

Clean Ocean Advocate



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August 2005 Highlights

- Offshore Wind Proposal
- NJ Governor Delays "Fast Track Law"
- Sunset at Sandy Hook & Ocean Golf Classic

OFFSHORE WIND PROPOSAL

Proposal for 40 Windmills Up for Public Comment

On Thursday, July 21, 2005, the US Army Corps of Engineers (ACE) extended the comment period deadline for the Offshore Wind Park to August 12. Clean Ocean Action (COA) will submit comments requesting that the applicant perform an Environmental Impact Statement (EIS). To date, the ACE is undecided about whether an EIS should be required, which is unconscionable. The industrial activity is the first of its kind in the NY/NJ Bight and must be carefully evaluated. Importantly, no specific federal laws and regulations exist to site, manage, or operate the facility, raising additional concerns.

An EIS will allow the public to adequately assess the full impacts to the marine environment. Currently, neither the Public Notice nor the application adequately address several issues regarding effects on the marine environment, including:

1. **Contaminated Sediments and Noise Pollution:** The installation activities will disturb the seafloor by increasing suspended sediments and turbidity. Such a disturbance can cause a wide range of negative impacts such as bioaccumulation in fish from contaminated suspended sediments, clogging of fish gills, and damage to fish larvae and eggs.
2. **Fuel and Oil Spill:** The potential exists for inadvertent releases of drilling fluids and fuel throughout construction and operation of the Wind Park.
3. **Weather Threats:** The severity of the weather and the depth of water in the project location will put a tremendous burden on the Wind Turbines. LIPA has not addressed the potential problems involving the severity of weather on the Wind Park.

New Jersey's Blue Ribbon Panel is currently evaluating the appropriateness of offshore wind turbines. Since the proposed LIPA project is so close to state waters, New Jersey has requested a consistency review from the National Oceanic and Atmospheric Administration (NOAA).

As appropriate, COA will incorporate similar questions raised during the Panel's evaluation process in written comments to ACE. Organizations and citizens are invited to sign onto these comments. To sign on, contact Kari by August 10 at 732-872-0111 or outreach@cleanoceanaction.org.

DRAFT OYSTER CREEK DISCHARGE PERMIT WILL NOT PROTECT MARINE LIFE

On July 20, the NJ Department of Environmental Protection (NJDEP) released the highly anticipated and long-overdue draft discharge permit for Oyster Creek Nuclear Generating Station (OCNGS) in Lacey Township. OCNGS currently operates using a once-through cooling system in which approximately 1.2 billion gallons of water, taken from tributaries of nearby Barnegat Bay, pass through daily.

The draft permit is an outrage and fails to set forth the best solution to address Oyster Creek's pollution discharges and that is protective of the marine environment. The State of New Jersey needs to take a stronger stand and require a closed-cycle cooling system, and Exelon, the parent company of OCNGS and a multi-billion dollar company, needs to be a good neighbor and use this best available technology to protect the local ecosystem. Scientific studies obtained by COA about Oyster Creek's current once-through cooling system show substantial negative impacts to waterways and numerous harmful impacts on marine life, including injuries and death from impingement, entrainment, thermal discharge, and chlorination.

Citizens are urged to attend the public hearing on August 29 from 1-4pm and 7-9pm at the Lacey Township Municipal Building. COA will attend the hearing, as well as submit comments. For a detailed Position Paper prepared by COA, visit www.cleanoceanaction.org ("Issues & Campaigns").

COA PARTICIPATING ORGANIZATIONS

Featuring...

The Blue Movement Directory

A new national environmental movement is emerging to help combat threats to America's oceans and coasts, with hundreds of local and regional groups, as well as dozens of national and international organizations. The *Ocean and Coastal Conservation Guide* is a comprehensive guide to this new "Blue Movement." The directory is edited by David Helvarg, author of Blue Frontier: Saving America's Living Seas, and founder of the Blue Frontier Campaign.

