

# SENATE, No. 1414

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

**Sponsored by:**

**Senator CHRISTOPHER J. CONNORS**

**District 9 (Atlantic, Burlington and Ocean)**

**SYNOPSIS**

Requires DEP assume responsibility for dredging of waterways providing boat access to lagoon communities; appropriates \$6,000,000.

**CURRENT VERSION OF TEXT**

As introduced.



1    **AN ACT** concerning the dredging of certain waterways in certain  
2       areas of the State, supplementing Title 12 of the Revised  
3       Statutes, and making an appropriation.

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

7  
8       1. The Legislature finds and declares that a number of  
9       communities were established in coastal municipalities to  
10      encourage development, investment, and relocation in these  
11      municipalities; that such communities have become known as  
12      "lagoon communities" because of the lagoons that were constructed  
13      as part of the developments to increase the value and enhance the  
14      attractiveness of the properties by offering boat access to the homes  
15      in the communities; that a number of people invested in and  
16      relocated to the homes in these communities, without any  
17      notification or knowledge of any of the environmental concerns  
18      about establishing or maintaining these communities; that, despite  
19      the branding of a number of these lagoon communities by the  
20      Department of Environmental Protection as "illegal," the lagoon  
21      communities have been an aesthetic and economic boost to the  
22      shore area by invigorating coastal municipalities with the influx of  
23      people and the bolstering of the tax base; and that the people who  
24      have made the investment of money, commitment and dedication to  
25      the coastal municipalities should not be penalized for this  
26      contribution by devaluing their investment.

27      The Legislature further finds and declares that a number of the  
28      waterways accessing these communities are designated as  
29      navigational channels by the State and therefore are the State's  
30      responsibility to dredge and maintain as functioning navigable  
31      waterways; and that the waterways used for transportation and  
32      recreational boating that are not officially designated as  
33      navigational channels also should be dredged and maintained by the  
34      State to ensure the environmental integrity of the areas in which the  
35      dredging occurs and the quality of life of the residents who have  
36      invested in these areas.

37      The Legislature therefore determines that the Department of  
38      Environmental Protection should take responsibility for the  
39      dredging of the waterways providing boat access to lagoon  
40      communities in the State, whether officially designated as  
41      navigational channels or not, and maintain these waterways for the  
42      future economic and environmental health and vitality of the coastal  
43      areas of the State.

44  
45      2.   a. Within one year after the effective date of this act, the  
46      Department of Environmental Protection shall establish a list of all  
47      lagoon communities in the State and the waterways providing boat  
48      access thereto, and a dredging schedule, on a priority basis, for the

1 dredging of the waterways required to reestablish and improve boat  
2 access to each of the communities on the list. The list shall include,  
3 but shall not be necessarily limited to, the following: Cedar Creek,  
4 Hancy's Pond (Forked River), the Loveladies Lagoons,  
5 Manahawkin Creek, the Mystic Island Lagoons, the O Street Lake  
6 Lagoon (Seaside Park), Thompson Creek (Tuckerton), Tide Pond  
7 Creek, Skippers Cove Beach, Sunrise Beach (Forked River), and  
8 Veeder and Bayview Lagoon. The dredging schedule shall provide  
9 for all dredging to be completed within the two years after the  
10 effective date of this act.

11 b. As soon as practicable after the establishment of the lists and  
12 dredging schedule required under subsection a. of this section, the  
13 Department of Environmental Protection shall begin the necessary  
14 dredging and shall complete the dredging no later than two years  
15 after the effective date of this act.

16 c. Within the two years after the effective date of this act, the  
17 Department of Environmental Protection shall establish a  
18 maintenance dredging schedule for the waterways providing boat  
19 access to lagoon communities in the State, identified pursuant to  
20 subsection a. of this section. The maintenance dredging schedule  
21 shall include the estimated annual cost for the maintenance  
22 dredging. The schedule shall begin, and the Department of  
23 Environmental Protection shall implement it no later than, two  
24 years and 180 days after the effective date of this act.

25 d. The Commissioner of Environmental Protection shall submit  
26 to the Governor and Legislature the lists and schedules required to  
27 be established pursuant to this section within the 30 days after the  
28 lists and schedules have been established and shall include funding  
29 of the maintenance dredging projects in the annual budget request  
30 submitted by the department to the Governor.

31

32 3. There is appropriated from the General Fund to the  
33 Department of Environmental Protection the sum of \$5,000,000 for  
34 the purposes of effectuating the requirements of subsections a. and  
35 b. of section 2 of this act, and the sum of \$1,000,000 for the  
36 purposes of establishing and implementing the maintenance  
37 dredging schedule as required under subsection c. of section 2 of  
38 this act.

39

40 4. This act shall take effect immediately.

41

42

#### STATEMENT

43

44 This bill provides for the dredging of the waterways providing  
45 boat access to lagoon communities in the State, whether officially  
46 designated as navigational channels or not, and maintain these  
47 waterways for the future economic and environmental health and  
48 vitality of the coastal areas of the State.