Threatened Zone in any
 35 year between 1983 and 1991 in MGY.

36
 37 In the case of those permittees with diversion permits for
 38 Depleted Zone and Threatened Zone withdrawals, the same year
 39 shall be used to calculate Depleted Zone allocations and
 40 Threatened Zone allocations.

41 ²The allocation for continued withdrawals for those industrial
 42 users whose withdrawals in 1991 were less than that withdrawn in
 43 any year between 1983 and 1990 due to economic conditions shall
 44 be calculated based upon the Depleted Zone and Threatened Zone
 45 formulas set forth in paragraphs (1) and (2) of this subsection and
 46 shall not be limited to the amount withdrawn in 1991.²

47 In the calculation of revised PRM diversion permit withdrawal
 48 levels, the department shall consider the permittee's historic
 49 water use from the Depleted Zone and Threatened Zone.

50 ¹[In the case where a major water conservation effort
 51 undertaken by a permittee after January 1, 1978 has resulted in
 52 reductions in water use in excess of 22% of annual PRM
 53 withdrawal, and the documented water use reductions achieved
 54 by the conservation effort have been submitted to the

1 department, not less than 50% of the reductions achieved by that
2 conservation effort shall be credited toward the revised PRM
3 diversion permit withdrawal levels for that permittee.]

4 The allocation represented by one-half of the difference
5 between the total PRM allocation based upon the formula set
6 forth in this subsection and the total 1991 withdrawal shall be
7 designated as water allocation credits pursuant to section 5 of
8 P.L. , c. (C.)(pending in the Legislature as this bill).
9 These credits shall be available for transfer to areas designated
10 for growth within the Water Allocation Credit Receiving Area as
11 defined in subsection b. of this section.¹

12 b. Within the area designated and established by the
13 department as Water Supply Critical Area II, those areas: (1)
14 north of the Rancocas Creek from its confluence with the
15 Delaware River to the intersection of the southwest branch of
16 the Rancocas Creek with State Route 38; (2) north of State Route
17 38 to the start of County Route 530; and (3) north of County
18 Route 530 to the intersection of County Route 530 and State
19 Route 70 near the Burlington-Ocean county boundary, shall be
20 recognized as ¹[an Optimized Pumping Zone] a Water Allocation
21 Credit Receiving Area¹. The department shall not unreasonably
22 withhold approval for ¹[additional ground water withdrawals from
23 the PRM aquifer formation] the transfer of water allocation
24 credits for local use only¹ within this area unless it can be
25 demonstrated ¹[by the department]¹ that the withdrawals will
26 result in a significant adverse impact on the aquifer system.
27 ¹The department shall not unreasonably withhold approval of a
28 permit modification seeking an increase in allocation where the
29 permittee has obtained water allocation credits in an amount
30 equal to the requested increase in withdrawal.

31 ²The areas described in paragraphs (1), (2) and (3) of this
32 subsection shall be recognized as a Water Allocation Credit
33 Receiving Area because hydrogeologic studies have shown that
34 increased withdrawals from the PRM may be possible in this
35 portion of the aquifer system without adverse impacts.
36 Permittees within this area may receive water allocation credits
37 and water conservation credits.

38 Water conservation credits shall be granted to any permittee in
39 the Water Allocation Credit Receiving Area who can demonstrate
40 a net reduction in annual water use over the 13-year period from
41 1978 through 1991, inclusive. The water conservation credits shall
42 be equal to 50% of the difference between the maximum year
43 withdrawal during this period and 1991, where the reduction can
44 be documented as attributable to water conservation. The
45 department shall approve the diversion permit modification to
46 reflect the water conservation credits granted.²

47 ²[Municipalities] Permittees² that have established water
48 supply system interconnections in order to develop alternate
49 supplies pursuant to an administrative order issued by the
50 department prior to the effective date of P.L. , c.
51 (C.)(pending in the Legislature as this bill) shall have the
52 continuing right to transfer water through the interconnection if
53 the diversion permitted under subsection a. of this section
54 provides for the withdrawal that exceeds the needs of the users

1 of the suppliers' system exclusive of the interconnection.

2 The supplier of an interconnected system shall have the right
3 to obtain water allocation credits in an amount that would allow
4 transfer of additional volumes through the interconnection
5 provided that such additional volume does not exceed 50% of the
6 volume transferred through the interconnection in 1991.¹

7 c. As used in this section, the boundary of the designated
8 Water Supply Critical Area II corresponds to the average
9 potentiometric contour 30 feet below sea level for the
10 Potomac-Raritan-Magothy Aquifer as published in Water Levels
11 in Major Artesian Aquifers of the New Jersey Coastal Plain,
12 Water Resources Investigations Report 86-4028 of the United
13 ¹[State] States¹ Department of the Interior Geological Survey,
14 1983 ¹, and the surrounding margin area¹.

