

ASSEMBLY RESOLUTION No. 40

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman DiGAETANO

- 1 **AN ASSEMBLY RESOLUTION** memorializing the United States Congress to
2 enact a Passaic River acquisition, relocation and mitigation program similar
3 to the program enacted for communities within the Mississippi and Missouri
4 River Basins.
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- 6 **WHEREAS**, The State's Passaic River Basin has a long history of flooding and
7 efforts to diminish the flooding have been embroiled in controversy over
8 whether structural remedies are economically and environmentally sound
9 solutions to the basin's flooding problems; and
- 10 **WHEREAS**, Flooding within the Mississippi and Missouri River Basins during
11 1993 established a greater awareness of the lack of protection afforded by
12 structural flood control versus the effectiveness of nonstructural measures;
13 and
- 14 **WHEREAS**, That experience has dramatically and significantly increased the
15 perception that development in flood plains with a structural approach
16 toward flood protection is not economically or environmentally in the public
17 interest; and
- 18 **WHEREAS**, Based on this perception, the federal government has enacted
19 legislation to provide hazard mitigation and relocation assistance for
20 communities along the Mississippi and Missouri River Basins, which the
21 United States Congress passed in both houses by voice vote, showing
22 broad bi-partisan support; and
- 23 **WHEREAS**, The State has recognized problems similar to those in the Midwest
24 in the flood plains of the Passaic River Basin due to overdevelopment, and
25 Governor Christine Todd Whitman has repeatedly publicly supported a
26 nonstructural solution to flooding in the Passaic River Basin; and
- 27 **WHEREAS**, On November 22, 1993, the Environment Committee of the State
28 General Assembly favorably reported a resolution in support of a
29 nonstructural solution for the flooding problems of the Passaic River Basin
30 involving acquisition, relocation, and flood proofing assistance; and

1 **WHEREAS**, Three counties and 40 municipalities within the Passaic River Basin
2 have expressed support for a nonstructural approach to mitigating the
3 flooding; now therefore,
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5 **BE IT RESOLVED**, *by the General Assembly of the State of New Jersey:*
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7 1. The United States Congress is memorialized to enact a Passaic River
8 acquisition, relocation, and mitigation program through the amendment of the
9 "Robert T. Stafford Disaster Relief and Emergency Act," (42 U.S.C. §5121
10 et seq.), which would establish a similar program by the federal government
11 as was enacted for communities within the Mississippi and Missouri River
12 Basins.
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14 2. A duly authenticated copy of this resolution, signed by the Speaker of
15 the General Assembly and attested by the Clerk thereof, shall be transmitted
16 to the Vice President of the United States, the Speaker of the House of
17 Representatives, the Governor of the State and every member of Congress
18 elected from this State.
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22 **STATEMENT**

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24 This resolution memorializes the United States Congress to enact, through
25 an amendment of the "Robert T. Stafford Disaster Relief and Emergency Act,"
26 (42 U.S.C. §5121 et seq.), a Passaic River acquisition, relocation, and
27 mitigation program similar to one enacted for communities within the
28 Mississippi and Missouri River Basins.

29 Three counties, Bergen, Hudson and Passaic, and 40 municipalities have
30 expressed opposition to the structural approach of constructing a flood tunnel
31 and have called for alternative non-structural solutions to be examined. The
32 40 municipalities are: Belleville, Bloomfield, Carlstadt, Clifton, East Newark,
33 East Rutherford, Elmwood Park, Essex Fells, Fair Lawn, Garfield, Hanover,
34 Harding, HoHoKus, Kearny, Livingston, Lyndhurst, Madison, Mahwah,
35 Maywood, Midland Park, Millburn, Montclair, North Arlington, Nutley,
36 Passaic, Ramsey, Ringwood, Rochelle Park, Roseland, Rutherford, South
37 Hackensack, Upper Saddle River, Verona, Wallington, West Milford, the
38 Borough of Chatham, the Township of Chatham, the Borough of Hillsdale, and
39 the Towns of Boonton and Harrison.

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43 Memorializes the United States Congress to enact a flood mitigation program
44 similar to one enacted for communities within the Mississippi and Missouri

1 River Basins for the Passaic River Basin.