

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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RH/CL

P.L. 2021, CHAPTER 6, *approved February 4, 2021*
Senate, No. 2607 (*First Reprint*)

1 AN ACT concerning municipal master plans, amending P.L.1975,
2 c.291, and supplementing Title 13 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 19 of P.L.1975, c.291 (C.40:55D-28) is amended to
8 read as follows:

9 19. Preparation; contents; modification.

10 a. The planning board may prepare and, after public hearing,
11 adopt or amend a master plan or component parts thereof, to guide the
12 use of lands within the municipality in a manner which protects public
13 health and safety and promotes the general welfare.

14 b. The master plan shall generally comprise a report or statement
15 and land use and development proposals, with maps, diagrams and
16 text, presenting, at least the following elements (1) and (2) and, where
17 appropriate, the following elements (3) through (17):

18 (1) A statement of objectives, principles, assumptions, policies and
19 standards upon which the constituent proposals for the physical,
20 economic and social development of the municipality are based;

21 (2) A land use plan element

22 (a) taking into account and stating its relationship to the statement
23 provided for in paragraph (1) hereof, and other master plan elements
24 provided for in paragraphs (3) through **[(14)]** (17) hereof and natural
25 conditions, including, but not necessarily limited to, topography, soil
26 conditions, water supply, drainage, flood plain areas, marshes, and
27 woodlands;

28 (b) showing the existing and proposed location, extent and
29 intensity of development of land to be used in the future for varying
30 types of residential, commercial, industrial, agricultural, recreational,
31 open space, educational and other public and private purposes or
32 combination of purposes including any provisions for cluster
33 development; and stating the relationship thereof to the existing and
34 any proposed zone plan and zoning ordinance;

35 (c) showing the existing and proposed location of any airports and
36 the boundaries of any airport safety zones delineated pursuant to the
37 "Air Safety and Zoning Act of 1983," P.L.1983, c.260 (C.6:1-80 et
38 al.);

39 (d) including a statement of the standards of population density
40 and development intensity recommended for the municipality;

41 (e) showing the existing and proposed location of military
42 facilities and incorporating strategies to minimize undue encroachment

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 SEN committee amendments adopted July 30, 2020.

1 upon, and conflicts with, military facilities, including but not limited
2 to: limiting heights of buildings and structures nearby flight paths or
3 sight lines of aircraft; buffering residential areas from noise associated
4 with a military facility; and allowing for the potential expansion of
5 military facilities;

6 (f) including, for any land use plan element adopted after the
7 effective date of P.L.2017, c.275, a statement of strategy concerning:

8 (i) smart growth which, in part, shall consider potential locations
9 for the installation of electric vehicle charging stations,

10 (ii) storm resiliency with respect to energy supply, flood-prone
11 areas, and environmental infrastructure, and

12 (iii) environmental sustainability; **[and]**

13 (g) showing the existing and proposed location of public electric
14 vehicle charging infrastructure; and

15 (h) including, for any land use plan element adopted after the
16 effective date of P.L. , c. (pending before the Legislature as this
17 bill), a climate change-related hazard vulnerability assessment which
18 shall (i) ¹**[**consider environmental effects and extreme weather-related
19 events associated with climate change, including, but not limited to,
20 temperature, drought, and sea-level rise, and (ii) contain measures to
21 mitigate reasonably anticipated natural hazards, including, but not
22 limited to, coastal storms, shoreline erosion, flooding, storm surge, and
23 wind, following best management practices recommended by the
24 Federal Emergency Management Agency] analyze current and future
25 threats to, and vulnerabilities of, the municipality associated with
26 climate change-related natural hazards, including, but not limited to
27 increased temperatures, drought, flooding, hurricanes, and sea-level
28 rise; (ii) include a build-out analysis of future residential, commercial,
29 industrial, and other development in the municipality, and an
30 assessment of the threats and vulnerabilities identified in
31 subsubparagraph (i) of this subparagraph related to that development;
32 (iii) identify critical facilities, utilities, roadways, and other
33 infrastructure that is necessary for evacuation purposes and for
34 sustaining quality of life during a natural disaster, to be maintained at
35 all times in an operational state; (iv) analyze the potential impact of
36 natural hazards on relevant components and elements of the master
37 plan; (v) provide strategies and design standards that may be
38 implemented to reduce or avoid risks associated with natural hazards;
39 (vi) include a specific policy statement on the consistency,
40 coordination, and integration of the climate-change related hazard
41 vulnerability assessment with any existing or proposed natural hazard
42 mitigation plan, floodplain management plan, comprehensive
43 emergency management plan, emergency response plan, post-disaster
44 recovery plan, or capital improvement plan; and (vii) rely on the most
45 recent natural hazard projections and best available science provided
46 by the New Jersey Department of Environmental Protection¹ ;

47 (3) A housing plan element pursuant to section 10 of
48 P.L.1985, c.222 (C.52:27D-310), including, but not limited to,

