

Clean Ocean Advocate



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March 2005 Highlights
- Citizens & Environmental Action
- Help Put the Brakes on Fast Track
- Calling All Volunteers!

CITIZENS AND ENVIRONMENTAL ACTION

Working to Empower Citizens

Clean Ocean Action (COA) is working on creating an exciting new program that will empower citizens and environmental groups to improve and protect water quality in the state of New Jersey. Many citizens troubled by local development, land use decisions, and problems regarding compliance and enforcement of master plans and environmental regulations that impact water quality may feel overwhelmed and helpless because they do not know how to get involved, or even that they have a right to participate in the planning, decision-making, and enforcement process. Citizen groups and organizations may already be involved, but may not know how, for example, to access pertinent public information, document evidence of non-compliance, present testimony before municipal planning boards, or submit expert reports or comments for agency action.

By establishing and implementing water advocacy training workshops throughout the state, this program's objective is to arm citizens with the knowledge, skills, and tools to successfully influence decision-making and affect policies that may impact water quality. The workshops will be held regionally several times per year on a variety of subjects and topics regarding water quality advocacy. The format of the workshops is yet to be determined, but will likely include presentations from experienced environmental advocates and lawyers and simulations where participants will role-play.

This past February, COA hired Judy Weinstock to create and carry out a strategic work plan to design the program and determine its viability. Ms. Weinstock is an environmental attorney who worked as a visiting clinical assistant professor at Rutgers Environmental Law Clinic from 2002-2004, and has experience representing citizen groups and environmental organizations on a variety of environmental issues. Specifically, Ms. Weinstock will research and assess the environmental community's particular needs and interest in advocacy training, provide a basic program design that would address those needs and interests, determine the cost of initiating and running the program, and investigate potential resources and commitments for funding the program on an ongoing basis.



Judy Weinstock

If you have any questions about the program or would like to make suggestions, please contact Ms. Weinstock by e-mail, judyb5@optonline.net.

FLOTSAM & JETSAM

Fed's Budget Undercuts Floating Junk Controls

Millions of tons of floating junk pollute beaches, kill marine life, and pose threats to navigation. One of the essential regional programs to eliminate this scourge is the NY/NJ Harbor Drift Removal Project. Since 1990 this program has hunted down garbage slicks and scooped out the harmful debris. Last year, the program was re-energized after several slicks washed up on the Jersey Shore. Unfortunately, the new federal budget proposal undercuts this



important program by \$1.5 million. Last year this program cost \$5.4 million and was under-funded. Contact your federal officials in NY and NJ and urge them to fully fund the program at \$6 million. Help keep our water and beaches safe, clean, and free of debris. Call COA for officials' contact information, or visit www.house.gov or www.senate.gov.

COA PARTICIPATING ORGANIZATIONS

Featuring...
The Shark River Cleanup Coalition

The **Shark River Cleanup Coalition** (SRCC) was formed in 2001 by Brian Hegarty, who got sick after wake-boarding in the Shark River. Angered and appalled that people are getting sick from contact with polluted water, Hegarty launched a campaign to track down sources of pollution in the Shark River estuary and its freshwater tributaries. SRCC was also one of the first organizations to support the Clean Ocean Zone initiative, a project of COA.

The River is a location for boating, fishing, swimming, and other activities. It is also a source of drinking water for thousands of residents. As such, SRCC works to "improve and protect habitats important to the conservation and abundance of the wildlife, and to protect the recreational and commercial uses from degradation and pollution, thereby ensuring the ecological and economical stability of this important watershed."

Dependent solely on dedicated Board members and volunteers, SRCC works for better standards and solutions to water quality problems. SRCC monitors the River and its tributaries for fecal coliform bacteria (found in mammal and human wastes), nitrogen, and dissolved oxygen several times a week throughout the year. This data shows that many tributaries are bringing pollutants into the river system and eventually, into the ocean.

Also, SRCC focuses on open space preservation and litigation against individuals, businesses, and governments that pollute the watershed.

