

ASSEMBLY, No. 2895

STATE OF NEW JERSEY

INTRODUCED MAY 1, 1997

By Assemblymen AZZOLINA and T. Smith

1 AN ACT prohibiting the siting of a facility for the disposal of port
2 region dredged materials in a portion of the Raritan Bay and
3 supplementing Title 13 of the Revised Statutes.

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

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8 1. Any certification submitted to the State pursuant to section 307
9 of Pub.L. 89-454 (16 U.S.C.§1456), by an applicant proposing to
10 construct in the Raritan Bay a containment island that is 2.3 miles in
11 length, .5 miles in width and 60 feet above sea level for the disposal of
12 dredged materials dredged from the port region, that is offshore of the
13 Boro of Keansburg, Monmouth County, and that is identified as an
14 alternative disposal site in the United States Army Corps of Engineers'
15 Interim Report of September, 1996, entitled "Dredged Material
16 Management Plan for the Port of New York and New Jersey," shall be
17 deemed inconsistent with the State's Rules on Coastal Zone
18 Management, as codified at N.J.A.C.7:7E-1.1 et seq., and shall not be
19 concurred in by the State.

20 For the purposes of this act, "port region" means the geographic
21 area created by Article II of the Compact of April 30, 1921, creating
22 the bi-state agency, now known as the Port Authority of New York
23 and New Jersey, and which is commonly referred to as the Port of
24 New York District.

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26 2. This act shall take effect immediately.

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STATEMENT

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31 This bill would provide that an applicant's certification submitted
32 pursuant to 16 U.S.C.§1456, to construct in the Raritan Bay a
33 containment island that is 2.3 miles in length, .5 miles in width and 60
34 feet above sea level for the disposal of dredged materials dredged from
35 the port region, that is offshore of the Boro of Keansburg, Monmouth
36 County, and that is identified as an alternative disposal site in the
37 United States Army Corps of Engineers' Interim Report of September,

1 1996, entitled "Dredged Material Management Plan for the Port of
2 New York and New Jersey," would be deemed inconsistent with the
3 State's Rules on Coastal Zone Management and could not be
4 concurred in by the State. Thus, this bill would effectively prohibit the
5 siting of a dredged materials disposal facility within that area of the
6 Raritan Bay for the disposal of port region dredged materials.

7 Federal law requires any applicant for a required federal license or
8 permit to conduct an activity affecting land or water uses in the coastal
9 zone of a state to provide in the application to the state a certification
10 that the proposed activity will be conducted in a manner consistent
11 with the state's program.

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16 Prohibits siting of facility near Keansburg in Raritan Bay for disposal
17 of dredged materials from port region.