- 1 residential standards and proposals for the construction and
2 improvement of housing;
- 3 (4) A circulation plan element showing the location and types of
4 facilities for all modes of transportation required for the efficient
5 movement of people and goods into, about, and through the
6 municipality, taking into account the functional highway classification
7 system of the Federal Highway Administration, the types, locations,
8 conditions and availability of existing and proposed transportation
9 facilities, including air, water, road and rail, and identifying existing
10 and proposed locations for public electric vehicle charging
11 infrastructure;
- 12 (5) A utility service plan element analyzing the need for and
13 showing the future general location of water supply and distribution
14 facilities, drainage and flood control facilities, sewerage and waste
15 treatment, solid waste disposal and provision for other related utilities,
16 and including any storm water management plan required pursuant to
17 the provisions of P.L.1981, c.32 (C.40:55D-93 et al.). If a
18 municipality prepares a utility service plan element as a condition for
19 adopting a development transfer ordinance pursuant to subsection c. of
20 section 4 of P.L.2004, c.2 (C.40:55D-140), the plan element shall
21 address the provision of utilities in the receiving zone as provided
22 thereunder;
- 23 (6) A community facilities plan element showing the existing and
24 proposed location and type of educational or cultural facilities, historic
25 sites, libraries, hospitals, firehouses, police stations and other related
26 facilities, including their relation to the surrounding areas;
- 27 (7) A recreation plan element showing a comprehensive system of
28 areas and public sites for recreation;
- 29 (8) A conservation plan element providing for the preservation,
30 conservation, and utilization of natural resources, including, to the
31 extent appropriate, energy, open space, water supply, forests, soil,
32 marshes, wetlands, harbors, rivers and other waters, fisheries,
33 endangered or threatened species wildlife and other resources, and
34 which systemically analyzes the impact of each other component and
35 element of the master plan on the present and future preservation,
36 conservation and utilization of those resources;
- 37 (9) An economic plan element considering all aspects of economic
38 development and sustained economic vitality, including (a) a
39 comparison of the types of employment expected to be provided by the
40 economic development to be promoted with the characteristics of the
41 labor pool resident in the municipality and nearby areas and (b) an
42 analysis of the stability and diversity of the economic development to
43 be promoted;
- 44 (10) An historic preservation plan element: (a) indicating the
45 location and significance of historic sites and historic districts; (b)
46 identifying the standards used to assess worthiness for historic site or
47 district identification; and (c) analyzing the impact of each component

1 and element of the master plan on the preservation of historic sites and
2 districts;

3 (11) Appendices or separate reports containing the technical
4 foundation for the master plan and its constituent elements;

5 (12) A recycling plan element which incorporates the State
6 Recycling Plan goals, including provisions for the collection,
7 disposition and recycling of recyclable materials designated in the
8 municipal recycling ordinance, and for the collection, disposition and
9 recycling of recyclable materials within any development proposal for
10 the construction of 50 or more units of single-family residential
11 housing or 25 or more units of multi-family residential housing and
12 any commercial or industrial development proposal for the utilization
13 of 1,000 square feet or more of land;

14 (13) A farmland preservation plan element, which shall include:
15 an inventory of farm properties and a map illustrating significant areas
16 of agricultural land; a statement showing that municipal ordinances
17 support and promote agriculture as a business; and a plan for
18 preserving as much farmland as possible in the short term by
19 leveraging moneys made available by P.L.1999, c.152 (C.13:8C-1 et
20 al.) through a variety of mechanisms including, but not limited to,
21 utilizing option agreements, installment purchases, and encouraging
22 donations of permanent development easements;

23 (14) A development transfer plan element which sets forth the
24 public purposes, the locations of sending and receiving zones and the
25 technical details of a development transfer program based on the
26 provisions of section 5 of P.L.2004, c.2 (C.40:55D-141);

27 (15) An educational facilities plan element which incorporates the
28 purposes and goals of the "long-range facilities plan" required to be
29 submitted to the Commissioner of Education by a school district
30 pursuant to section 4 of P.L.2000, c.72 (C.18A:7G-4);

31 (16) A green buildings and environmental sustainability plan
32 element, which shall provide for, encourage, and promote the efficient
33 use of natural resources and the installation and usage of renewable
34 energy systems; consider, encourage and promote the development of
35 public electric vehicle charging infrastructure in locations appropriate
36 for their development, including but not limited to, commercial
37 districts, areas proximate to public transportation and transit facilities
38 and transportation corridors, and public rest stops; consider the impact
39 of buildings on the local, regional and global environment; allow
40 ecosystems to function naturally; conserve and reuse water; treat storm
41 water on-site; and optimize climatic conditions through site orientation
42 and design; and

43 (17) A public access plan element that provides for, encourages,
44 and promotes permanently protected public access to all tidal waters
45 and adjacent shorelines consistent with the public trust doctrine, and
46 which shall include a map and inventory of public access points,
47 public facilities that support access, parking, boat ramps, and marinas;
48 an assessment of the need for additional public access; a statement of

1 goals and administrative mechanisms to ensure that access will be
2 permanently protected; and a strategy that describes the forms of
3 access to satisfy the need for such access with an implementation
4 schedule and tools for implementation.

5 c. The master plan and its plan elements may be divided into
6 subplans and subplan elements projected according to periods of time
7 or staging sequences.

8 d. The master plan shall include a specific policy statement
9 indicating the relationship of the proposed development of the
10 municipality, as developed in the master plan to (1) the master plans of
11 contiguous municipalities, (2) the master plan of the county in which
12 the municipality is located, (3) the State Development and
13 Redevelopment Plan adopted pursuant to the "State Planning Act,"
14 sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.) and
15 (4) the district solid waste management plan required pursuant to the
16 provisions of the "Solid Waste Management Act," P.L.1970, c.39
17 (C.13:1E-1 et seq.) of the county in which the municipality is located.

18 In the case of a municipality situated within the Highlands Region,
19 as defined in section 3 of P.L.2004, c.120 (C.13:20-3), the master plan
20 shall include a specific policy statement indicating the relationship of
21 the proposed development of the municipality, as developed in the
22 master plan, to the Highlands regional master plan adopted pursuant to
23 section 8 of P.L.2004, c.120 (C.13:20-8).

24 (cf: P.L.2019, c.267, s.1)

25

26 2. (New section) Upon request by a planning board, the
27 Department of Environmental Protection shall provide technical
28 assistance ¹, as practicable, ¹ to a municipality preparing a climate
29 change related hazard vulnerability assessment pursuant to
30 subparagraph ¹**[(g)]** (h) ¹ of paragraph (2) of subsection b. of
31 section 19 of P.L.1975, c.291 (C.40:55D-28).

32

33 3. This act shall take effect immediately.

34

35

36

37

38 _____
39 Requires land use plan element of municipal master plan to
include climate change-related hazard vulnerability assessment.

