SENATE, No. 2341

STATE OF NEW JERSEY

214th LEGISLATURE

INTRODUCED OCTOBER 7, 2010

Sponsored by:
Senator BOB SMITH
District 17 (Middlesex and Somerset)

SYNOPSIS

Requires DEP to adopt total maximum daily loads for Barnegat Bay.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning the water quality of Barnegat Bay, and supplementing P.L.1977, c.74 (C.58:10A-1 et seq.).

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

1. Within one year after the effective date of this act, the Department of Environmental Protection shall conduct a study and prepare a report that evaluates the water quality of Barnegat Bay to determine whether the bay is impaired as described pursuant to section 303(d) of the federal Clean Water Act, 33 U.S.C. s.1313. The study shall examine whether the waters of the Barnegat Bay meet State water quality standards, and shall focus on the impairments caused by phosphorus, nitrates and excessive sediment. The study shall also evaluate whether there are declining trends in the water quality of the bay. The department shall evaluate the efficacy of (1) controls on point sources that discharge into the bay and its tributaries, and (2) practices and programs that control nonpoint source pollution in the watershed. The department shall also make recommendations for any Legislative action that may be necessary to restore the water quality of the bay.

The study and report shall be transmitted, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature, and the chairs of the Senate Environment and Energy Committee and the Assembly Environment Committee, or their successors.

2. If the Department of Environmental Protection, pursuant to section 1 of this act, finds that Barnegat Bay is an impaired waterbody, the department shall, within two years after the effective date of this act, develop total maximum daily loads for the Barnegat Bay.

3. This act shall take effect immediately.

STATEMENT

This bill would require the Department of Environmental Protection to conduct a study and prepare a report that evaluates the water quality of Barnegat Bay to determine whether the bay is impaired as described pursuant to section 303(d) of the federal Clean Water Act, 33 U.S.C. s.1313. The study would examine whether the waters of Barnegat Bay meet State water quality standards, and would be required to focus on the impairments caused by phosphorus, nitrates and excessive sediment. Upon a finding that the Barnegat Bay is impaired, the bill would require the department to develop total maximum daily loads for the bay.