15 4. Section 8 of P.L.1981, c.262 (C.58:1A-8) is amended to read
16 as follows:

17 8. Every permit issued pursuant to ¹[this act] P.L.1981, c.262
18 (C.58:1A-1 et seq.) or P.L. , c. (C.)(pending in the
19 Legislature as this bill)¹ shall include provisions:

20 a. Fixing the term of the permit;

21 b. Fixing the maximum allowable diversion, expressed in terms
22 of a daily ¹[or] ¹ monthly ¹or annual¹ diversion;

23 c. Identifying and limiting the use or uses to which the water
24 may be put;

25 d. Requiring the diverter to meter the water being diverted
26 and report the amount and quality of the water being diverted;

27 e. Allowing the department to enter the diverter's facilities
28 or property to inspect and monitor the diversion;

29 f. Requiring that all water diverted for a nonconsumptive use
30 be returned to a reasonably proximate body of water designated
31 by the department;

32 g. Allowing the transfer of a permit with the consent of the
33 department, but only for the identical use of the waters by the
34 transferee;

35 h. Governing the operations and maintenance of the specific
36 facilities, equipment or premises not otherwise established in
37 regulations because of the unique nature of the facilities,
38 equipment or premises;

39 i. Permitting the department to modify, suspend or terminate
40 the permit, after notice and public hearing, for violations of its
41 conditions, ¹[this act] P.L.1981, c.262 (C.58:1A-1 et seq.),
42 P.L. , c. (C.)(pending in the Legislature as this bill)¹,
43 regulations adopted or orders issued by the department, and when
44 deemed necessary for the public interest;

45 j. Permitting the department to modify the conditions of a
46 diversion permit issued or water usage certification approved
47 pursuant to section 6 of P.L.1981, c.262 (C.58:1A-6) in a
48 designated area of critical water supply concern in order to (1)
49 limit or reduce the quantity of water which lawfully may be
50 diverted² to the safe or dependable yield of the resource²; (2)
51 transfer the point of diversion; or (3) require a permittee to
52 utilize alternate sources of water, upon a determination that the
53 existing diversion or continued use of the same source² in excess
54 of the safe or dependable yield², as the case may be, adversely

1 impacts or threatens to adversely impact the water resources of
 2 the State;

3 k. Allowing the transfer ¹[to] of¹ water allocation to a
 4 different point of diversion within a designated area of critical
 5 water supply concern with the approval of the department.

6 (cf: P.L.1981, c.262, s.8)

7 5. (New section) a. There is established in the department the
 8 Water ¹Allocation¹ Credit Transfer Program. The purpose of this
 9 program is to provide for the transfer of ¹[an existing] a¹
 10 privilege to divert water within an area of critical water supply
 11 concern, as designated by the commissioner pursuant to section 6
 12 of P.L.1981, c.262 (C.58:1A-6), ¹[to an area capable of increasing
 13 supply,]¹ without adversely impacting the aquifer.

14 b. Within 60 days of the effective date of P.L. , c.
 15 (pending in the Legislature as this bill), the department shall
 16 adopt, pursuant to the "Administrative Procedure Act," P.L.1968,
 17 c.410 (C.52:14B-1 et seq.), rules and regulations necessary to
 18 implement the provisions of this section. These rules and
 19 regulations shall include:

20 (1) A procedure for the review and approval or disapproval of
 21 the transfer of water ¹[diversion] allocation¹ credits; ¹[and]¹
 22 ²and²

23 (2) A provision that a well for which all ¹[privilege] privileges¹
 24 to divert ¹[has] have¹ been transferred shall be closed and capped
 25 to prevent the pumping of water from that well in the future²[;
 26 and

27 (3) A provision prohibiting the use of the Kirkwood-Cohansey
 28 aquifer for a receiving well under the Water Credit Transfer
 29 Program, unless it can be demonstrated that the use will not
 30 result in any adverse ecological impact on the pinelands area¹]².

31 c. The department shall provide for the expeditious review and
 32 approval of a plan submitted by a county which facilitates the
 33 transfer of water ¹[diversion] allocation¹ credits. This review and
 34 approval may occur prior to the adoption of the rules and
 35 regulations required pursuant to this section.

36 6. (New section) a. The governing body of a county wherein
 37 an area of critical water supply concern has been designated by
 38 the commissioner pursuant to section 6 of P.L.1981, c.262
 39 (C.58:1A-6) may establish a Water ¹Allocation¹ Credit Exchange
 40 to facilitate the transfer of water ¹[diversion] allocation¹ credits
 41 within the area of critical water supply concern.

42 (1) Any two or more adjacent or proximate counties located
 43 within any portion of a designated area of critical water supply
 44 concern may establish a Regional Water ¹Allocation¹ Credit
 45 Exchange to facilitate the transfer of water ¹[diversion]
 46 allocation¹ credits within the area of critical water supply
 47 concern on a cooperative basis.

48 (2) Any Water ¹Allocation¹ Credit Exchange established in a
 49 county, by resolution of its governing body, prior to the effective
 50 date of ¹[this act] P.L. , c. (C.)(pending in the Legislature
 51 as this bill)¹ shall be vested with the authority provided herein.