SENATE, No. 2607

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 25, 2020

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires land use plan element of municipal master plan to include climate change-related hazard vulnerability assessment.

CURRENT VERSION OF TEXT

As introduced.



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13 public health and safety and promotes the general welfare.

14 b. The master plan shall generally comprise a report or
15 statement and land use and development proposals, with maps,
16 diagrams and text, presenting, at least the following elements (1)
17 and (2) and, where appropriate, the following elements (3) through
18 (17):

19 (1) A statement of objectives, principles, assumptions, policies
20 and standards upon which the constituent proposals for the physical,
21 economic and social development of the municipality are based;

22 (2) A land use plan element

23 (a) taking into account and stating its relationship to the
24 statement provided for in paragraph (1) hereof, and other master
25 plan elements provided for in paragraphs (3) through **[(14)]** (17)
26 hereof and natural conditions, including, but not necessarily limited
27 to, topography, soil conditions, water supply, drainage, flood plain
28 areas, marshes, and woodlands;

29 (b) showing the existing and proposed location, extent and
30 intensity of development of land to be used in the future for varying
31 types of residential, commercial, industrial, agricultural,
32 recreational, open space, educational and other public and private
33 purposes or combination of purposes including any provisions for
34 cluster development; and stating the relationship thereof to the
35 existing and any proposed zone plan and zoning ordinance;

36 (c) showing the existing and proposed location of any airports
37 and the boundaries of any airport safety zones delineated pursuant
38 to the "Air Safety and Zoning Act of 1983," P.L.1983, c.260 (C.6:1-
39 80 et al.);

40 (d) including a statement of the standards of population density
41 and development intensity recommended for the municipality;

42 (e) showing the existing and proposed location of military
43 facilities and incorporating strategies to minimize undue
44 encroachment upon, and conflicts with, military facilities, including
45 but not limited to: limiting heights of buildings and structures

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.

1 nearby flight paths or sight lines of aircraft; buffering residential
2 areas from noise associated with a military facility; and allowing for
3 the potential expansion of military facilities;

4 (f) including, for any land use plan element adopted after the
5 effective date of P.L.2017, c.275, a statement of strategy
6 concerning:

7 (i) smart growth which, in part, shall consider potential
8 locations for the installation of electric vehicle charging stations,

9 (ii) storm resiliency with respect to energy supply, flood-prone
10 areas, and environmental infrastructure, and

11 (iii) environmental sustainability; **[and]**

12 (g) showing the existing and proposed location of public electric
13 vehicle charging infrastructure; and

14 (h) including, for any land use plan element adopted after the
15 effective date of P.L. , c. (pending before the Legislature as this
16 bill), a climate change-related hazard vulnerability assessment
17 which shall (i) consider environmental effects and extreme weather-
18 related events associated with climate change, including, but not
19 limited to, temperature, drought, and sea-level rise, and (ii) contain
20 measures to mitigate reasonably anticipated natural hazards,
21 including, but not limited to, coastal storms, shoreline erosion,
22 flooding, storm surge, and wind, following best management
23 practices recommended by the Federal Emergency Management
24 Agency;

25 (3) A housing plan element pursuant to section 10 of
26 P.L.1985, c.222 (C.52:27D-310), including, but not limited to,
27 residential standards and proposals for the construction and
28 improvement of housing;

29 (4) A circulation plan element showing the location and types of
30 facilities for all modes of transportation required for the efficient
31 movement of people and goods into, about, and through the
32 municipality, taking into account the functional highway
33 classification system of the Federal Highway Administration, the
34 types, locations, conditions and availability of existing and
35 proposed transportation facilities, including air, water, road and rail,
36 and identifying existing and proposed locations for public electric
37 vehicle charging infrastructure;

38 (5) A utility service plan element analyzing the need for and
39 showing the future general location of water supply and distribution
40 facilities, drainage and flood control facilities, sewerage and waste
41 treatment, solid waste disposal and provision for other related
42 utilities, and including any storm water management plan required
43 pursuant to the provisions of P.L.1981, c.32 (C.40:55D-93 et al.). If
44 a municipality prepares a utility service plan element as a condition
45 for adopting a development transfer ordinance pursuant to
46 subsection c. of section 4 of P.L.2004, c.2 (C.40:55D-140), the plan
47 element shall address the provision of utilities in the receiving zone
48 as provided thereunder;

1 (6) A community facilities plan element showing the existing
2 and proposed location and type of educational or cultural facilities,
3 historic sites, libraries, hospitals, firehouses, police stations and
4 other related facilities, including their relation to the surrounding
5 areas;

6 (7) A recreation plan element showing a comprehensive system
7 of areas and public sites for recreation;

8 (8) A conservation plan element providing for the preservation,
9 conservation, and utilization of natural resources, including, to the
10 extent appropriate, energy, open space, water supply, forests, soil,
11 marshes, wetlands, harbors, rivers and other waters, fisheries,
12 endangered or threatened species wildlife and other resources, and
13 which systemically analyzes the impact of each other component
14 and element of the master plan on the present and future
15 preservation, conservation and utilization of those resources;

16 (9) An economic plan element considering all aspects of
17 economic development and sustained economic vitality, including
18 (a) a comparison of the types of employment expected to be
19 provided by the economic development to be promoted with the
20 characteristics of the labor pool resident in the municipality and
21 nearby areas and (b) an analysis of the stability and diversity of the
22 economic development to be promoted;

23 (10) An historic preservation plan element: (a) indicating the
24 location and significance of historic sites and historic districts; (b)
25 identifying the standards used to assess worthiness for historic site
26 or district identification; and (c) analyzing the impact of each
27 component and element of the master plan on the preservation of
28 historic sites and districts;

29 (11) Appendices or separate reports containing the technical
30 foundation for the master plan and its constituent elements;

