

RULE ADOPTIONS

COMMUNITY AFFAIRS

ENVIRONMENTAL PROTECTION

(a)

(b)

DIVISION OF CODES AND STANDARDS

Notice of Administrative Correction Uniform Construction Code

N.J.A.C. 5:23-3.4 and 4D.6

Effective Date: April 26, 2021.

Take notice that the Department of Community Affairs (Department) discovered an error in the text at N.J.A.C. 5:23-3.4 and 4D.6. When the Department adopted the 2018 edition of the International Building Code (IBC), the Section formerly numbered as Section 714.3.2 in the 2015 edition was relocated to Section 714.4.2, with no change in text. In amending N.J.A.C. 5:23-3.4, Responsibilities, to match the updated IBC, the renumbering of this Section was overlooked. At N.J.A.C. 5:23-4D.6, a reference is made to N.J.A.C. 5:23-4A.9 for the Uniform Administrative Procedures (UAP) for modular buildings; however, the UAP reference has been relocated to N.J.A.C. 5:23-4A.7. This administrative correction revises these two sections.

The Department has requested, and the Office of Administrative Law has agreed to, such correction be made administratively. This notice of administrative correction is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the corrected rules follows (addition indicated in boldface **thus**; deletion indicated in brackets [thus]):

SUBCHAPTER 3. SUBCODES

5:23-3.4 Responsibilities

(a) The enforcement responsibilities of the adopted subcodes are as follows:

1. Building Subcode:

Chapter	Section/Title	Responsibility	
		Plan Review	Inspection
...			
Ch. 7	Fire and Smoke Protection Systems	Building/Fire	Building (except penetrations in existing membranes for electrical outlets or devices pursuant to Section [714.3.2] 714.4.2 which shall be Electrical)

2.-9. (No change.)

(b)-(d) (No change.)

SUBCHAPTER 4D. RECREATIONAL PARK TRAILERS

5:23-4D.6 Approval of compliance assurance documents

(a) (No change.)

(b) Approved evaluation agencies shall be permitted to approve building systems documents, compliance assurance programs and the on-site installation instructions for the recreational park trailers provided that documents, programs, and instructions conform to the standards established at N.J.A.C. 5:23-[4A.9]**4A.7**.

DIVISION OF FISH AND WILDLIFE

Notice of Readoption Division of Fish and Wildlife Rules

Readoption: N.J.A.C. 7:25

Authority: N.J.S.A. 13:1B-30 et seq., 13:1D-9, 23:1-1 et seq., and 50:1-5 et seq.

Authorized By: Shawn M. LaTourette, Acting Commissioner,
Department of Environmental Protection and Frank J. Virgilio,
Chair, Fish and Game Council.

Effective Date: May 11, 2021.

New Expiration Date: May 11, 2028.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the Division of Fish and Wildlife Rules at N.J.A.C. 7:25 are readopted and shall continue in effect for a seven-year period. The rules had been scheduled to expire on June 12, 2021. The Department of Environmental Protection (Department) and the New Jersey Fish and Game Council (Council) (which promulgates the Game Code and the Fish Code, codified as part of the Division of Fish and Wildlife Rules at N.J.A.C. 7:25-5 and 6, respectively) have reviewed these rules and determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

The Appendix at N.J.A.C. 7:25-5.6, Comprehensive Black Bear Management Policy (CBBMP), is not subject to readoption under this notice. In the most recent Game Code amendments, proposed at 52 N.J.R. 1799(a) and adopted at 53 N.J.R. 683(b), the Council removed the CBBMP as an Appendix to the Game Code. While the Council formulates a new CBBMP, the current CBBMP will be allowed to expire. Once a new CBBMP is prepared, it will be the subject of a future rulemaking notice in accordance with *United States Sportsmen's Alliance Foundation, et al. v. New Jersey Department of Environmental Protection, et al.*, 182 N.J. 461 (2005), and *New Jersey Animal Rights Alliance, et al. v. New Jersey Department of Environmental Protection, et al.*, 396 N.J. Super 358 (App. Div. 2007).

The Division of Fish and Wildlife Rules govern the management and harvest of fish and wildlife within the State. The rules regulate the activities in Wildlife Management Areas by restricting certain activities, such as swimming and camping while promoting wildlife related activities. The rules outline the procedure to obtain a permit to use devices for non-lethal control of depredating wildlife and outline the procedures for obtaining permits to take depredating wildlife in order to protect crops and property. The seasons, times, manner, and means (equipment, quantity, etc.) for the taking of game are regulated by the rules, as well as the seasons, times, manner, and means for harvesting freshwater fish, marine fish, and shellfish for both recreational and commercial purposes. The rules also classify wildlife as game, food fish, nongame, threatened, endangered, or exotic, and regulate the collecting and possession of certain wildlife as pets, or for scientific, zoological, or commercial purposes.

On March 1, 2021, the Department proposed new rules and amendments to the Crab and Lobster Management rules, Marine Fisheries rules, and Fishery Management in New Jersey rules (see 53 N.J.R. 297(a)). The public comment period on that notice of proposal closed on April 30, 2021.

On March 15, 2021, the Council proposed amendments to the Fish Code, N.J.A.C. 7:25-6 (see 53 N.J.R. 403(a)). The public comment period on the March 15, 2021 notice of proposal closed on May 14, 2021.