52 (3) Any Regional Water ¹Allocation¹ Credit Exchange
 53 established in two or more adjacent or proximate counties, by
 54 resolution of their respective governing bodies, prior to the

1 effective date of ¹[this act] P.L. , c. (C.)(pending in the
2 Legislature as this bill)¹ shall be vested with the authority
3 provided herein.

4 b. The owner of a sending well in a designated area of critical
5 water supply concern may transfer a water ¹[diversion]
6 allocation¹ credit to the owner of a receiving well requiring the
7 additional gallonage to meet the demand for water within its
8 service area. This transfer may occur through a direct "arms
9 length" transaction between the well owners, ¹or between a¹ well
10 owner and ¹a¹ local government unit, or through the auspices of a
11 county Water ¹Allocation¹ Credit Exchange established for this
12 purpose pursuant to the provisions of this section.

13 The transfer shall be subject to confirmation by the
14 department. The department shall issue a determination within
15 30 days of receipt of a request for confirmation and shall not
16 unreasonably withhold confirmation of the transfer unless it can
17 be demonstrated ¹[by the department]¹ that the transfer will
18 result in a significant adverse impact on the designated area of
19 critical water supply concern. Upon confirmation of the transfer,
20 the department shall modify the water allocation permits issued
21 for diversions from the sending and receiving wells to reflect the
22 ¹[diversion] water allocation credits¹ being transferred ¹, in
23 accordance with the provisions of section 6 of P.L.1981, c.262
24 (C.58:1A-6)¹.

25 c. The owner of a receiving well may increase the amount of
26 gallons of water per ¹[day] year¹ pumped from that well at a
27 level equaling the amount of the water ¹[diversion] allocation¹
28 credit.

29 7. (New section) The department shall prepare a report to the
30 Governor and the Legislature on the Water ¹Allocation¹ Credit
31 Transfer Program and make recommendations therein concerning
32 the implementation and effectiveness of the program. The report
33 shall be transmitted to the Governor, the President of the Senate
34 and the Speaker of the General Assembly no later than ¹[18] 24¹
35 months following the effective date of ¹[this act] P.L. , c.
36 (C.) (pending in the Legislature as this bill), and every 24
37 months thereafter¹.

38 8. Section 9 of P.L.1981, c.262 (C.58:1A-9) is amended to read
39 as follows:

40 9. The Board of [Public Utilities] Regulatory Commissioners
41 shall fix just and reasonable rates for any public water supply
42 system subject to its jurisdiction, as may be necessary for that
43 system to comply with an order issued by the department or the
44 terms and conditions of a permit issued pursuant to ¹[this act]
45 P.L.1981, c.262 (C.58:1A-1 et seq.) or P.L. , c. (C.)
46 (pending in the Legislature as this bill)¹.
47 (cf: P.L.1981, c.262, s.9)

48 ¹9. Section 15 of P.L.1981, c.262 (C.58:1A-15) is amended to
49 read as follows:

50 15. The department may:

51 a. Perform any and all acts and issue such orders as are
52 necessary to carry out the purposes and requirements of [this act]
53 P.L.1981, c.262 (C.58:1A-1 et seq.) or P.L. , c. (C.)
54 (pending in the Legislature as this bill);

- 1 b. Administer and enforce the provisions of [this act] P.L.1981,
2 c.262 (C.58:1A-1 et seq.) or P.L. , c. (C.)(pending in the
3 Legislature as this bill) and rules, regulations and orders
4 [promulgated] adopted, issued or effective [hereunder] thereunder;
- 5 c. Present proper identification and then enter upon any land
6 or water for the purpose of making any investigation,
7 examination or survey contemplated by [this act] P.L.1981, c.262
8 (C.58:1A-1 et seq.) or P.L. , c. (C.)(pending in the
9 Legislature as this bill);
- 10 d. Subpena and require the attendance of witnesses and the
11 production by them of books and papers pertinent to the
12 investigations and inquiries the department is authorized to make
13 under [this act] P.L.1981, c.262 (C.58:1A-1 et seq.) or P.L. ,
14 c. (C.)(pending in the Legislature as this bill), and examine
15 them and [such] those public records as shall be required in
16 relation thereto;
- 17 e. Order the interconnection of public water supply systems,
18 whether in public or private ownership, whenever the department
19 determines that the public interest requires that this
20 interconnection be made, and require the furnishing of water by
21 means of that system to another system, but no order shall be
22 issued before comments have been solicited at a public hearing,
23 notice of which has been published at least 30 days before the
24 hearing, in one newspaper circulating generally in the area served
25 by each involved public water supply system, called for the
26 purpose of soliciting comments on the proposed action.
- 27 f. Order any person diverting water to improve or repair its
28 water supply facilities so that water loss is eliminated so far as
29 practicable, safe yield is maintained and the drinking water
30 quality standards adopted pursuant to the "Safe Drinking Water
31 Act," P.L.1977, c.224 (C.58:12A-1 et seq.) are met;
- 32 g. Enter into agreements, contracts, or cooperative
33 arrangements under such terms and conditions as the department
34 deems appropriate with other states, other State agencies,
35 Federal agencies, municipalities, counties, educational
36 institutions, investor-owned water companies, municipal utilities
37 authorities, or other organizations or persons;
- 38 h. Receive financial and technical assistance from the Federal
39 Government and other public or private agencies;
- 40 i. Participate in related programs of the Federal Government,
41 other states, interstate agencies, or other public or private
42 agencies or organizations;
- 43 j. Establish adequate fiscal controls and accounting procedures
44 to assure proper disbursement of and accounting for funds
45 appropriated or otherwise provided for the purpose of carrying
46 out the provisions of [this act] P.L.1981, c.262 (C.58:1A-1 et seq.)
47 or P.L. , c. (C.)(pending in the Legislature as this bill);
- 48 k. Delegate those responsibilities and duties to personnel of
49 the department as deemed appropriate for the purpose of
50 administering the requirements of [this act] P.L.1981, c.262
51 (C.58:1A-1 et seq.) or P.L. , c. (C.)(pending in the
52 Legislature as this bill);
- 53 l. Combine permits issued pursuant to [this act] P.L.1981,
54 c.262 (C.58:1A-1 et seq.) or P.L. , c. (C.)(pending in the