31 (12) A recycling plan element which incorporates the State
32 Recycling Plan goals, including provisions for the collection,
33 disposition and recycling of recyclable materials designated in the
34 municipal recycling ordinance, and for the collection, disposition
35 and recycling of recyclable materials within any development
36 proposal for the construction of 50 or more units of single-family
37 residential housing or 25 or more units of multi-family residential
38 housing and any commercial or industrial development proposal for
39 the utilization of 1,000 square feet or more of land;

40 (13) A farmland preservation plan element, which shall include:
41 an inventory of farm properties and a map illustrating significant
42 areas of agricultural land; a statement showing that municipal
43 ordinances support and promote agriculture as a business; and a
44 plan for preserving as much farmland as possible in the short term
45 by leveraging moneys made available by P.L.1999, c.152 (C.13:8C-
46 1 et al.) through a variety of mechanisms including, but not limited
47 to, utilizing option agreements, installment purchases, and
48 encouraging donations of permanent development easements;

1 (14) A development transfer plan element which sets forth the
2 public purposes, the locations of sending and receiving zones and
3 the technical details of a development transfer program based on the
4 provisions of section 5 of P.L.2004, c.2 (C.40:55D-141);

5 (15) An educational facilities plan element which incorporates
6 the purposes and goals of the "long-range facilities plan" required to
7 be submitted to the Commissioner of Education by a school district
8 pursuant to section 4 of P.L.2000, c.72 (C.18A:7G-4);

9 (16) A green buildings and environmental sustainability plan
10 element, which shall provide for, encourage, and promote the
11 efficient use of natural resources and the installation and usage of
12 renewable energy systems; consider, encourage and promote the
13 development of public electric vehicle charging infrastructure in
14 locations appropriate for their development, including but not
15 limited to, commercial districts, areas proximate to public
16 transportation and transit facilities and transportation corridors, and
17 public rest stops; consider the impact of buildings on the local,
18 regional and global environment; allow ecosystems to function
19 naturally; conserve and reuse water; treat storm water on-site; and
20 optimize climatic conditions through site orientation and design;
21 and

22 (17) A public access plan element that provides for, encourages,
23 and promotes permanently protected public access to all tidal waters
24 and adjacent shorelines consistent with the public trust doctrine, and
25 which shall include a map and inventory of public access points,
26 public facilities that support access, parking, boat ramps, and
27 marinas; an assessment of the need for additional public access; a
28 statement of goals and administrative mechanisms to ensure that
29 access will be permanently protected; and a strategy that describes
30 the forms of access to satisfy the need for such access with an
31 implementation schedule and tools for implementation.

32 c. The master plan and its plan elements may be divided into
33 subplans and subplan elements projected according to periods of
34 time or staging sequences.

35 d. The master plan shall include a specific policy statement
36 indicating the relationship of the proposed development of the
37 municipality, as developed in the master plan to (1) the master plans
38 of contiguous municipalities, (2) the master plan of the county in
39 which the municipality is located, (3) the State Development and
40 Redevelopment Plan adopted pursuant to the "State Planning Act,"
41 sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.)
42 and (4) the district solid waste management plan required pursuant
43 to the provisions of the "Solid Waste Management Act,"
44 P.L.1970, c.39 (C.13:1E-1 et seq.) of the county in which the
45 municipality is located.

46 In the case of a municipality situated within the Highlands
47 Region, as defined in section 3 of P.L.2004, c.120 (C.13:20-3), the
48 master plan shall include a specific policy statement indicating the

1 relationship of the proposed development of the municipality, as
2 developed in the master plan, to the Highlands regional master plan
3 adopted pursuant to section 8 of P.L.2004, c.120 (C.13:20-8).
4 (cf: P.L.2019, c.267, s.1)

5
6 2. (New section) Upon request by a planning board, the
7 Department of Environmental Protection shall provide technical
8 assistance to a municipality preparing a climate change related
9 hazard vulnerability assessment pursuant to subparagraph (g) of
10 paragraph (2) of subsection b. of section 19 of P.L.1975, c.291
11 (C.40:55D-28).

12
13 3. This act shall take effect immediately.

14
15
16 STATEMENT

17
18 This bill would require that the land use plan element of a
19 municipal master plan include a climate change-related hazard
20 vulnerability assessment. This assessment would consider
21 environmental effects associated with climate change and extreme
22 weather-related events including, but not limited to, temperature,
23 drought, and sea-level rise, and contain measures to mitigate
24 reasonably anticipated natural hazards, including, but not limited to,
25 coastal storms, shoreline erosion, flooding, storm surge, and wind,
26 following best management practices recommended by the Federal
27 Emergency Management Agency.

28 Under current law, the land use plan element of a municipal
29 master plan is required to include a statement of strategy
30 concerning: (1) smart growth, including consideration of potential
31 locations for the installation of electric vehicle charging stations;
32 (2) storm resiliency with respect to energy supply, flood-prone
33 areas, and environmental infrastructure; and (3) environmental
34 sustainability. This bill would expand on these requirements, and
35 apply to any land use plan element adopted after the date the bill is
36 enacted into law.

37 The bill would also require the Department of Environmental
38 Protection, upon request by a planning board, to provide technical
39 assistance to a municipality preparing a climate change-related
40 hazard vulnerability assessment required by the bill.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2607

STATE OF NEW JERSEY

DATED: OCTOBER 8, 2020

The Assembly Environment and Solid Waste Committee reports favorably Senate Bill No. 2607 (1R).

This bill would require that the land use plan element of a municipal master plan include a climate change-related hazard vulnerability assessment. The assessment would: (1) analyze current and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards; (2) include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities identified in (1) above related to that development; (3) identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state; (4) analyze the potential impact of natural hazards on relevant components and elements of the master plan; (5) provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards; (6) include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with certain other plans adopted by the municipality; and (7) rely on the most recent natural hazard projections and best available science provided by the New Jersey Department of Environmental Protection. The bill would apply to any land use plan element adopted after the date the bill is enacted into law.

