

ASSEMBLY RESOLUTION No. 164

STATE OF NEW JERSEY

INTRODUCED JUNE 5, 1997

**By Assemblymen CORODEMUS, WOLFE, T. Smith, Blee, LeFevre,
Arnone and Azzolina**

- 1 **AN ASSEMBLY RESOLUTION** memorializing the Interstate Sanitation
2 Commission to develop and adopt regulations on notification procedures
3 between states regarding planned discharges into the waters of Connecticut,
4 New Jersey and New York.
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- 6 **WHEREAS**, The Interstate Sanitation Commission is a tri-state environmental
7 agency, established by the Tri-State Compact between the States of
8 Connecticut, New Jersey and New York, with regulatory and enforcement
9 powers in the area of water quality; and
- 10 **WHEREAS**, Article XVII of the Tri-State Compact, approved by the United
11 States Congress, authorizes the Interstate Sanitation Commission to adopt,
12 after public hearings, regulations establishing water quality standards and
13 procedures to address water quality; and
- 14 **WHEREAS**, Regulations adopted by the Interstate Sanitation Commission are
15 binding on all three states in the Tri-State Compact; and
- 16 **WHEREAS**, The water quality in the State of New Jersey was recently seriously
17 threatened by a proposed discharge of 140 million gallons of raw sewage
18 per day for four days into the East River by New York City, from February
19 15 through February 19, 1997; and
- 20 **WHEREAS**, Upon being notified of the planned discharge, the New Jersey
21 Department of Environmental Protection closed the harvesting of
22 approximately 25,000 acres of shellfish beds in the Raritan and Sandy Hook
23 Bays and the Navesink and Shrewsbury Rivers; and
- 24 **WHEREAS**, If New York City had proceeded with its proposed discharge, the
25 New Jersey Department of Environmental Protection would have been
26 compelled to halt shellfish harvesting for raw consumption in the Navesink
27 River and very likely halt relay and depuration clamming activity in the rest
28 of northern Monmouth County, including Sandy Hook and Raritan Bays; and
- 29 **WHEREAS**, The relay and depuration programs centered in Monmouth County
30 represent about \$4.7 million per year in commercial dockside value and as
31 much as \$15 million per year in retail value to the New Jersey economy, and
32 the shellfish industry overall in New Jersey is estimated to be a \$30 million
33 industry, and halting harvesting and production, even for a short period,
34 would have significant economic impact on the State and the families that
35 depend on this income; and
- 36 **WHEREAS**, Despite the huge impact the four days of discharges would have on
37 the State of New Jersey, the Interstate Sanitation Commission and the New

1 Jersey Department of Environmental Protection were not informed of the
2 discharge until 12 hours before the discharge was to begin; and

3 **WHEREAS**, Advanced notice could have easily been provided because the
4 discharge proposed by New York City had been planned for some time
5 because of needed repairs at a pumping station at East 13th Street and
6 Avenue C in New York City; and

7 **WHEREAS**, Similar actions taken by any of the three member states of the
8 Interstate Sanitation Commission could have significant and lasting
9 environmental and economic impacts on the three member states; now,
10 therefore,

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12 **BE IT RESOLVED** *by the General Assembly of the State of New Jersey:*

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14 1. The Interstate Sanitation Commission is memorialized to develop and
15 adopt regulations establishing notification procedures for Connecticut, New
16 Jersey and New York that require ample warning of planned discharges into the
17 waters of Connecticut, New Jersey or New York.

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19 2. Duly authenticated copies of this resolution, signed by the Speaker of the
20 General Assembly and attested by the Clerk thereof, shall be transmitted to the
21 Interstate Sanitation Commission and the New Jersey Commissioner of
22 Environmental Protection.

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STATEMENT

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27 This resolution memorializes the Interstate Sanitation Commission to develop
28 and adopt regulations establishing notification procedures for Connecticut, New
29 Jersey and New York that require ample warning of planned discharges into the
30 waters of Connecticut, New Jersey or New York.

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36 Memorializes the Interstate Sanitation Commission to develop and adopt
37 regulations establishing notification procedures for planned discharges into the
waters of Connecticut, New Jersey and New York.