SRCC educates residents and elected officials in the watershed through videos, seminars, river tours, and cleanups.

In short, SRCC is a voice for the River, its tributaries, stakeholders, and inhabitants.

For more information about SRCC, visit www.sharkriver.org or call 732-775-7196.

Adapted from SRCCs' website

RETURNS SERVICE REQUESTED

Clean Ocean Action
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Sandy Hook, NJ 07732-0505
732-872-0111
www.CleanOceanAction.org
Institute of Coastal Education
Wildwood, NJ 609-729-9262



March 2005

- March 2, Wednesday**
 - "Fast Track" Citizens' Meeting for Atlantic and Cape May Counties. See inside for details.
- March 13, Sunday**
 - **Fishing Market**, Ocean Wreck Divers of NJ, 8:30AM-2PM, Toms River Intermediate West School. Call COA to volunteer.
- March 18-20, Friday - Sunday**
 - **Beneath the Sea 2005**, Meadowlands Exposition Center. Go to www.BeneathTheSea.org or call 914-664-4310 for details.
- March 23, Wednesday**
 - "Fast Track" Citizens' Meeting for Hudson County. See inside.

Save the Date:

- April 2, Saturday**
 - **COA Flounder Tournament**. See inside for details.
 - **NJ Environmental Federation Conference**, 8am-5pm, Jackson. Call 732-280-8988 to register.
- April 8, Friday**
 - **Blue Vision Conference** for the East Coast (NY-NC). Call COA for details.
- April 23, Saturday**
 - **COA Spring Beach Sweeps**. Visit COA's website for details.

✂ Please clip and send to COA.

STAY INVOLVED IN YOUR COALITION!

MAILING LIST RENEWAL OR SIGN-UP FORM

- ➔ If you received a message on your address label, it's time to renew.
- ➔ Your contribution will ensure that you receive this monthly newsletter, action alerts, and notices of events for one year.
- ➔ To renew, please detach this form and enclose with your check.

Thank you.

Enclosed is my check for (please check one):

\$25 Individual/Family \$15 Student/Senior

\$50 Participating Organizations

Name _____

Street _____ City _____

State _____ Zip _____ Phone _____

Please include organization name & contact, if applicable:

Please make check payable to
Clean Ocean Action, PO Box 505, Highlands, NJ 07732

COA is a 501(c)(3) organization and contributions are tax deductible.

COASTAL WATER QUALITY ISSUES

Nicole Simmons, 732-872-0111, Policy@cleanoceanaction.org

Help Put the Brakes on "Fast Track"

COA is hosting a Fast Track Citizens' Meeting for residents and local officials in Atlantic and Cape May Counties. Similar meetings organized by other members of the Save NJ Coalition will be held throughout the state. Bring your friends and neighbors to learn how the damaging Fast Track law will affect your community and how to help repeal the law.

As of press time, 51 NJ Legislators have signed on as co-sponsors of the Fast Track Repeal Bill (S2157/A3650), including 26 Democrats and 25 Republicans.

Twenty-five towns have signed Resolutions in Opposition to Fast Track. If your town has not done so already, contact your mayor and advocate for repeal.

Visit www.savenj.net for a list of legislators on the repeal bill, an example of a letter to your legislator, a list of towns that have signed Resolutions in Opposition, and updates regarding upcoming citizens' meetings.

US Congress Sends Letter Against Sewage Dumping Policy

An overwhelming 135 members of the US House of Representatives signed a bi-partisan letter urging USEPA not to implement a policy that would dump sewage into our nation's lakes, rivers, and oceans during wet weather events. The policy would let wastewater treatment plants re-route some sewage around secondary treatment and "blend" this untreated but filtered wastewater with fully treated wastewater before being discharged directly into a waterbody. The letter, initiated by **US Representative Frank Pallone, Jr. (D-6)**, says the proposed guidance "would undo many of the public health and environmental gains achieved over the last 30 years under the Clean Water Act." To view the letter and sign-ons, visit our website ("Action Alerts" and "Sewage Blending").

