

13:1B-15.146 to 13:1B-15.150

LEGISLATIVE HISTORY CHECKLIST

NJSA: 13:1B-15.146 to 13:1B-15.150 (DEP- Natural Heritage Program)

LAWS OF: 1988 **CHAPTER:** 127

BILL NO: A1366

SPONSOR(S): Ogden

Date Introduced: Pre-filed

Committee: **Assembly:** Conservation, Natural Resources and Energy
Senate: Natural Resources and Agriculture

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

Date of Passage: **Assembly:** February 22, 1988
Senate: August 8, 1988

Date of Approval: September 16, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes
Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

[FIRST REPRINT]
ASSEMBLY, No. 1366
STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblywoman OGDEN

1 AN ACT establishing a Natural Heritage Program in the
2 Department of Environmental Protection, supplementing Title
3 13 of the Revised Statutes, and making an appropriation.

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

7 1. The Legislature finds and declares that this State has a rich
8 natural heritage which is in danger of disappearing as the State
9 continues to experience economic and industrial growth; that a
10 program to conduct an inventory of rare plants, animals, and
11 natural communities throughout New Jersey was established in
12 1984 through a cooperative agreement between the Department
13 of Environmental Protection and The Nature Conservancy, a
14 nonprofit conservation organization; that this program is
15 providing up-to-date information on rare species and natural
16 communities to planners, developers, and conservation agencies
17 for use in resource management, environmental impact
18 assessment, and both public and private land protection efforts;
19 that this program enables the State to share information, in a
20 national network, with the more than 40 other states with
21 comparable programs; that the continued success and usefulness
22 of the program is dependent upon continuously updating and
23 refining the information in the inventory; that, by design, The
24 Nature Conservancy ¹[will not be participating] intended to end
25 their participation¹ in the program after fiscal year 1987 ¹but
26 has temporarily extended their participation pending the
27 establishment of a formal program¹; the Legislature therefore
28 determines that in order to preserve the State's natural diversity
29 the Natural Heritage Program needs to be formally recognized
and established.

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 ANR committee amendments adopted February 1, 1988.

1 2. There is established in the Division of Parks and Forestry,
2 Department of Environmental Protection, a Natural Heritage
3 Program. The purpose of the program is to identify the most
4 critically important natural areas in the State and provide
5 detailed up-to-date information on rare species and natural
6 communities to planners, developers, and conservation agencies
7 for use in resource management, environmental impact
8 assessment, and both public and private land protection efforts.

9 3. The functions of the program shall include, but need not be
10 limited to:

11 a. Maintaining and updating, through data collection and field
12 work, a partially computerized data base which includes lists of
13 rare and endangered species, and natural communities ranked
14 according to rarity, as well as information on the location,
15 quality, protection status, and sources of information of
16 individual occurrences of the above species and natural
17 communities; and

18 b. Providing information on species and natural community
19 occurrences to other government agencies, consultants, and
20 private landowners seeking to preserve natural diversity and
21 advice on how best to protect these occurrences.

22 4. The Commissioner of Environmental Protection is
23 authorized to charge and collect fees in an amount sufficient to
24 cover the costs of any services performed pursuant to this act.
25 Such fees shall be in addition to any appropriation received by the
26 department for this program and shall be devoted entirely and
27 exclusively to carrying out the purposes and provisions of this act.

28 5. With the approval of the Governor, the Commissioner of
29 Environmental Protection may cooperate with and receive money
30 from the federal government, or any county or municipal
31 government or from private sources for the purposes of this act
32 and to supplement administration of the program.

33 6. There is appropriated from the General Fund to the
34 Department of Environmental Protection the sum of \$90,000.00
35 to carry out the provisions of this act.

 7. This act shall take effect immediately.

1

ENVIRONMENT
Natural Resources

3

Establishes a Natural Heritage Program in the DEP, appropriates
5 \$90,000.

ASSEMBLY, No. 1366

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblywoman OGDEN

1 AN ACT establishing a Natural Heritage Program in the
2 Department of Environmental Protection, supplementing Title
3 13 of the Revised Statutes, and making an appropriation.