The bill would also require the Department of Environmental Protection (DEP), upon request by a planning board, to provide technical assistance, as practicable, to a municipality preparing a climate change-related hazard vulnerability assessment required by the bill.

As reported by the committee, this bill is identical to Assembly Bill No. 2785 as amended and reported by the committee.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 2607

with committee amendments

STATE OF NEW JERSEY

DATED: JULY 29, 2020

The Senate Environment and Energy Committee favorably reports Senate Bill No. 2607 with committee amendments.

This bill, as amended, would require that the land use plan element of a municipal master plan include a climate change-related hazard vulnerability assessment. The assessment would: (1) analyze current and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards; (2) include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities identified in (1) above related to that development; (3) identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state; (4) analyze the potential impact of natural hazards on relevant components and elements of the master plan; (5) provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards; (6) include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with certain other plans adopted by the municipality; and (7) rely on the most recent natural hazard projections and best available science provided by the New Jersey Department of Environmental Protection. The bill would apply to any land use plan element adopted after the date the bill is enacted into law.

The bill would also require the Department of Environmental Protection (DEP), upon request by a planning board, to provide technical assistance, as practicable, to a municipality preparing a climate change-related hazard vulnerability assessment required by the bill.

The committee amendments to the bill would:

(1) replace the bill's requirements for a climate change-related hazard vulnerability assessment with new requirements, described above;

(2) specify that the technical assistance provided by the DEP to a municipality preparing a climate change-related hazard vulnerability assessment be provided as practicable; and

(3) make a technical correction.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2607 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: SEPTEMBER 1, 2020

SUMMARY

- Synopsis:** Requires land use plan element of municipal master plan to include climate change-related hazard vulnerability assessment.
- Type of Impact:** State and local expenditure increases.
- Agencies Affected:** Department of Environmental Protection and certain municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Expenditure Increase		Marginal	
Municipal Expenditure Increase		Marginal	

- The Office of Legislative Services (OLS) estimates that this bill may result in a marginal municipal expenditure increase to the State and municipal governments.
- The OLS determines that the additional requirement under the land use plan element of a municipal master plan would likely be subsumed within existing duties by members of the planning board. However, some requirements of the assessment may need specialized expertise and certain municipalities may need to hire outside consultants. The OLS notes that a re-examination of a municipal master plan is only required to be completed once every 10 years. Furthermore, this bill will only affect municipal master plans adopted after the date the bill is enacted into law.
- The Department Environmental Protection (DEP) may incur additional duties to provide technical assistance to a municipality preparing a climate change-related hazard vulnerability assessment. The OLS determines that this assistance can be subsumed within existing duties.

BILL DESCRIPTION

This bill would require that the land use plan element of a municipal master plan include a climate change-related hazard vulnerability assessment. The assessment would: (1) analyze current and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards; (2) include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities identified in (1) above related to that development; (3) identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state; (4) analyze the potential impact of natural hazards on relevant components and elements of the master plan; (5) provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards; (6) include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with certain other plans adopted by the municipality; and (7) rely on the most recent natural hazard projections and best available science provided by the DEP. The bill would apply to any land use plan element adopted after the date the bill is enacted into law.

The bill would also require the DEP, upon request by a planning board, to provide technical assistance, as practicable, to a municipality preparing a climate change-related hazard vulnerability assessment required by the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill may result in a marginal expenditure increase to the DEP and municipal governments. The OLS determines that the additional requirement under the land use plan element of a municipal master plan, which is to include a climate change-related hazard vulnerability assessment, would most likely be subsumed within existing duties by members of the planning board. However, some requirements of the assessment may need specialized expertise and certain municipalities may need to hire outside consultants. The OLS notes that a re-examination of a municipal master plan is only required to be completed once every 10 years. Furthermore, this bill will only affect municipal master plans adopted after the date the bill is enacted into law.

The OLS notes that the DEP may incur additional duties to provide technical assistance to a municipality preparing a climate change-related hazard vulnerability assessment. The OLS determines that this assistance can be subsumed within existing duties.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Neha Mehta Patel
Associate 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.).

ASSEMBLY, No. 2785

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

SYNOPSIS

Requires land use plan element of municipal master plan to include climate change-related hazard vulnerability assessment.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning municipal master plans, amending P.L.1975,
2 c.291, and supplementing Title 13 of the Revised Statutes.

3

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

6

7 1. Section 19 of P.L.1975, c.291 (C.40:55D-28) is amended to
8 read as follows:

9 19. Preparation; contents; modification.

10 a. The planning board may prepare and, after public hearing,
11 adopt or amend a master plan or component parts thereof, to guide
12 the use of lands within the municipality in a manner which protects
13 public health and safety and promotes the general welfare.

14 b. The master plan shall generally comprise a report or
15 statement and land use and development proposals, with maps,
16 diagrams and text, presenting, at least the following elements (1)
17 and (2) and, where appropriate, the following elements (3) through
18 (17):

19 (1) A statement of objectives, principles, assumptions, policies
20 and standards upon which the constituent proposals for the physical,
21 economic and social development of the municipality are based;

22 (2) A land use plan element

23 (a) taking into account and stating its relationship to the
24 statement provided for in paragraph (1) hereof, and other master
25 plan elements provided for in paragraphs (3) through **[(14)]** (17)
26 hereof and natural conditions, including, but not necessarily limited
27 to, topography, soil conditions, water supply, drainage, flood plain
28 areas, marshes, and woodlands;

29 (b) showing the existing and proposed location, extent and
30 intensity of development of land to be used in the future for varying
31 types of residential, commercial, industrial, agricultural,
32 recreational, open space, educational and other public and private
33 purposes or combination of purposes including any provisions for
34 cluster development; and stating the relationship thereof to the
35 existing and any proposed zone plan and zoning ordinance;

36 (c) showing the existing and proposed location of any airports
37 and the boundaries of any airport safety zones delineated pursuant
38 to the "Air Safety and Zoning Act of 1983," P.L.1983, c.260 (C.6:1-
39 80 et al.);

40 (d) including a statement of the standards of population density
41 and development intensity recommended for the municipality;

42 (e) showing the existing and proposed location of military
43 facilities and incorporating strategies to minimize undue
44 encroachment upon, and conflicts with, military facilities, including
45 but not limited to: limiting heights of buildings and structures

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.