Restoration Project for Wreck Pond

Wreck Pond is a small coastal lake that is plagued with high bacteria levels. Located between Spring Lake and Sea Girt, the pond is a major contributor to NJ's ocean beach closures. NJ Department of Environmental Protection's (NJDEP) Office of Coastal Engineering has recently applied to the NJDEP Office of Land Use for several permits related to the Wreck Pond Restoration Project. These applications lack critical data necessary to determining the impact of the proposed project on the environment and should not have been submitted before they were complete.

The first permit application is for the outfall extension, which proposes to extend the outfall pipe into the ocean by 300 feet. NJDEP is still awaiting the completion of a study by Steven's Institute of Technology (SIT) (expected late May) on the benefits and impacts of this proposal.

NJDEP Land Use staff are required to render a decision on the permit by March 3, even without the results of SIT's impact study. A second application was submitted for dredging the eastern side of the pond with placement of 90,000 cubic yards of sand onto the beach. The application is incomplete and NJDEP asked the applicant for additional information.

In addition to the aforementioned permit applications, a Regional Storm Water Management Plan (RSWMP) was to be approved and implemented prior to the commencement of any of these or other restoration measures. The RSWMP is under development, but far from completion.

While the ultimate permit decisions will be made by NJDEP Land Use staff, NJDEP's Office of Coastal Engineering should provide the governing bodies, citizens groups, and residents of the affected towns with all permit application data and information to satisfy their concerns and to allow them to submit informed comments to the NJDEP about the project. COA will request to NJDEP that the application process be halted until all the data are available.

Fast Track Citizens' Meetings

Atlantic/Cape May County:

- **March 2, 7-9 PM**
Bayside Center,
520 Bay Ave., Ocean City

Hudson County:

- **March 23, 7-9PM**
NJ City University,
Jersey City

Discharge Permit Renewal: Oyster Creek Nuclear Plant

Oyster Creek Nuclear Generating Station (OCNGS) will be required to comply with new USEPA Phase II regulations upon the renewal of its NJ Pollution Discharge Elimination System (NJPDDES) permit, which expired in 1999. Phase II Regulations mandate that Oyster Creek upgrade its system to meet specific performance standards to "minimize adverse environmental impacts."

COA continues to investigate Oyster Creek's Once-Through Cooling System and its impacts on the surrounding marine environment. COA obtained information that showed 32 endangered sea turtles have been impinged (trapped) on the intake screens since 1992, resulting in 13 mortalities. Impingement of sea turtles reached an all time high in 2004 when OCNGS exceeded their National Marine Fisheries Services authorized annual incidental take limit, impinging 8 and killing 3 juvenile Kemp's Ridley sea turtles (a rare species of sea turtles) in a three-month period. In addition, a two-year study in the mid 1980s reported impingement of 22 million fish and invertebrates.

Entrapment is when animals are sucked into the plant and subjected to numerous and potentially lethal impacts. Over a two-year period, over 90 trillion microzooplankton (e.g., copepods and young clams, snails, worms, and barnacle larvae) and 400 billion macrozooplankton (e.g., jellyfish, sand shrimp, grass shrimp, larvae of sand lance and American eels, eggs and larvae of winter flounder, and several crab species) were impacted.

On February 10, COA submitted a Position Paper to NJ Assembly's Environment and Solid Waste Committee documenting the numerous and significant adverse effects of OCNGS operations on the marine environment (go to our website, "Issues & Campaigns").

The draft NJPDDES permit is expected soon and COA will utilize the public comment period to inform NJDEP of the numerous negative impacts of the cooling system. COA also continues to develop Phase II compliance alternatives that are best for the Jersey shore.



