

ASSEMBLY, No. 5241

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 27, 2023

Sponsored by:
Assemblyman RAJ MUKHERJI
District 33 (Hudson)

SYNOPSIS

Establishes four-year pilot program, and creates Triploid Grass Carp Commission, to study use of triploid grass carp in freshwater lakes for weed control; appropriates \$150,000.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing a pilot program concerning the use of triploid
2 grass carp in freshwater lakes, and making an appropriation.

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

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7 1. a. No later than 120 days after the effective date of this act,
8 the Department of Environmental Protection shall establish a four-
9 year pilot program to evaluate the use of triploid grass carp as an
10 alternative to the use of herbicide in freshwater lakes, while
11 ensuring the protection of native plants and aquatic ecosystems.
12 The pilot program shall provide matching grants to three qualified
13 lake management organizations for the purchase of triploid grass
14 carp and the construction of the containment barriers necessary to
15 introduce the carp into a freshwater lake. To be eligible for a grant
16 pursuant to this program, the lake shall be between 10 and 25 acres
17 in size.

18 b. The Commissioner of Environmental Protection shall develop
19 an application by which a lake management organization may apply
20 for a grant pursuant to this section, and the criteria to be used by the
21 department to review applications received by the department. The
22 commissioner shall provide notice of the availability of funding for
23 this program, including the requirements necessary to qualify for
24 funding, and shall make the application available on the
25 department's Internet website.

26 c. From the applications received pursuant to this section, the
27 commissioner shall select three lake management organizations to
28 each receive a matching grant, not to exceed \$50,000, for the
29 purchase of triploid grass carp and the construction of the
30 containment barriers necessary to introduce the carp into the lake.

31
32 2. a. There is established in the Department of Environmental
33 Protection the Triploid Grass Carp Commission. The commission
34 shall:

35 (1) consider the efficacy of using triploid grass carp as an
36 alternative to herbicides for aquatic weed control in freshwater
37 lakes;

38 (2) evaluate whether triploid grass carp may be safely used in the
39 State without negatively impacting native fisheries or aquatic
40 ecosystems;

41 (3) evaluate current laws, rules, and regulations in effect in other
42 states, concerning the use of triploid grass carp, the effectiveness of
43 the use of triploid grass carp in other states, and the protection of
44 native fisheries and aquatic ecosystems; and

45 (4) at least annually during the term of the pilot program
46 operations, evaluate the pilot program established pursuant to
47 section 1 of this act, and at the conclusion of the pilot program,
48 submit a written report pursuant to subsection f. of this section.

- 1 b. The commission shall consist of seven members, appointed
2 by the Governor as follows:
- 3 (1) a representative of the Bureau of Freshwater and Biological
4 Monitoring within the Division of Water Monitoring and Standards
5 in the Department of Environmental Protection;
- 6 (2) a representative of the New Jersey Audubon Society;
- 7 (3) a representative of Rutgers, the State University, with
8 expertise in freshwater fisheries and aquatic ecosystems;
- 9 (4) a representative of Rowan University, with expertise in
10 freshwater fisheries and aquatic ecosystems; and
- 11 (5) three members, each of whom shall represent the lake
12 management organizations selected to receive a grant pursuant to
13 section 1 of this act.
- 14 c. All appointments to the commission shall be made no later
15 than 180 days after the effective date of this act. Each member
16 shall serve for the duration of the commission, and vacancies shall
17 be filled in the same manner as the original appointments. The
18 members of the commission shall serve without compensation, but
19 shall be eligible for reimbursement for necessary and reasonable
20 expenses incurred in the performance of their official duties, within
21 the limits of funds appropriated or otherwise made available to the
22 commission for its purposes.
- 23 d. The commission shall organize as soon as practicable
24 following the appointment of its members, and shall select a
25 chairperson and a vice-chairperson from among its members, as
26 well as a secretary who need not be a member of the commission.
27 A majority of the membership of the commission shall constitute a
28 quorum for the transaction of commission business. The
29 commission may meet and hold hearings at the place or places the
30 commission designates.
- 31 e. The Department of Environmental Protection shall provide
32 staff support to the commission. The commission shall be entitled
33 to call to its assistance and avail itself of the services of the
34 employees of any State, county, or municipal department, board,
35 bureau, commission, or agency as the commission may require and
36 as may be available to the commission for its purposes.
- 37 f. No later than 120 days after the conclusion of the four-year
38 pilot program established pursuant to section 1 of this act, the
39 commission shall prepare and submit to the Governor and, pursuant
40 to section 2 of P.L.1991, c.164 (C.52:14-19.1), the Legislature, a
41 final report detailing the commission's findings, including any
42 recommendations for legislative or regulatory action that the
43 commission deems appropriate for the effective use of triploid grass
44 carp as an alternative to the use of herbicide in freshwater lakes.
- 45 g. The commission shall expire 30 days after submission of its
46 final report pursuant to subsection f. of this section.
- 47
- 48 3. There is appropriated from the General Fund to the
49 Department of Environmental Protection the sum of \$150,000 for