1 nearby flight paths or sight lines of aircraft; buffering residential
2 areas from noise associated with a military facility; and allowing for
3 the potential expansion of military facilities;

4 (f) including, for any land use plan element adopted after the
5 effective date of P.L.2017, c.275, a statement of strategy
6 concerning:

7 (i) smart growth which, in part, shall consider potential
8 locations for the installation of electric vehicle charging stations,

9 (ii) storm resiliency with respect to energy supply, flood-prone
10 areas, and environmental infrastructure, and

11 (iii) environmental sustainability; **[and]**

12 (g) showing the existing and proposed location of public electric
13 vehicle charging infrastructure; and

14 (h) including, for any land use plan element adopted after the
15 effective date of P.L. , c. (pending before the Legislature as this
16 bill), a climate change-related hazard vulnerability assessment
17 which shall (i) consider environmental effects and extreme weather-
18 related events associated with climate change, including, but not
19 limited to, temperature, drought, and sea-level rise, and (ii) contain
20 measures to mitigate reasonably anticipated natural hazards,
21 including, but not limited to, coastal storms, shoreline erosion,
22 flooding, storm surge, and wind, following best management
23 practices recommended by the Federal Emergency Management
24 Agency;

25 (3) A housing plan element pursuant to section 10 of
26 P.L.1985, c.222 (C.52:27D-310), including, but not limited to,
27 residential standards and proposals for the construction and
28 improvement of housing;

29 (4) A circulation plan element showing the location and types of
30 facilities for all modes of transportation required for the efficient
31 movement of people and goods into, about, and through the
32 municipality, taking into account the functional highway
33 classification system of the Federal Highway Administration, the
34 types, locations, conditions and availability of existing and
35 proposed transportation facilities, including air, water, road and rail,
36 and identifying existing and proposed locations for public electric
37 vehicle charging infrastructure;

38 (5) A utility service plan element analyzing the need for and
39 showing the future general location of water supply and distribution
40 facilities, drainage and flood control facilities, sewerage and waste
41 treatment, solid waste disposal and provision for other related
42 utilities, and including any storm water management plan required
43 pursuant to the provisions of P.L.1981, c.32 (C.40:55D-93 et al.). If
44 a municipality prepares a utility service plan element as a condition
45 for adopting a development transfer ordinance pursuant to
46 subsection c. of section 4 of P.L.2004, c.2 (C.40:55D-140), the plan
47 element shall address the provision of utilities in the receiving zone
48 as provided thereunder;

1 (6) A community facilities plan element showing the existing
2 and proposed location and type of educational or cultural facilities,
3 historic sites, libraries, hospitals, firehouses, police stations and
4 other related facilities, including their relation to the surrounding
5 areas;

6 (7) A recreation plan element showing a comprehensive system
7 of areas and public sites for recreation;

8 (8) A conservation plan element providing for the preservation,
9 conservation, and utilization of natural resources, including, to the
10 extent appropriate, energy, open space, water supply, forests, soil,
11 marshes, wetlands, harbors, rivers and other waters, fisheries,
12 endangered or threatened species wildlife and other resources, and
13 which systemically analyzes the impact of each other component
14 and element of the master plan on the present and future
15 preservation, conservation and utilization of those resources;

16 (9) An economic plan element considering all aspects of
17 economic development and sustained economic vitality, including
18 (a) a comparison of the types of employment expected to be
19 provided by the economic development to be promoted with the
20 characteristics of the labor pool resident in the municipality and
21 nearby areas and (b) an analysis of the stability and diversity of the
22 economic development to be promoted;

23 (10) An historic preservation plan element: (a) indicating the
24 location and significance of historic sites and historic districts; (b)
25 identifying the standards used to assess worthiness for historic site
26 or district identification; and (c) analyzing the impact of each
27 component and element of the master plan on the preservation of
28 historic sites and districts;

29 (11) Appendices or separate reports containing the technical
30 foundation for the master plan and its constituent elements;

31 (12) A recycling plan element which incorporates the State
32 Recycling Plan goals, including provisions for the collection,
33 disposition and recycling of recyclable materials designated in the
34 municipal recycling ordinance, and for the collection, disposition
35 and recycling of recyclable materials within any development
36 proposal for the construction of 50 or more units of single-family
37 residential housing or 25 or more units of multi-family residential
38 housing and any commercial or industrial development proposal for
39 the utilization of 1,000 square feet or more of land;

40 (13) A farmland preservation plan element, which shall include:
41 an inventory of farm properties and a map illustrating significant
42 areas of agricultural land; a statement showing that municipal
43 ordinances support and promote agriculture as a business; and a
44 plan for preserving as much farmland as possible in the short term
45 by leveraging moneys made available by P.L.1999, c.152 (C.13:8C-
46 1 et al.) through a variety of mechanisms including, but not limited
47 to, utilizing option agreements, installment purchases, and
48 encouraging donations of permanent development easements;

1 (14) A development transfer plan element which sets forth the
2 public purposes, the locations of sending and receiving zones and
3 the technical details of a development transfer program based on the
4 provisions of section 5 of P.L.2004, c.2 (C.40:55D-141);

5 (15) An educational facilities plan element which incorporates
6 the purposes and goals of the "long-range facilities plan" required to
7 be submitted to the Commissioner of Education by a school district
8 pursuant to section 4 of P.L.2000, c.72 (C.18A:7G-4);

