

CHAPTER 390

AN ACT concerning the installation of transmission and distribution wires that cross preserved farmland and supplementing Title 4 of the Revised Statutes.

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

C.4:1C-32.22 Transmission, distribution wires crossing preserved farmland, application, parameters.

1. a. As used in this section:

“Board” means the Board of Public Utilities.

“Committee” means the State Agriculture Development Committee established pursuant to section 4 of P.L.1983, c.31 (C.4:1C-4).

“Preserved farmland” means land on which a development easement was conveyed to, or retained by, the committee, a board, or a qualifying tax exempt nonprofit organization pursuant to the provisions of section 24 of P.L.1983, c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section 1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180 (C.4:1C-43.1), sections 37 through 40 of P.L.1999, c.152 (C.13:8C-37 through C.13:8C-40), or any other State law enacted for farmland preservation purposes.

“Secretary” means the Secretary of Agriculture.

“Transmission and distribution wires” or “wires” means wires used to interconnect an energy generation facility to an electric distribution or transmission system, as well as any associated components that are necessary for the wires’ installation, functionality, and access.

b. If transmission and distribution wires are required to be connected to, or from, an energy generation facility located in the State to allow the facility to interconnect to an electric distribution or transmission system, such that the wires would cross preserved farmland, the owner of the facility may submit an application to the committee for approval of a proposed project to install the transmission and distribution wires. The application shall contain, at minimum, the following information:

(1) the name, address, and telephone number of the company or organization that owns or operates the proposed project and the name of a contact person for the proposed project;

(2) information related to the location and land use of the proposed project, as follows:

(a) the municipality or municipalities, block, and lot number or numbers, as applicable, that would be impacted by the proposed project;

(b) a key map adequately locating the proposed route of wires to, and from, the proposed project; and

(c) the land use of areas adjacent to the project site, including the block and lot number of any surrounding parcels of preserved farmland that would be impacted by the proposed project;

(3) a description of the proposed project, including:

(a) the type and purpose of the proposed project;

(b) the phases of the proposed project; and

(c) the site plan for the proposed project;

(4) an analysis of alternatives to the installation of wires across preserved farmland, including:

(a) a description of why there is no practical alternative to installing transmission and distribution wires across preserved farmland; and

(b) an explanation of other alternatives that were considered and why those alternatives were rejected; and

(5) written approval from the owner of the preserved farmland on which the transmission and distribution wires would be installed.

c. Except as provided in subsection d. of this section, the committee, in consultation with the County Agriculture Development Board or organization that retains the development rights pursuant to the easement in place on each parcel of preserved farmland impacted by the proposed project, as applicable, shall render a decision on an application submitted pursuant to subsection b. of this section within 60 days.

d. If the Board of Public Utilities determines that a proposed project is necessary to serve the State's energy needs, board staff may file a letter with the committee explaining the public need for the proposed project, and the determination shall be given deference by the committee. If the board has issued a board order designating the proposed project as eligible to receive incentives in one of the State's incentive programs, the board may file the order with the committee in place of a letter. The Secretary of Agriculture, in the secretary's capacity as chair of the committee, and in consultation with the committee, shall grant approval of the application within 30 days of receiving the letter or board order, as applicable. If the secretary finds that there will be a substantial disruption to preserved farmland resulting from the proposed project as described in the application, the secretary, in consultation with the committee, shall require modifications to the proposed project as a condition of granting approval of the application, as may be necessary and reasonably achievable to allow the proposed project to proceed without undue disruption to the preserved farmland.

e. An application for a proposed project that has been approved pursuant to this section shall comply with any other applicable laws, regulations, or permit requirements.

2. This act shall take effect immediately.

Approved January 20, 2026.