

SENATE, No. 2275

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED SEPTEMBER 20, 2010

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

SYNOPSIS

Directs DOT to study stormwater basins in Barnegat Bay watershed.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/21/2010)

1 AN ACT directing the Department of Transportation to study State-
2 owned stormwater basins in the Barnegat Bay watershed.

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

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7 1. The Department of Transportation shall conduct a study of
8 all State-owned stormwater basins in the Barnegat Bay watershed.

9 The study shall identify those State-owned stormwater basins in
10 the Barnegat Bay watershed that are malfunctioning and determine
11 the order in which the stormwater basins should be repaired based
12 on the need for maintenance or restoration. The study shall also
13 estimate the cost to repair each stormwater basin individually.

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15 2. Within one year of the effective date of this act, the
16 Department of Transportation shall prepare and submit a final
17 report of the study conducted pursuant to section 1 of this act,
18 including the department's findings and any recommendations, to
19 the Governor, to the Legislature pursuant to section 2 of P.L.1991,
20 c.164 (C.52:14-19.1), and to the chairperson and members of the
21 Assembly Environment and Solid Waste Committee and the Senate
22 Environment and Energy Committee, or their successor committees.
23 Copies of this report shall also be provided to the public upon
24 request and free of charge, and the report shall be posted on the
25 Internet website of the Department of Transportation.

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27 3. This act shall take effect immediately and shall expire on the
28 30th day after the Department of Transportation submits its report
29 as prescribed in section 1 of this act.

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STATEMENT

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34 This bill would require the Department of Transportation to
35 conduct a study of all State-owned stormwater basins in the
36 Barnegat Bay watershed to identify which are malfunctioning and
37 to submit to the Governor and the Legislature a list of the
38 malfunctioning basins prioritized to indicate the order in which
39 they should be repaired and the estimated cost for each repair.

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41 Rainwater either is absorbed into the environment or flows over
42 land into the waterways. Water that flows over land is referred to
43 as runoff. Once a region becomes developed and buildings and
44 paved areas prevent environmental absorption, the quantity of
45 runoff increases. In addition, paved surfaces accelerate the speed at
46 which runoff travels, allowing it to reach waterways much more
47 quickly. Stormwater basins temporarily collect runoff and slowly
48 release it into the waterways at a more natural pace, mitigating the
environmental impact of development.

1 Stormwater basins help to protect the environment from the
2 ramifications of modern development. In addition to helping
3 prevent flooding by slowing runoff, stormwater basins trap the
4 various pollutants, such as nitrogen from fertilizers, that runoff
5 collects as it travels across modern developments. By allowing
6 these pollutants to settle or be absorbed, stormwater basins help to
7 prevent contamination of our waterways and drinking water. This
8 makes stormwater basins an essential countermeasure to mitigate
9 the environmental impact of development.

10 Over time, stormwater basins can become clogged or overgrown
11 and therefore require maintenance. The necessary maintenance is
12 minimal, consisting mostly of removing debris and mowing the
13 grass. While this maintenance is always time consuming, the cost
14 pales in comparison to the tens of thousands of dollars required to
15 restore a failed basin. Without maintenance, a stormwater basin can
16 have diminished effectiveness or cease to function because the
17 volume available to contain runoff is reduced as the water within
18 the basin is unable to disperse and builds up over time. Also, once
19 the water begins to pool it becomes a breeding ground for
20 mosquitoes. In addition to their impact on quality of life,
21 mosquitoes are known carriers of various serious diseases,
22 including the West Nile Virus and malaria. Therefore, proper
23 maintenance of stormwater basins is the fiscally and
24 environmentally prudent course of action.

25 The regional environmental ramifications of failing to maintain
26 stormwater basins can be seen today in the Barnegat Bay watershed.
27 Due to the lack of proper filtration that could be provided by
28 functioning stormwater basins, approximately 1.4 million pounds of
29 nitrogen, or enough to fill 70,000 fertilizer bags, end up in the bay
30 each year. As a result, the bay is listed by the National Oceanic and
31 Atmospheric Administration as having the second worst
32 eutrophication problem in the country. Eutrophication is caused by
33 an unnatural increase in nutrient levels in the water, which in turn
34 creates an influx in plant and algae growth. This alteration in the
35 bay's natural environment threatens the survival of native species,
36 including clams and other shellfish, and has been blamed for the
37 explosion of the stinging jellyfish population. Eutrophication is
38 currently threatening the Barnegat Bay economy, which provides
39 \$3.3 billion in benefits to the State of New Jersey. Simply
40 maintaining the area's stormwater basins, however, can mitigate a
41 significant amount of this environmental damage.

42 The study proposed by this bill will determine the current
43 condition of all State-owned stormwater basins in the Barnegat Bay
44 watershed. It will also arm the State with a prioritized list of basins
45 that are in the greatest need of repair and an estimate for each
46 repair. Once this report is finalized it will permit the State to
47 determine how best to proceed in restoring failed stormwater basins
48 and performing maintenance on those in need.