9 (16) A green buildings and environmental sustainability plan
10 element, which shall provide for, encourage, and promote the
11 efficient use of natural resources and the installation and usage of
12 renewable energy systems; consider, encourage and promote the
13 development of public electric vehicle charging infrastructure in
14 locations appropriate for their development, including but not
15 limited to, commercial districts, areas proximate to public
16 transportation and transit facilities and transportation corridors, and
17 public rest stops; consider the impact of buildings on the local,
18 regional and global environment; allow ecosystems to function
19 naturally; conserve and reuse water; treat storm water on-site; and
20 optimize climatic conditions through site orientation and design;
21 and

22 (17) A public access plan element that provides for, encourages,
23 and promotes permanently protected public access to all tidal waters
24 and adjacent shorelines consistent with the public trust doctrine, and
25 which shall include a map and inventory of public access points,
26 public facilities that support access, parking, boat ramps, and
27 marinas; an assessment of the need for additional public access; a
28 statement of goals and administrative mechanisms to ensure that
29 access will be permanently protected; and a strategy that describes
30 the forms of access to satisfy the need for such access with an
31 implementation schedule and tools for implementation.

32 c. The master plan and its plan elements may be divided into
33 subplans and subplan elements projected according to periods of
34 time or staging sequences.

35 d. The master plan shall include a specific policy statement
36 indicating the relationship of the proposed development of the
37 municipality, as developed in the master plan to (1) the master plans
38 of contiguous municipalities, (2) the master plan of the county in
39 which the municipality is located, (3) the State Development and
40 Redevelopment Plan adopted pursuant to the "State Planning Act,"
41 sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.)
42 and (4) the district solid waste management plan required pursuant
43 to the provisions of the "Solid Waste Management Act,"
44 P.L.1970, c.39 (C.13:1E-1 et seq.) of the county in which the
45 municipality is located.

46 In the case of a municipality situated within the Highlands
47 Region, as defined in section 3 of P.L.2004, c.120 (C.13:20-3), the
48 master plan shall include a specific policy statement indicating the

1 relationship of the proposed development of the municipality, as
2 developed in the master plan, to the Highlands regional master plan
3 adopted pursuant to section 8 of P.L.2004, c.120 (C.13:20-8).
4 (cf: P.L.2019, c.267, s.1)

5
6 2. (New section) Upon request by a planning board, the
7 Department of Environmental Protection shall provide technical
8 assistance to a municipality preparing a climate change related
9 hazard vulnerability assessment pursuant to subparagraph (g) of
10 paragraph (2) of subsection b. of section 19 of P.L.1975, c.291
11 (C.40:55D-28).

12
13 3. This act shall take effect immediately.

14
15
16 STATEMENT

17
18 This bill would require that the land use plan element of a
19 municipal master plan include a climate change-related hazard
20 vulnerability assessment. This assessment would consider
21 environmental effects associated with climate change and extreme
22 weather-related events including, but not limited to, temperature,
23 drought, and sea-level rise, and contain measures to mitigate
24 reasonably anticipated natural hazards, including, but not limited to,
25 coastal storms, shoreline erosion, flooding, storm surge, and wind,
26 following best management practices recommended by the Federal
27 Emergency Management Agency.

28 Under current law, the land use plan element of a municipal
29 master plan is required to include a statement of strategy
30 concerning: (1) smart growth, including consideration of potential
31 locations for the installation of electric vehicle charging stations;
32 (2) storm resiliency with respect to energy supply, flood-prone
33 areas, and environmental infrastructure; and (3) environmental
34 sustainability. This bill would expand on these requirements, and
35 apply to any land use plan element adopted after the date the bill is
36 enacted into law.

37 The bill would also require the Department of Environmental
38 Protection, upon request by a planning board, to provide technical
39 assistance to a municipality preparing a climate change-related
40 hazard vulnerability assessment required by the bill.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2785

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 8, 2020

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 2785.

This bill, as amended by the committee, would require that the land use plan element of a municipal master plan include a climate change-related hazard vulnerability assessment. The assessment would: (1) analyze current and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards; (2) include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities identified in (1) above related to that development; (3) identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state; (4) analyze the potential impact of natural hazards on relevant components and elements of the master plan; (5) provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards; (6) include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with certain other plans adopted by the municipality; and (7) rely on the most recent natural hazard projections and best available science provided by the New Jersey Department of Environmental Protection. The bill would apply to any land use plan element adopted after the date the bill is enacted into law.

The bill would also require the Department of Environmental Protection (DEP), upon request by a planning board, to provide technical assistance, as practicable, to a municipality preparing a climate change-related hazard vulnerability assessment required by the bill.

As amended and reported by the committee, this bill is identical to Senate Bill No. 2607 (1R) as reported by the committee.

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

(1) replace the bill's requirements for a climate change-related hazard vulnerability assessment with new requirements, as described above;

(2) specify that the technical assistance provided by the DEP to a municipality preparing a climate change-related hazard vulnerability assessment be provided as practicable; and

(3) make a technical correction.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 2785

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: OCTOBER 23, 2020

SUMMARY

- Synopsis:** Requires land use plan element of municipal master plan to include climate change-related hazard vulnerability assessment.
- Type of Impact:** State and local expenditure increases.
- Agencies Affected:** Department of Environmental Protection and certain municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Expenditure Increase		Marginal	
Municipal Expenditure Increase		Marginal	

- The Office of Legislative Services (OLS) estimates that this bill may result in a marginal municipal expenditure increase to the State and municipal governments.
- The OLS determines that the additional requirement under the land use plan element of a municipal master plan would likely be subsumed within existing duties by members of the planning board. However, some requirements of the assessment may need specialized expertise and certain municipalities may need to hire outside consultants. The OLS notes that a re-examination of a municipal master plan is only required to be completed once every 10 years. Furthermore, this bill will only affect municipal master plans adopted after the date the bill is enacted into law.
- The Department Environmental Protection (DEP) may incur additional duties to provide technical assistance to a municipality preparing a climate change-related hazard vulnerability assessment. The OLS determines that this assistance can be subsumed within existing duties.