1 the purpose of awarding matching grants pursuant to section 1 of
2 this act.

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4 4. This act shall take effect immediately and shall expire 30
5 days after submission of the commission's final report pursuant to
6 subsection f. of section 2 of this act.

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STATEMENT

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11 This bill would establish a four-year pilot program and create a
12 Triploid Grass Carp Commission (commission) in the Department
13 of Environmental Protection (DEP) to study use of triploid grass
14 carp in freshwater lakes for weed control.

15 The purpose of the four-year pilot program is to evaluate the use
16 of triploid grass carp as an alternative to the use of herbicide in
17 freshwater lakes, while ensuring the protection of native plants and
18 aquatic ecosystems. The pilot program would provide matching
19 grants to three qualified lake management organizations for the
20 purchase of triploid grass carp and the construction of the
21 containment barriers necessary to introduce the carp into a
22 freshwater lake. To be eligible for a grant pursuant to this program,
23 a lake is required to be between 10 and 25 acres in size. The bill
24 requires the DEP to develop criteria for the evaluation of
25 applications.

26 The commission would be charged with: (1) considering the
27 efficacy of using triploid grass carp as an alternative to herbicides
28 for aquatic weed control in freshwater lakes; (2) evaluating whether
29 triploid grass carp may be safely used in the State without
30 negatively impacting native fisheries or aquatic ecosystems; (3)
31 evaluating current laws, rules, and regulations in effect in other
32 states concerning the use of triploid grass carp and the effectiveness
33 of the use of triploid grass carp in other states and the protection of
34 native fisheries and aquatic ecosystems; and (4) at least annually,
35 evaluating the pilot program established pursuant to the bill. In
36 addition, the commission would be required to submit its findings
37 and recommendations to the Governor and the Legislature at the
38 conclusion of the four-year pilot program.

39 The commission would be comprised of seven members
40 appointed by the Governor, as follows: a representative of the
41 DEP's Bureau of Freshwater and Biological Monitoring; a
42 representative of the New Jersey Audubon Society; a representative
43 of Rutgers, the State University, with expertise in freshwater
44 fisheries and aquatic ecosystems; a representative of Rowan
45 University, with expertise in freshwater fisheries and aquatic
46 ecosystems; and a representative of each lake management
47 organization selected to receive a grant pursuant to section 1 of the
48 bill. The commission would expire 30 days after submission of its
49 final report.

1 The bill would appropriate \$150,000, from the General Fund, for
2 the purposes of providing the matching grants to be issued by the
3 pilot program established by the bill.

4 Grass carp are an aquatic plant-eating species of carp native to
5 eastern Asia, and the “triploid” is a genetically altered form thereof
6 which is unable to successfully spawn. Stocking triploid grass carp
7 in certain bodies of water can substantially aid in managing
8 vegetative growth and improve the overall health of the waterbody.