This new reference guide details more than 2,000 organizations and institutions that are working to understand, protect, and restore our ocean and coastal areas. The book provides telephone and fax numbers, email and web addresses, and a brief description of program areas of interest. Also, the directory includes relevant government agencies, academic marine programs, and marine and coastal parks and protected areas. It is a great networking tool and many of Clean Ocean Action's Participating Organizations are listed in this helpful guide.

This guide is a vital new resource for all ocean and coastal advocates. To order (paperbacks are \$26.95 + S&H; hardcovers are \$59.95 + S&H): call 1-800-621-2736, fax 1-800-621-8476, email orders@islandpress.org, or go to www.islandpress.org.



All Hands on Deck!

Monmouth County Friends of Clearwater is celebrating the 30th CLEARWATER FESTIVAL on August 20 and 21.

Volunteers are needed for various tasks to make this environmental festival a success. Pitch in for a few hours.



To volunteer, call 732-872-9644 or complete the form on www.clearwaterMC.org.



Clean Ocean Action
PO Box 505
Sandy Hook, NJ 07732-0505
732-872-0111
www.CleanOceanAction.org
Institute of Coastal Education
Wildwood, NJ 609-729-9262

RETURNS SERVICE REQUESTED

August 2005

August, Weekends

- **Clean Ocean Action Shore Tips (C.O.A.S.T.) Campaign.** For beach club and beach sites, see schedule inside newsletter.

August 20-21, Saturday & Sunday

- **Clearwater Festival**, 12-7pm, Sunset Park & Main Street, Asbury Park. For information, visit www.clearwaterMC.org. To volunteer, call Monmouth County Friends of Clearwater at 732-872-9644.

August 29, Monday

- **Oyster Creek Public Hearing**, 1-4pm and 7-9pm, Lacey Township Municipal Building. (See article)

SAVE THE DATE

September 16, Friday

- **Sunset at Sandy Hook**, Seagull's Nest, 6-10pm. Look in the mail for your invitation, or call COA for details.



September 29, Thursday

- **4th Annual Ocean Golf Classic to Benefit COA**, Navesink Country Club. Call COA for an entry form.

✂ 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 _____

Email _____

Please include organization name & contact, if applicable:

Please make check payable to
Clean Ocean Action, PO Box 505, Highlands, NJ 07732
To pay with MasterCard or Visa, please call 732-872-0111.

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

CONTAMINATED SEDIMENTS

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

NY/NJ Harbor Deepening Project

A Public Notice was issued for the New York/New Jersey Harbor Deepening Project to dredge parts of Newark Bay (Contract Area S-NB-1) to 53.5 feet. The project will generate a total of 1,816,000 cubic yards (CY) of dredged material including 1,345,000 CY to be disposed at the Historic Area Remediation Site (HARS), 109,000 CY of rock to be disposed at the Axel Carlson Artificial Reef, and 362,000 CY slated for upland disposal. The materials to be deposited at HARS are comprised of Pleistocene Glacial Till and Red Clay. COA is reviewing the application and will submit comments (*due Aug. 1*). COA will also review the Draft Environmental Assessment for the Newark Bay Study Area of the deepening project released by the US Army Corps of Engineers on June 30, 2005.

Updated Report and Plan for Harbor Dredging to Be Issued

ACE will publish documents regarding the Dredged Material Management Plan (DMMP) for NY/NJ Harbor in late August. To reduce costs, ACE will issue the documents on CDs (in PDF format) and on the internet at <http://www.nan.usace.army.mil/business/prjlinks/dmmp/index.htm>. The documents include the DMMP Implementation Report, Final Programmatic Environmental Impact Statement, and Technical Appendix. Printed copies must be ordered by August 15 by emailing robert.j.kurtz@usace.army.mil, or a letter requesting which document(s) to: USACE, Jacob K. Javits Federal Building, 26 Federal Plaza, New York, NY 10278-0090, Attn: Mr. Darin R. Damiani.

