



No Net Loss Compensatory Reforestation Act

N.J.S.A 13:1L-14.1 *et seq.*

Pinelands Commission
Climate Committee Meeting
September 30, 2022

NNL Act Requirements

- State entities must develop & submit to NJDEP, Division of Park & Forestry (NJ Forest Service), a plan for compensatory reforestation for all areas, at least ½ acre in size that are owned or maintained by the State entity and are scheduled for deforestation.
- State entities = Department, Agency or Office of State Government, including a State University or College, or an authority created by the State.
- Goal of reforestation plan = no net loss of existing forested area based upon reasonable and practical Tree Replacement Factor developed due to the act of deforestation and in accordance with the NNL Act.

NNL Act Requirements (cont.)

- Plan is subject to approval by the Division of Parks & Forestry after review and comment by the NJ Community Forestry Council.
- Act provides that deforestation of land of at least ½ acre in size that is owned or maintained by a State entity may be commenced without approval of that State entity's compensatory reforestation plan.

NNL Hierarchy of Compensatory Reforestation

1. Reforestation on-site (adjacent to the deforested area).
2. On State or municipal property within the municipality in which the deforestation occurred.
3. On a site within five (5) miles of the site of deforestation on lands owned or maintained by the State, County or other municipal entity.
4. Off-site, beyond five (5) miles of deforestation, may include site owned or maintained by State entity, other than one developing and implementing the plan, if that State entity that is to receive the benefits of the off-site tree planting agrees.
5. If the compensatory reforestation required cannot be conducted on-site, Act permits monetary compensation equal to value of the number of trees required to be replaced.

NNL – Public Forum

- State entity, which owns or maintains land on which an area of at least one (1) acre in size is scheduled for deforestation, must hold at least one public forum.
- Held at least 180 days prior to the deforestation of the area.
- Held within municipality in which deforestation will occur.
- Or, if area of deforestation spans more than one municipality, in any one of the municipalities.
- At public forum, State entity will present its plan for deforestation and its plan for reforestation.
- 60-day comment period for oral and written public comment.
- Response to public comment within 60 days after comment period closes.

NNL Non-Applicability

- Non-State Entities (i.e. municipalities, counties, private entities)
- Activities deemed by the Division to constitute standard forestry, wildlife management, or arboricultural practices, or actively managed existing utility easements; or
- Conducted, or caused to be conducted, by the Department of Military and Veteran's Affairs at the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

No Net Loss Compensatory Reforestation Program Guidelines (11-14-16)

- In accordance with NNL Act, NJFS, with the advice and assistance of the NJ Community Forest Council developed guidelines for the elements required in a reforestation plan.
- Guidelines include:
 - Method for Determining Amount of Deforestation
 - Method to Calculate Compensatory Reforestation Obligation
 - Methods of Compensatory Reforestation (NNL Hierarchy)
 - Tree Establishment period (2 years) and establishment criteria
 - Project completion and what to do if establishment criteria are not met)
 - Element of Compensatory Reforestation Plan
 - Application and Applicability Determination Processes



Questions???