CONTAMINATED SEDIMENTS

Jennifer Samson, Ph.D., 732-872-0111, Science@cleanoceanaction.org

Let's call it... "Superfund Villas"

Recently, COA sent comments on a permit application submitted to the US Army Corps of Engineers to fill 0.89 acres of wetlands along Berry's Creek in East Rutherford, NJ, in order to build a 614-unit residential apartment building. The problem is that Berry's Creek is an US Environmental Protection Agency (USEPA) designated Superfund site and a NJ National Priorities Site due to high levels of mercury, arsenic, copper, lead and PCBs. In fact, Berry's Creek has the dubious distinction of containing the highest concentration of mercury in freshwater sediments in the world. In addition to obvious human health concerns, the removal of wetlands, which act as a natural buffering and filtering mechanism for contaminants, could adversely affect the creek and surrounding habitat. USEPA is in the process of determining the best way to remediate the area. Construction of the residential complex could negatively impact the ability to adequately clean up the creek.

COA requested the permit be denied and all construction projects be postponed until remediation of the site is complete. The full comment letter is available on our website under "Issues and Campaigns" and "Contaminated Sediments."

What's Cool at I.C.E.?

At the **Institute of Coastal Education (ICE)** you can learn how to be an "Angler Scientist." Fishing is a great sport that everyone can participate in and enjoy. Besides the pleasure of being outdoors, anglers provide scientists with knowledge about the environment and what people are doing to affect the health of marine life and the ocean. Today, many anglers take a more active role in gathering information about the life history of fish. Stop by ICE and see how easy it is to become an "Angler Scientist." Perhaps you can try out your fishing skills at COA's upcoming founder tournament in April (see insert).

(What's Cool at ICE and Coastal Creature Feature appear every other month. Please see last month's newsletter to guess the February Coastal Creature.)



WASTEWATER ISSUES

New Jersey to Spend \$35M on 23 Water Reuse Projects

On January 31, NJDEP Commissioner Bradley Campbell announced 23 water demonstration projects in NJ that will receive a total of \$35 million to reuse treated wastewater. Projects include the Borgata/Marina Terminal (commercial irrigation and non-contact cooling water), K. Hovnanian Four Seasons (residential irrigation), and Bayway Refinery (non-contact cooling water for industrial generator cooling). Unfortunately, many of these projects may proceed without a NJDEP Water Reuse Program or a formal regulatory framework.

While reuse of wastewater can be an opportunity to conserve potable water supplies and prevent water shortages during droughts, unregulated programs can lead to health, safety, and environmental degradation concerns. COA has researched water reuse programs in NJ and other states and will be releasing several reports soon.

OUTREACH

Kari Jermansen, 732-872-0111, Outreach@cleanoceanaction.org

Calling All Volunteers!

To volunteer for the following spring festivals and reach out to citizens about ocean pollution issues, call Kari:

March 13 - Fishing Flea Market, 8:30am-2pm, Toms River

March 31 - Rumson-Fair Haven High School "Enviropalooza," 7-9pm, Rumson

April 17 - Manasquan Reservoir Earth Day, 12-5pm, Howell

April 23 - Atlantic Highlands Earth Day, 2-4pm

April 24 - Hooked on the Hudson, 9am-2pm, Palisades Interstate Park

EVENTS

Jennifer Smiga, 732-872-0111, Events@cleanoceanaction.org

Earthshare NJ News

Shop at Whole Foods in select locations in the month of April and donate to Earthshare NJ, of which COA is a member. Stay tuned for more details in next month's newsletter. Earthshare NJ is a federation that provides a workplace-giving campaign that allows employees to deduct their annual charitable contributions. To learn more, visit www.earthsharenj.org.

Ocean Stock = Excellent Investment

Thank you to all who invested in our ocean through COA's annual campaign, **S.W. Fish** (Salt Water Fish). For the 2004 campaign, a generous \$11,000 has been donated by ocean stock investors to continue COA's work for ocean protection. There is still time to invest in this precious resource; for information please call Jennifer.



Family Luau for the Ocean Sunday, May 22

4 - 7pm

Ship Ahoy Beach Club

Hawaiian Music

Hawaiian Shirt Contest

Silent & Chance Auctions

Games & Activities for the whole family
Light fare, wine, beer, soft drinks included

Check your mail for a
special invitation

SAVE THE
DATE!