

August 19, 2013

SENATE BILL NO. 2680
(Second Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 2680 (Second Reprint) without my approval.

This bill would require the Department of Environmental Protection to approve development projects on existing piers located in "coastal high hazard areas" in certain municipalities along the Hudson River. Because this bill has the potential to jeopardize National Flood Insurance Program ("NFIP") eligibility for impacted municipalities, I cannot sign this legislation.

Federal law provides that no flood insurance may be sold or renewed under the NFIP in areas that lack adequate land use and control measures. The federal regulations implementing the NFIP expressly provide that "all new construction" within a coastal high hazard area shall be "located landward of the reach of mean high tide." Allowing new construction on a pier in a coastal high hazard area as this bill provides contravenes that federal regulation and may therefore jeopardize NFIP eligibility for those municipalities with existing piers along the Hudson River. I cannot condone such a risk.

Accordingly, I herewith return Senate Bill No. 2680 (Second Reprint) without my approval.

Respectfully,

/s/ Chris Christie
Governor

[seal]

Attest:

/s/ Charles B. McKenna
Chief Counsel to the Governor