1 Legislature as this bill) with permits issued pursuant to any other
 2 act whatsoever whenever that action would improve the
 3 administration of [both] those acts;

4 m. Evaluate and determine the adequacy of ground and surface
 5 water supplies and develop methods to protect aquifer recharge
 6 areas.¹

7 (cf: P.L.1981, c.262, s.15)

8 ¹10. (New section) No action taken by the department
 9 pursuant to the provisions of P.L.1981, c.262 (C.58:1A-1 et seq.)
 10 or P.L. , c. (C.) (pending in the Legislature as this bill)
 11 shall be inconsistent with the provisions of the "Pinelands
 12 Protection Act," P.L.1979, c.111 (C.13:18A-1 et seq.) or the
 13 comprehensive management plan for the pinelands area adopted
 14 pursuant to section 7 of P.L.1979, c.111 (C.13:18A-8).¹

15 ²11. Section 3 of P.L.1981, c.262 (C.58:1A-3) is amended to
 16 read as follows:

17 3. As used in [this act] the provisions of P.L.1981, c.262
 18 (C.58:1A-1 et seq.) and P.L. , c. (C.) (now before the
 19 Legislature as this bill):

20 a. "Commissioner" means the Commissioner of the
 21 Department of Environmental Protection or his designated
 22 representative;

23 b. "Consumptive use" means any use of water diverted from
 24 surface or ground waters other than a nonconsumptive use as
 25 defined in this act;

26 c. "Department" means the Department of Environmental
 27 Protection;

28 d. "Diversion" means the taking or impoundment of water
 29 from a river, stream, lake, pond, aquifer, well, other underground
 30 source, or other water body, whether or not the water is returned
 31 thereto, consumed, made to flow into another stream or basin, or
 32 discharged elsewhere;

33 e. "Nonconsumptive use" means the use of water diverted
 34 from surface or ground waters in such a manner that it is
 35 returned to the surface or ground water at or near the point from
 36 which it was taken without substantial diminution in quantity or
 37 substantial impairment of quality;

38 f. "Person" means any individual, corporation, company,
 39 partnership, firm, association, owner or operator of a water
 40 supply facility, political subdivision of the State and any state, or
 41 interstate agency or Federal agency;

42 g. "Waters" or "waters of the State" means all surface waters
 43 and ground waters in the State;

44 h. "Safe or dependable yield" or "safe yield" means that
 45 maintainable yield of water from a surface or ground water
 46 source or sources which is available continuously during projected
 47 future conditions, including a repetition of the most severe
 48 drought of record, without creating undesirable effects, as
 49 determined by the department.²

50 (cf: P.L.1981, c.262, s.3)

51 ¹[9.] ²[11.1] ^{12.2} This act shall take effect immediately.

52

53

54

55

Provides for designated areas of critical water supply concern.

1 (1) Any two or more adjacent or proximate counties located
2 within any portion of a designated area of critical water supply
3 concern may establish a Regional Water Credit Exchange to
4 facilitate the transfer of water diversion credits within the area
5 of critical water supply concern on a cooperative basis.

6 (2) Any Water Credit Exchange established in a county, by
7 resolution of its governing body, prior to the effective date of
8 this act shall be vested with the authority provided herein.

9 (3) Any Regional Water Credit Exchange established in two or
10 more adjacent or proximate counties, by resolution of their
11 respective governing bodies, prior to the effective date of this
12 act shall be vested with the authority provided herein.