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

7 1. The Legislature finds and declares that this State has a
8 rich natural heritage which is in danger of disappearing as the
9 State continues to experience economic and industrial growth;
10 that a program to conduct an inventory of rare plants, animals,
11 and natural communities throughout New Jersey was established
12 in 1984 through a cooperative agreement between the
13 Department of Environmental Protection and the Nature
14 Conservancy, a nonprofit conservation organization; that this
15 program is providing up-to-date information on rare species
16 and natural communities to planners, developers, and
17 conservation agencies for use in resource management,
18 environmental impact assessment, and both public and private
19 land protection efforts; that this program enables the State to
20 share information, in a national network, with the more than 40
21 other states with comparable programs; that the continued
22 success and usefulness of the program is dependent upon
23 continuously updating and refining the information in the
24 inventory; that, by design, The Nature Conservancy will not be
25 participating in the program after fiscal year 1987; the
26 Legislature therefor determines that in order to preserve the
27 State's natural diversity the Natural Heritage Program needs to
28 be formally recognized and established.

29 2. There is established in the Division of Parks and Forestry,
30 Department of Environmental Protection, a Natural Heritage
31 Program. The purpose of the program is to identify the most
32 critically important natural areas in the State and provide
33 detailed up-to-date information on rare species and natural

1 communities to planners, developers, and conservation agencies
 for use in resource management, environmental impact
 3 assessment, and both public and private land protection efforts.

3. The functions of the program shall include, but need not be
 5 limited to:

a. Maintaining and updating, through data collection and field
 7 work, a partially computerized data base which includes lists of
 rare and endangered species, and natural communities ranked;
 9 according to rarity, as well as information on the location,
 quality, protection status, and sources of information of
 11 individual occur: renees of the above species and natural
 communities; and

b. Providing information on species and natural community
 13 occurrences to other government agencies, consultants, and
 private landowners seeking to preserve natural diversity and
 15 advice on how best to protect these occurrences.

4. The Commissioner of the Department of Environmental
 17 Protection is authorized to charge and collect fees in an amount
 19 sufficient to cover the costs of any services performed pursuant
 to this act. Such fees shall be in addition to any appropriation
 21 received by the department for this program and shall be
 devoted entirely and exclusively to carrying out the purposes
 23 and provisions of this act.

5. With the approval of the Governor, the Commissioner of
 25 the Department of Environmental Protection may cooperate
 with and receive money from the federal government, or any
 27 county or municipal government or from private sources for the
 purposes of this act and to supplement administration of the
 29 program.

6. There is appropriated from the General Fund to the
 31 Department of Environmental Protection the sum of \$90,000.00
 to carry out the provisions of this act.

33 7. This act shall take effect immediately.

35

STATEMENT

37

This bill would formally establish a Natural Heritage Program
 39 in the Division of Parks and Forestry, Department of

1 Environmental Protection, designed to gather and disseminate
information on the most endangered elements of our natural
3 ecological diversity. A Natural Heritage Program was
established in 1984 as a joint project of the Department of
5 Environmental Protection and the Nature Conservancy, a
nonprofit conservation organization. Because The Nature
7 Conservancy, by design, is terminating its participation at the
end of fiscal year 1987, the State must formally establish the
9 program for it to continue. The program would consist of
identifying the most critically important natural areas in the
11 State and providing detailed up-to-date information on rare
species and natural communities to planners, developers and
13 conservation agencies for use in resource management,
environmental impact assessment, and both public and private
15 land protection efforts.

The program would benefit the State by: (1) assisting
17 managers of State owned lands in preserving the natural
diversity contained therein; (2) providing information on critical
19 natural areas to developers and regulatory agencies in the early
planning stages of projects; (3) directing public and private
21 conservation organizations concerned with land acquisition to
the most critically important natural areas in need of
23 protection; and (4) working to avoid unnecessary destruction of
rare species and natural communities through disbursement of
25 ecological information.

