

SENATE, No. 1941

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1997

By Senators KYRILLOS and BENNETT

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

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

7  
8 1. An applicant's certification submitted pursuant to section 307 of  
9 Pub.L. 89-454 (16 U.S.C. §1456), in any case in which the applicant  
10 is proposing to construct in the Raritan Bay within five miles of the  
11 New Jersey shoreline, a containment island or confined disposal  
12 facility for the disposal of dredged materials dredged from the port  
13 region, shall be deemed inconsistent with the State's Rules on Coastal  
14 Zone Management, as codified at N.J.A.C.7:7E-1.1 et seq., and shall  
15 not be concurred in by the State.

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

21  
22 2. This act shall take effect immediately.

23  
24  
25 STATEMENT

26  
27 This bill would provide that an applicant's certification submitted  
28 pursuant to 16 U.S.C. §1456, in any case in which the applicant is  
29 proposing to construct in the Raritan Bay within five miles of the New  
30 Jersey shoreline, a containment island or confined disposal facility for  
31 the disposal of dredged materials dredged from the port region, would  
32 be deemed inconsistent with the State's Rules on Coastal Zone  
33 Management and could not be concurred in by the State. Thus, this  
34 bill would effectively prohibit the siting of a dredged materials disposal  
35 facility within that area of the Raritan Bay for the disposal of port  
36 region dredged materials. However, a disposal facility for materials  
37 dredged from outside the port region would not be prohibited by this

1 bill.

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

7

8

9

10

11 Prohibits siting of facility in Raritan Bay for disposal of dredged  
12 materials from port region.

WITHDRAWN