ASSEMBLY ENVIRONMENT, NATURAL RESOURCES, AND SOLID WASTE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5121

STATE OF NEW JERSEY

DATED: DECEMBER 12, 2024

The Assembly Environment, Natural Resources, and Solid Waste Committee reports favorably Assembly Bill No. 5121.

This bill appropriates the sum of $49.5 million to the Department of Environmental Protection (DEP) to provide funding for the acquisition by the State of lands for recreation and conservation purposes, including for Blue Acres projects, pursuant to the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-43 et seq.).

The funding in this bill is provided from constitutionally dedicated corporation business tax (CBT) revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014. The "Preserve New Jersey Act" implements the constitutional dedication of CBT revenues for open space, farmland, and historic preservation. The act provides for a certain amount of the portion of dedicated CBT revenues, which are allocated each year for the Green Acres program, to be used for: the acquisition of lands for open space, including Blue Acres projects, and the undertaking of development projects on State lands administered by the DEP's Division of Fish and Wildlife and Division of Parks and Forestry; the funding of grants and loans for local government open space acquisition and development projects; and the funding of grants, to nonprofit entities, for the acquisition and development of lands for recreation and conservation purposes.

This bill appropriates moneys for State open space acquisition projects, including for Blue Acres projects. Specifically, this bill appropriates $23.725 million to the DEP to provide funding for the acquisition of lands, by the State, for recreation and conservation purposes. This appropriation allocates funding for the State's acquisition, for recreation and conservation purposes, of lands located throughout New Jersey, within the 14 project categories identified in section 1 of the bill. The bill also appropriates $23.725 million, to the DEP, in order to provide funding for the State's acquisition, for recreation and conservation purposes, of properties located throughout New Jersey which are prone to or have incurred flood or storm damage, or which may buffer or protect other lands from such damage (i.e., "Blue Acres" projects). In addition, section 3 of the bill appropriates $2.05 million to the DEP for the purposes of paying

administrative costs associated with administering the applicable provisions of the "Preserve New Jersey Act." Of the total funds appropriated in the bill, the sum of $7.517 million is available due to interest earnings on the constitutionally dedicated CBT revenues.

The "Preserve New Jersey Green Acres Fund" was established by section 6 of the "Preserve New Jersey Act." The "Preserve New Jersey Blue Acres Fund" was established by section 7 of the "Preserve New Jersey Act." P.L.2019, c.136 amended the "Preserve New Jersey Act" to incorporate the purposes of the "Preserve New Jersey Blue Acres Fund" into the "Preserve New Jersey Green Acres Fund," rather than having two separate funds, both providing moneys to the DEP for the acquisition of lands for recreation and conservation purposes. Of the funding allocated for the State's acquisition of lands for recreation and conservation purposes, a minimum of 10 percent is to be allocated for Blue Acres projects.

The projects and appropriations listed in this bill have been approved by the DEP and the Garden State Preservation Trust.

The bill also authorizes the DEP to re-distribute certain other moneys, which are made available as a result of project cancellations or cost savings, in order to provide additional funding, for recreation and conservation purposes, to previously approved and funded State projects, subject to the approval of the Joint Budget Oversight Committee. The bill further authorizes such additional funding, if provided from a Green Acres bond act, to include administrative costs.