The bill would authorize the department to charge a fee to
27 defray the costs of services provided, and would appropriate
\$90,000 to establish the program and staff it for the initial year.

29

31

ENVIRONMENT
Natural Resources

33

Establishes a Natural Heritage Program in the DEP,
35 appropriates \$90,000.00.

ASSEMBLY COMMITTEE ON CONSERVATION,
NATURAL RESOURCES AND ENERGY

STATEMENT TO

ASSEMBLY, No. 1366

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 1, 1988

Assembly Bill No. 1366 is reported favorably by the committee with committee amendment.

This bill would formally establish a Natural Heritage Program in the Division of Parks and Forestry, Department of Environmental Protection, designed to gather and disseminate information on the most endangered elements of our natural ecological diversity. A Natural Heritage Program was established in 1984 as a joint project of the Department of Environmental Protection and The Nature Conservancy, a non-profit conservation organization. This bill, providing for the program to continue, is needed because The Nature Conservancy, by design, is terminating its participation in the program. The Nature Conservancy intended to end its participation at the end of fiscal year 1987 but has extended its participation in anticipation of legislation formally establishing the program. Funding for the conservancy's staff for this program will expire in July 1988.

The Natural Heritage Program would involve identifying the most critically important natural areas in the State and providing detailed, up-to-date information on rare species and natural communities to planners, developers, and conservation agencies for use in land use decisions, resource management, environmental impact assessment, and both public and private land protection efforts.

The program would benefit the State by: 1) assisting managers of State-owned lands in preserving the natural diversity contained therein; 2) providing information on critical natural areas to developers and regulatory agencies in the early planning stages of projects; 3) directing public and private conservation organizations concerned with land acquisition to the most critically important natural areas in need of protection; and 4) working to avoid unnecessary destruction of rare species and natural communities through disbursement of ecological information.

The bill would authorize the department to charge a fee to defray the costs of services provided, and would appropriate \$90,000 to establish the program and staff it for the initial year. The Commissioner of Environmental Protection is authorized, with the approval of the Governor, to cooperate with, and accept money from, the federal government, local governments, or private sources.

The committee made a technical amendment to the bill to reflect in the Legislative findings and declarations the continued participation of the Nature Conservancy beyond fiscal year 1987.

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

SENATE NATURAL RESOURCES AND
AGRICULTURE COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1366

STATE OF NEW JERSEY

DATED: MARCH 21, 1988

The Senate Natural Resources and Agriculture favorably reported Assembly Bill No. 1366(1R).

This bill formally establishes a Natural Heritage Program in the Division of Parks and Forestry, Department of Environmental Protection, designed to gather and disseminate information on the most endangered elements of our natural ecological diversity. A Natural Heritage Program was established in 1984 as a joint project of the Department of Environmental Protection and The Nature Conservancy, a non-profit conservation organization. This bill, providing for the program to continue, is needed because The Nature Conservancy, by design, is terminating its participation in the program. The Nature Conservancy intended to end its participation at the end of fiscal year 1987 but has extended its participation in anticipation of legislation formally establishing the program. Funding for the conservancy's staff for this program will expire in July 1988.

The Natural Heritage Program would involve identifying the most critically important natural areas in the State and providing detailed, up-to-date information on rare species and natural communities to planners, developers, and conservation agencies for use in land use decisions, resource management, environmental impact assessment, and both public and private land protection efforts.

The program would benefit the State by: 1) assisting managers of State-owned lands in preserving the natural diversity contained therein; 2) providing information on critical natural areas to developers and regulatory agencies in the early planning stages of projects; 3) directing public and private conservation organizations concerned with land acquisition to the most critically important natural areas in need of protection; and 4) working to avoid unnecessary destruction of rare species and natural communities through disbursement of ecological information.

The bill authorizes the department to charge a fee to defray the costs of services provided, and appropriates \$90,000 to establish the program and staff it for the initial year. The Commissioner of Environmental Protection is authorized, with the approval of the Governor, to cooperate with, and accept money from, the federal government, local governments, or private sources.