13 b. The owner of a sending well in a designated area of critical
14 water supply concern may transfer a water diversion credit to the
15 owner of a receiving well requiring the additional gallonage to
16 meet the demand for water within its service area. This transfer
17 may occur through a direct "arms length" transaction between
18 the well owners, well owner and local government unit, or
19 through the auspices of a county Water Credit Exchange
20 established for this purpose pursuant to the provisions of this
21 section.

22 The transfer shall be subject to confirmation by the
23 department. The department shall issue a determination within
24 30 days of receipt of a request for confirmation and shall not
25 unreasonably withhold confirmation of the transfer unless it can
26 be demonstrated by the department that the transfer will result
27 in a significant adverse impact on the designated area of critical
28 water supply concern. Upon confirmation of the transfer, the
29 department shall modify the water allocation permits issued for
30 diversions from the sending and receiving wells to reflect the
31 diversion being transferred.

32 c. The owner of a receiving well may increase the amount of
33 gallons of water per day pumped from that well at a level
34 equaling the amount of the water diversion credit.

35 7. (New section) The department shall prepare a report to the
36 Governor and the Legislature on the Water Credit Transfer
37 Program and make recommendations therein concerning the
38 implementation and effectiveness of the program. The report
39 shall be transmitted to the Governor, the President of the Senate
40 and the Speaker of the General Assembly no later than 18 months
41 following the effective date of this act.

42 8. Section 9 of P.L.1981, c.262 (C.58:1A-9) is amended to read
43 as follows:

44 9. The Board of [Public Utilities] Regulatory Commissioners
45 shall fix just and reasonable rates for any public water supply
46 system subject to its jurisdiction, as may be necessary for that
47 system to comply with an order issued by the department or the
48 terms and conditions of a permit issued pursuant to this act.
49 (cf: P.L.1981, c.262, s.9)

50 9. This act shall take effect immediately.

51
52 STATEMENT

53
54 This bill revises the "Water Supply Management Act,"

1 P.L.1981, c.262 (C.58:1A-1 et seq.) to authorize the Department
2 of Environmental Protection (DEP) to designate certain regions
3 as areas of critical water supply concern and to accord statutory
4 recognition to certain "critical areas" previously identified by
5 the DEP as such areas.

6 Specifically, whenever the Commissioner of DEP determines
7 that excessive usage or diversion of water in a particular region
8 present undue stress, or wherein conditions significantly pose a
9 threat to the long-term integrity of a water supply source, the
10 Commissioner, after notice and public hearing, must designate
11 that region as an area of critical water supply concern.

12 Those specific areas previously designated by the DEP as
13 "critical areas" prior to the effective date of this bill would be
14 considered to be areas of critical water supply concern.

15 In designating an area of critical water supply concern, the
16 DEP must demonstrate that the specific area is stressed to a
17 degree which jeopardizes the integrity and viability of the water
18 supply or poses a threat to the public health, safety, or welfare.
19 The designation must conform to and satisfy the criteria of an
20 area of critical water supply concern as defined in rules and
21 regulations adopted by the department.

22 In designated areas of critical water supply concern, the DEP,
23 in consultation with affected water purveyors and local governing
24 bodies and following notice and public hearing, is required to: (1)
25 study water supply availability; (2) estimate future water supply
26 needs; (3) identify appropriate and reasonable alternative water
27 supply management strategies; (4) select preferred water supply
28 alternatives; and (5) require affected water supply diversion
29 permit holders to prepare water supply plans consistent with the
30 adopted water supply management alternatives.

31 Following implementation of the adopted water supply
32 management alternatives, the DEP would monitor water levels
33 and water quality within the designated area of critical water
34 supply concern to determine the effectiveness of the alternative
35 water supply management strategies selected.

36 If the DEP determines that the alternatives selected are not
37 effective in protecting the water supply source of concern, it
38 may revise the designation and impose further restrictions in
39 accordance with the aforementioned procedures. The results of
40 all monitoring conducted by the DEP must be reported to all
41 affected water purveyors on an annual basis.

42 The bill authorizes the DEP to modify the conditions of any
43 new or existing water usage certification approval or diversion
44 permit in a designated area of water supply concern in order to
45 (1) limit or reduce the quantity of water which lawfully may be
46 diverted; (2) transfer the point of diversion; or (3) require a
47 permittee to utilize alternate sources of water, following a
48 determination by the department that the continued use of the
49 same source or existing diversion adversely impacts or threatens
50 to adversely impact the water resources of the State.