BILL DESCRIPTION

This bill would require that the land use plan element of a municipal master plan include a climate change-related hazard vulnerability assessment. The assessment would: (1) analyze current

and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards; (2) include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities identified in (1) above related to that development; (3) identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state; (4) analyze the potential impact of natural hazards on relevant components and elements of the master plan; (5) provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards; (6) include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with certain other plans adopted by the municipality; and (7) rely on the most recent natural hazard projections and best available science provided by the DEP. The bill would apply to any land use plan element adopted after the date the bill is enacted into law.

The bill would also require the DEP, upon request by a planning board, to provide technical assistance, as practicable, to a municipality preparing a climate change-related hazard vulnerability assessment required by the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill may result in a marginal expenditure increase to the DEP and municipal governments. The OLS determines that the additional requirement under the land use plan element of a municipal master plan, which is to include a climate change-related hazard vulnerability assessment, would most likely be subsumed within existing duties by members of the planning board. However, some requirements of the assessment may need specialized expertise and certain municipalities may need to hire outside consultants. The OLS notes that a re-examination of a municipal master plan is only required to be completed once every 10 years. Furthermore, this bill will only affect municipal master plans adopted after the date the bill is enacted into law.

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Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Neha Mehta Patel
Associate 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 Murphy Takes Action on Legislation

02/4/2021

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

S-2384/A-4129 (Greenstein, Gill/Spearman, Vainieri Huttel, Mukherji) – Requires health care facilities to report certain coronavirus disease 2019 (COVID-19) data related to health care workers and certain first responders

S-2607/A-2785 (Smith, Greenstein/Benson, McKeon) – Requires land use plan element of municipal master plan to include climate change-related hazard vulnerability assessment

[Copy of Statement](#)

S-3220/A-5122 (Sweeney, Turner, Cruz-Perez/Spearman, Dancer, Johnson) – Permits exemption from civil service law enforcement examination requirement for entry level-law enforcement officers

[Copy of Statement](#)

S-3230/A-5115 (Greenstein, Corrado/Moriarty, Conaway, Calabrese, Chiaravalloti) – Appropriates \$30.387 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

S-3256/A-5084 (Scutari, Ruiz/Kennedy, Calabrese) – Reclassifies possession of psilocybin as disorderly persons offense

A-4941/S-3122 (Mejia/Sacco) – Authorizes State Treasurer to sell and convey certain surplus real property located in Town of Secaucus, Hudson County

A-4943/S-3092 (Wirths, Space, Bergen/Oroho) – Authorizes State Treasurer to sell and convey certain surplus real property located in Borough of Franklin, Sussex County

A-5113/S-3235 (Timberlake, Sumter, Caputo/Beach, Pou) – Appropriates \$11,777,499 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

A-5114/S-3229 (DeAngelo, Speight, Swain/Codey, Corrado) – Appropriates \$37.16 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-5116/S-3196 (Johnson, Auth, Schepisi/Cardinale, Smith) – Authorizes State Treasurer to sell and convey certain surplus real property located in the Township of Mahwah, County of Bergen

Governor Murphy conditionally vetoed the following bill:

S-3252/A-5089 (Vitale) – **CONDITIONAL** – Clarifies that County Option Hospital Fee Pilot Program expires five years after each participating county has collected fee and that participating counties in program are not liable for fee imposed on hospitals

[Copy of Statement](#)

Governor Murphy absolute vetoed the following bill:

S-3283/A-5151 (Addiego, Lagana, Gopal/Egan, Armato, Downey, Bramnick) – **ABSOLUTE** – Concerns emergency unemployment benefits and shared work benefits

[Copy of Statement](#)

**GOVERNOR'S STATEMENT UPON SIGNING
SENATE BILL NO. 2607
(First Reprint)**

Today I am pleased to sign Senate Bill No. 2607 (First Reprint), which expands upon the existing requirements of the land use plan element of a municipal master plan to require all land use elements adopted or amended on or after the bill's enactment to include a climate change-related hazard vulnerability assessment. Pursuant to the bill, the climate change-related hazard vulnerability assessment will analyze current and future threats associated with climate change-related natural hazards, including increased temperatures, drought, flooding, hurricanes, and sea-level rise. The assessment also must include a build-out analysis of all future development in the municipality, as well as any threats and vulnerabilities associated with this development, and strategies to reduce the risks of climate change-related natural hazards.

I commend the bill's sponsors for their recognition that confronting climate change requires concerted action at all levels of government and that local mitigation and adaptation measures are critical to protecting our residents, our economy, and our way of life. The requirements of the bill will serve as an important component of New Jersey's multi-faceted climate policy, complementing the Statewide Climate Change Resilience Strategy that the Department of Environmental Protection ("DEP") is developing in consultation with the Interagency Council on Climate Resilience pursuant to Executive Order No. 89 (2019), the critical regulatory reforms to be proposed by the DEP as part of NJPACT (New Jersey Protecting Against Climate Threats) under Executive Order No. 100 (2020), and the numerous climate change resilience efforts across all of our State agencies.

To ensure the success of Senate Bill No. 2607 (First Reprint), DEP is already working on multiple fronts to provide consistent data, tools, programs, educational materials, and guidance to help municipalities develop complete and accurate climate risk assessments and to ensure a consistent approach throughout the State. I encourage municipalities and municipal planning boards to take advantage of DEP's resources as they analyze and plan for climate change impacts within their communities.

The climate change-related hazard vulnerability assessment, which should be integrated with a municipality's other land use elements in a manner that is consistent with all applicable constitutional and statutory requirements, is a critical step forward in our ongoing efforts to achieve sustainable development and mitigate climate-related hazards.

Date: February 4, 2021

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor