

SENATE, No. 2094

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

SYNOPSIS

Prohibits dumping dredge spoils on and around certain islands without municipal approval.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning dumping dredge spoils on islands and
2 supplementing P.L.1987, C.156 (C.13:9B-1 et seq.).
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:

8 a. Burlington Island, located on the Delaware River, has been
9 under local control since the mid-19th century and activity thereon,
10 since that time, has been subject to restrictions established by
11 general law for the benefit of the City of Burlington;

12 b. Pursuant to P.L.1998, c.119, all land on Burlington Island is
13 to remain exclusively in the public domain for recreational,
14 conservational, educational or cultural use, with supporting
15 facilities permitted;

16 c. The Department of Environmental Protection, in conjunction
17 with the Army Corps of Engineers, intends to subvert the intent of
18 the Legislature and dump potentially hazardous dredge spoils on
19 Burlington Island;

20 d. Any attempt to use Burlington Island as a waste disposal site
21 would be entirely inappropriate and antithetical to the Legislature's
22 attempts to establish local control of the island for the purposes of
23 benefitting the education of the children of the City of Burlington;

24 e. Therefore, it is necessary and appropriate to restrict State
25 action on the island to maintain the protections established by the
26 Legislature for the benefit of the City of Burlington nearly 200
27 years ago.
28

29 2. a. The department shall not approve any dumping of dredge
30 spoils on any portion of a Delaware River island owned or
31 controlled by the State or a political subdivision of the State,
32 including riparian land, located on a Delaware River island
33 controlled in whole or in part by a Board of Island Managers
34 established by the Legislature, unless (1) the department petitions
35 each municipality owning land on that island to authorize the
36 dumping of dredge spoils on or around the island, and (2) each
37 municipality petitioned by the department pursuant to this section
38 adopts an ordinance authorizing the dumping of dredge spoils on or
39 around the island. This section shall be applicable to all dumping
40 of dredge spoils, including any proposed dumping on an existing
41 dredge spoil bank.

42 b. For the purposes of this section:

43 "Department" means the Department of Environmental
44 Protection.

45 "Dredge spoils" means unconsolidated, randomly mixed
46 sediments composed of one or more of the following: rock, soil, or
47 shell materials extracted and deposited during dredging and
48 dumping activities.

1 “Dredge spoil bank” means a subaerial mound or ridge that
2 permanently stands above the water composed of dredge spoils;
3 randomly mixed sediments deposited during dredging and dumping.
4

5 3. This act shall take effect immediately.
6
7

8 STATEMENT
9

10 This bill would prohibit the Department of Environmental
11 Protection (DEP) from approving any dumping of dredge spoils on
12 any portion of a Delaware River island owned or controlled by the
13 State or a political subdivision of the State, including riparian land,
14 located on a Delaware River island controlled in whole or in part by
15 a Board of Island Managers established by the Legislature. This
16 prohibition would not apply if: (1) the DEP petitions each
17 municipality owning land on that island to authorize the dumping of
18 dredge spoils on or around the island; and (2) each municipality
19 petitioned by the DEP adopts an ordinance authorizing the dumping
20 of dredge spoils on or around the island. The bill would be
21 applicable to all dumping of dredge spoils, including any proposed
22 dumping on an existing dredge spoil bank.