51 The bill also provides that for a 10-year period following the
52 bill's effective date, the authority of the DEP to modify the
53 conditions of an existing diversion permit or water usage
54 certification within the critical area designated by the DEP

1 (pursuant to Administrative Order No. 2 issued on January 15,
2 1993) as Water Supply Critical Area II, would be limited by the
3 following requirements:

4 (1) No existing diversion permit or water usage certification
5 may be reduced to an amount less than that specified through
6 application of the formulas set forth in the bill; and

7 (2) Those areas: (a) north of the Rancocas Creek from its
8 confluence with the Delaware River to the intersection of the
9 southwest branch of the Rancocas Creek with State Route 38; (b)
10 north of State Route 38 to the start of County Route 530; and (c)
11 north of County Route 530 to the intersection of County Route
12 530 and State Route 70 near the Burlington-Ocean county
13 boundary, would be recognized as an Optimized Pumping Zone,
14 and the DEP may not unreasonably withhold approval for
15 additional ground water withdrawals from the
16 Potomac-Raritan-Magothy (PRM) aquifer formation within this
17 area unless it can be demonstrated by the DEP that the
18 withdrawals would result in a significant adverse impact on the
19 aquifer system.

20 Further, where a major water conservation effort undertaken
21 by a permittee after January 1, 1978 has resulted in reductions in
22 water use in excess of 22% of annual PRM withdrawal, and the
23 documented water use reductions achieved by the conservation
24 effort have been submitted to the DEP, not less than 50% of the
25 reductions achieved by that conservation effort must be credited
26 by the DEP toward the revised PRM diversion permit withdrawal
27 levels for that permittee.

28 The bill would establish a Water Transfer Credit Program in
29 the DEP. The purpose of this program is to provide for the
30 transfer of an existing privilege to divert water within an area of
31 critical water supply concern to an area capable of increasing
32 supply, without adversely impacting the aquifer.

33 Within 60 days of the bill's effective date, the DEP is required
34 to adopt rules and regulations necessary to implement the
35 program. These rules and regulations must include: (1) a
36 procedure for the review and approval or disapproval of the
37 transfer of water diversion credits; and (2) a provision that a well
38 for which all privilege to divert has been transferred must be
39 closed and capped to prevent the pumping of water from that
40 well in the future.

41 The DEP would provide for the expeditious review and approval
42 of a plan submitted by a county which facilitates the transfer of
43 water diversion credits. This review and approval may occur prior
44 to the adoption of the rules and regulations implementing the
45 program.

46 Any county wherein an area of critical water supply concern
47 has been designated may establish a Water Credit Exchange to
48 facilitate the transfer of water diversion credits within that
49 designated critical area. Any Water Credit Exchange established
50 in a county, by resolution of its governing body, prior to the bill's
51 effective date would be vested with the same authority as
52 provided in the bill.

53 Any two or more adjacent or proximate counties located within
54 any portion of a designated area of critical water supply concern

1 may establish a Regional Water Credit Exchange to facilitate the
2 transfer of water diversion credits within that designated critical
3 area on a cooperative, regional basis. Any Regional Water Credit
4 Exchange established by resolution of the respective governing
5 bodies of the affected counties prior to the bill's effective date
6 would be vested with the same authority as provided in the bill.

7 The owner of a sending well in a designated area of critical
8 water supply concern may transfer a water diversion credit to the
9 owner of a receiving well requiring the additional gallonage to
10 meet the demand for water within its service area. This transfer
11 may occur through a direct "arms length" transaction between
12 the well owners, well owner and local government unit, or
13 through the auspices of a county Water Credit Exchange
14 established for this purpose.

15 These transfers would be subject to confirmation by the DEP.
16 The department must issue a determination within 30 days of
17 receipt of a request for confirmation and cannot unreasonably
18 withhold confirmation of the transfer unless it can be
19 demonstrated by the DEP that the transfer will result in a
20 significant adverse impact on the designated area of critical
21 water supply concern. Upon confirmation of the transfer, the
22 DEP would modify the water allocation permits issued for
23 diversions from the sending and receiving wells to reflect the
24 diversion being transferred. The owner of a receiving well may
25 increase the amount of gallons of water per day pumped from
26 that well at a level equaling the amount of the water diversion
27 credit.

28 The bill requires the DEP to prepare a report to the Governor
29 and the Legislature on the Water Credit Transfer Program and
30 make recommendations on the program's implementation and
31 effectiveness. This report must be transmitted to the Governor,
32 the President of the Senate and the Speaker of the General
33 Assembly no later than 18 months following the bill's effective
34 date.

35

36

37

38

39 Provides for designated areas of critical water supply concern.

ASSEMBLY ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2250

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 11, 1993

The Assembly Environment Committee favorably reports Assembly Bill No. 2250 with committee amendments.

The bill, as amended, revises the "Water Supply Management Act," P.L.1981, c.262 (C.58:1A-1 et seq.) to authorize the Department of Environmental Protection (DEP) to designate certain regions as areas of critical water supply concern, to accord statutory recognition to certain "critical areas" previously identified by the DEP as areas of critical water supply concern, and to establish a Water Allocation Credit Transfer Program to provide for the transfer of privileges to divert water within an area of critical water supply concern when this transfer does not have an adverse impact on the water resource. Also, the bill, as amended, specifies that no action taken by the DEP pursuant to the "Water Supply Management Act" shall be inconsistent with the provisions of the "Pinelands Protection Act," P.L.1979, c.111 (C.13:18A-1 et seq.)

Specifically, whenever the Commissioner of DEP determines that excessive usage or diversion of water in a particular region presents undue stress, or wherein conditions significantly pose a threat to the long-term integrity of a water supply source, including a diminution of surface water supply due to excess groundwater diversion, the commissioner, after notice and public hearing, would designate that region as an area of critical water supply concern.

Those specific areas previously designated by the DEP as "critical areas" prior to the effective date of this bill would be considered to be areas of critical water supply concern.

In designating an area of critical water supply concern, the DEP must demonstrate that the specific area is stressed to a degree which jeopardizes the integrity and viability of the water supply or poses a threat to the public health, safety, or welfare. The designation must conform to and satisfy the criteria of an area of critical water supply concern as defined in rules and regulations adopted by the department.

In designated areas of critical water supply concern, the DEP, in consultation with affected permittees, including water purveyors, and local governing bodies and following notice and public hearing, is required to: (1) study water supply availability; (2) estimate future water supply needs; (3) identify appropriate and reasonable alternative water supply management strategies; (4) select appropriate water supply alternatives; and (5) require affected permittees to prepare water supply plans consistent with the adopted water supply management alternatives.

Following implementation of the adopted water supply management alternatives, the DEP would monitor water levels and water quality within the designated area of critical water supply concern to determine the effectiveness of the alternative water supply management strategies selected.

If the DEP determines that the alternatives selected are not effective in protecting the water supply source of concern, it may revise the designation and impose further restrictions in accordance with the aforementioned procedures. The results of all monitoring conducted must be reported to all affected permittees on an annual basis.

The bill, as amended, authorizes the DEP to modify the conditions of any water usage certification approval or diversion permit in a designated area of water supply concern in order to (1) limit or reduce the quantity of water which lawfully may be diverted; (2) transfer the point of diversion; or (3) require a permittee to utilize alternate sources of water, following a determination by the department that the continued use of the same source or existing diversion adversely impacts or threatens to adversely impact the water resources of the State. Furthermore, where a viable alternative source of water exists, the DEP is required to prohibit the use of the Kirkwood-Cohanasey aquifer, which is located beneath the Pinelands, unless it can be demonstrated that the use would not ecologically adversely affect the aquifer.

The bill, as amended, also provides that for a 10-year period following the bill's effective date, the authority of the DEP to modify the conditions of an existing diversion permit or water usage certification within the critical area designated by the DEP as Water Supply Critical Area II, would be limited by the following requirements:

(1) No existing diversion permit or water usage certification may be reduced to an amount less than that specified through application of the formulas set forth in the bill;

(2) Those areas: (a) north of the Rancocas Creek from its confluence with the Delaware River to the intersection of the southwest branch of the Rancocas Creek with State Route 38; (b) north of State Route 38 to the start of County Route 530; (c) north of County Route 530 to the intersection of County Route 530 and State Route 70 near the Burlington-Ocean county boundary; and (d) the surrounding margin area, would be recognized as a Water Allocation Credit Receiving Area, and the DEP may not unreasonably withhold approval for additional ground water withdrawals from the Potomac-Raritan-Magothy (PRM) aquifer formation within this area unless it can be demonstrated that the withdrawals would result in a significant adverse impact on the aquifer system;

(3) Water allocation credits are to be designated as the allocation represented by one-half of the difference between the total PRM allocation based on the formula set forth in the bill and the total 1991 withdrawal, and these credits will be transferable to areas designated for growth in the Water Allocation Credit Receiving Area as provided for under the Water Allocation Credit Transfer Program created by this bill;

(4) The DEP must approve reasonable permit modifications seeking an increase in allocation where the permittee has obtained water allocation credits equal to the requested increase in withdrawal;

(5) Municipalities that established water supply system interconnections in order to develop alternate supplies and reduce their PRM shall continue to have the right to divert water through this system if the permitted diversion under this act provides for withdrawal that exceeds the needs of the users of the supplier's system exclusive of the interconnection; and

(6) The supplier of the interconnected system shall have the right to obtain water allocation credits that would allow for the transfer of additional volumes through the interconnection provided that this additional volume does not exceed 50% of the volume transferred through the interconnection in 1991.

The bill, as amended, would establish a Water Allocation Credit Transfer Program in the DEP. The purpose of this program is to provide for the transfer of a privilege to divert water within an area of critical water supply concern, without adversely impacting the water resource.

Within 60 days of the bill's effective date, the DEP is required to adopt rules and regulations necessary to implement the program. These rules and regulations must include: (1) a procedure for the review and approval or disapproval of the transfer of water allocation credits; (2) a provision that a well for which all privileges to divert has been transferred must be closed and capped to prevent the pumping of water from that well in the future; and (3) a provision prohibiting the use of the Kirkwood-Cohansey aquifer for a receiving well unless it can be demonstrated that the use will not adversely impact the Pinelands area.

The DEP would provide for the expeditious review and approval of a plan submitted by a county which facilitates the transfer of water allocation credits. This review and approval may occur prior to the adoption of the rules and regulations implementing the program.

Any county wherein an area of critical water supply concern has been designated may establish a Water Allocation Credit Exchange to facilitate the transfer of water allocation credits within that designated critical area. Any Water Allocation Credit Exchange established in a county, by resolution of its governing body, prior to the bill's effective date would be vested with the same authority as provided in the bill.

Any two or more adjacent or proximate counties located within any portion of a designated area of critical water supply concern may establish a Regional Water Allocation Credit Exchange to facilitate the transfer of water allocation credits within that designated critical area on a cooperative, regional basis. Any Regional Water Allocation Credit Exchange established by resolution of the respective governing bodies of the affected counties prior to the bill's effective date would be vested with the same authority as provided in the bill.

The owner of a sending well in a designated area of critical water supply concern may transfer a water allocation credit to the

owner of a receiving well requiring the additional gallonage to meet the demand for water within its service area. This transfer may occur through a direct "arms length" transaction between the well owners, or between a well owner and local government unit, or through the auspices of a county Water Allocation Credit Exchange established for this purpose.

These transfers would be subject to confirmation by the DEP. The department must issue a determination within 30 days of receipt of a request for confirmation and cannot unreasonably withhold confirmation of the transfer unless it can be demonstrated that the transfer will result in a significant adverse impact on the designated area of critical water supply concern. Upon confirmation of the transfer, the DEP would modify the water allocation permits issued for diversions from the sending and receiving wells to reflect the allocation being transferred. The owner of a receiving well may increase the amount of gallons of water per day pumped from that well at a level equaling the amount of the water allocation credit.

Finally, the bill, as amended, expands the DEP's powers under the "Water Supply Management Act" to include enforcement of the provisions of this bill, and requires the DEP to prepare a report to the Governor and the Legislature on the Water Allocation Credit Transfer Program and make recommendations on the program's implementation and effectiveness. This report must be transmitted to the Governor, the President of the Senate and the Speaker of the General Assembly no later than 24 months following the effective date of this bill, and every 24 months thereafter.



OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001
Contact:

Jon Shure, 609/538-1480
Audrey Kelly, 908/355-0214

TRENTON, N.J. 08625

Release: Saturday
July 24, 1993

GOVERNOR SIGNS BILL TO EASE STRESS ON WATER SUPPLIES *State Will Work with Affected Communities, Businesses*

Governor Jim Florio today signed legislation that will help the state work with communities, businesses and other water users to find viable, cost-effective alternative supplies when they have had to reduce the amount of water they get from their current sources.

The measure clarifies the state Department of Environmental Protection and Energy's (DEPE) authority to regulate withdrawals within regions of the state designated as "areas of critical water supply concern". These regions are areas where water supplies are significantly stressed or threatened due to excessive groundwater withdrawals.

The legislation will have an immediate application in the Camden metropolitan area which the DEPE previously identified as "Critical Area #2".

"This bill will help us protect our water resources and provide continued assurance of a safe, dependable supply," said Governor Florio. "When a water source is severely threatened, we will now be able to work together with communities, businesses and farmers to develop cooperative and appropriate alternative strategies which benefit us all."

Generally, an "area of critical water supply concern" would be declared when excessive withdrawals or other factors over-stress or pose a significant threat to a ground or surface water supply. Designation of an "area", however, would only occur after a careful study by DEPE to demonstrate that the integrity or viability of the water source is threatened or where public health is jeopardized.

Critical Area #2, which consists primarily of portions of Burlington, Camden and Gloucester Counties served by the Potomac/Raritan/Magothy aquifer, joins Critical Area #1 (involving portions of Monmouth, Middlesex and Ocean counties), where in the early 1980's, large volume users in that area were required to cut consumption by 40 to 50 percent. Large volume users typically include business or municipal water supplies.

In response to a 1989 legal challenge, an Appellate Court found that DEPE lacked the statutory authority to order cutbacks. This legislation now gives the department the authority to implement the measures necessary to preserve the integrity of the water source.

Water users will be required to submit alternative water supply plans to DEPE, which is also responsible for drawing up regulations and implementing a water reduction plan according to a formula included in the legislation. While alternatives include drilling new wells or using surface water, the majority of the water supply is expected to be provided by the New Jersey-American Water Company's new Delaware River pipeline which is expected to be on line by 1996.

The legislation also establishes a Water Allocation Credit Transfer Program. Currently, users hold a Water Allocation Permit and have "diversion rights" to draw from the aquifer. If a user is no longer pumping water from the aquifer, it can transfer its diversion rights to another user. The transferred rights become a "credit" the new user can exercise to continue drawing water from the affected aquifer according to the new regulations and without adversely affecting the water supply. The transfer of credits will be redirected to the North Burlington County section of the critical area which is under less stress. This program is aimed at reducing hardship among users within the maximum usage guidelines provided by the new regulations.

A 2250/S 1691 was sponsored by Assemblyman Robert Shinn, Jr., and Senator John Dimon.

###