

SENATE, No. 2119

STATE OF NEW JERSEY

INTRODUCED JUNE 5, 1997

By Senator LYNCH

1 AN ACT concerning flooding and supplementing Title 58 of the  
2 Revised Statutes.

3

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

6

7 1. The Legislature finds and declares that flooding of land may  
8 result in loss of life, damage to property and unsanitary conditions, all  
9 of which are detrimental to the health, safety and welfare of the  
10 residents of lands in the area threatened by the flooding. The  
11 Legislature therefore determines that it is in the public interest to  
12 minimize and prevent the loss of life, property, disruption of commerce  
13 and impairment of the tax base by ensuring that reservoirs are kept at  
14 levels satisfactory for the public water supply but protective of the  
15 public from the dangers and losses attributed to flooding.

16

17 2. a. The Department of Environmental Protection shall study and  
18 assess the stream capacity surrounding each reservoir in the State.  
19 The department shall also study and assess the water capacity of each  
20 reservoir in the State and the water usage needs of the residents and  
21 businesses surrounding each reservoir in the State. On the basis of the  
22 results of the studies, the department shall determine minimum and  
23 maximum water levels to be maintained at each reservoir in the State.  
24 The minimum and maximum levels for each reservoir shall be set at  
25 levels that best protect the area surrounding the reservoir against  
26 flooding while ensuring the availability of an adequate water supply for  
27 the area served by the reservoir.

28

29 b. The Department of Environmental Protection, pursuant to the  
30 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
31 seq.), shall adopt rules and regulations necessary for the  
32 implementation of this act, including, but not limited to, regulations  
33 that establish the minimum and maximum levels for reservoirs  
34 throughout the State. The department shall notify every owner of a  
35 reservoir in the State of the adoption of the rules and regulations and  
36 shall require every owner to comply with the rules and regulations  
within 90 days after the adoption of the rules and regulations.



1 whenever possible, shall not exceed 87 feet above sea level and the  
2 computerized gate used at the Woodcliff Lake Reservoir shall be set  
3 at 95 feet above sea level. If the Department of Environmental  
4 Protection determines that the water level should be set at a level  
5 exceeding 87 feet or that the computerized gate should be set at a  
6 level other than 95 feet above sea level, the department shall issue a  
7 notice as to the water level required or the gate level set, and the  
8 reason for the level being required or set in this manner.

9

10

11

12

13 \_\_\_\_\_  
14 Requires DEP to study and assess stream capacity and water usage in  
15 areas surrounding reservoirs, set minimum and maximum levels for  
16 each reservoir, and maintain specific levels at Woodcliff Lake  
Reservoir.