ARTIFICIAL REEFS

Artificial Reef Monitoring Program

COA is working with the NJ Council of Dive Clubs and the NJ Historical Divers Association to develop an artificial reef monitoring program using volunteer divers. Richard Stockton College of NJ expressed interest in participating in the program through their underwater research course offered in the fall semester. The main objective of the program is to monitor subway cars used as artificial reefs off NJ's coast for their durability and effectiveness as reef material. A meeting on the topic is tentatively scheduled for August. If you are interested in participating in the development or implementation of this program, contact Jennifer Samson at (732) 872-0111 or Science@CleanOceanAction.org.

PCBs on Ships used for Artificial Reefs

The US Navy and the State of Florida proposed the sinking of the ex-Orinsky (a WW2-era aircraft carrier) off the coast of Pensacola, FL without the removal of any solid polychlorinated biphenyls (PCBs). As proposed, a total of 700 pounds of PCBs would be left onboard. The Navy applied for PCB disposal approval from the US Environmental Protection Agency (EPA). EPA set up a Scientific Advisory Panel to review the request and determine whether it is appropriate. The solid PCBs to be left on board the ex-Orinsky exceed the 50 parts per billion (ppb) limit set in EPA's "Draft National Guidance: Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs". Comments submitted by COA on this Draft Guidance urged EPA not to allow any PCBs left onboard ships prior to sinking, considering the toxic and bioaccumulative nature of PCBs.

The PCB-Artificial Reef Risk Assessment Consultative Panel hosted a public conference call July 22 and will hold a meeting in Washington, DC in August. COA participated in the call when EPA provided information on the documents and procedures they will use to make a final decision on whether or not to allow the sinking. EPA made it clear that this is a precedent-setting application, and the Navy stated that if EPA grants the approval, they will pursue a National PCB Disposal Approval for over 24 retired vessels for use as artificial reef material.

Helpful links: Scientific Advisory Panel review, visit http://www.epa.gov/sab/panels/pcb-arra_consultative_panel.htm; Navy documents on the ex-Orinsky, PCB leach rates and human health, and ecological impacts, visit <http://www.epa.gov/Region4/air/lead/PCBWebPage.htm#Oriskany>.



COASTAL WATER QUALITY ISSUES

Nicole Simmons & Chris Ackerman, 732-872-0111, policy@cleanoceanaction.org

NJ Governor Wisely Delays Fast Track

Acting NJ Governor Codey signed an Executive Order (EO) on July 12 further delaying the Fast Track Law. The law weakens public health and environmental standards, eliminates public participation, and permits polluters to write their own permits. The original EO, which was set to expire in mid-July, prohibits the review of any expedited permit, permit-by-rule, or general permit under Fast Track until "the federal government and NJDEP reach agreement concerning the impact, if any, of NJDEP's proposed rules implementing [Fast Track]." Essentially, this EO puts Fast Track on hold. The state says it will not implement the law until the federal government outlines how the law will affect federal programs in which the state must comply, and the federal government will not take action until the state outlines the regulations that will be used to implement the law.

This action follows previous actions at the state level. In December 2004, Governor McGreevey issued an EO putting a temporary moratorium on Fast Track's implementation to provide an opportunity for the law to be properly debated. Also, bi-partisan bills in the NJ Senate and Assembly were introduced in December 2004 to repeal the Fast Track law.

In addition, many actions have been taken at the grassroots level to put the brakes on Fast Track. The Save NJ Coalition (www.SaveNJ.org) is working to repeal the law and encourage municipalities, environmental commissions, community groups, and citizens to express their concerns with this environmentally-destructive law.



Plans to Improve Wreck Pond Water Quality

Two important meetings were held in July on the Wreck Pond Restoration Project. Brad Campbell, NJDEP Commissioner, hosted a general information meeting on July 12 in Spring Lake to bring the community on the latest proposed plan to improve water quality at Wreck Pond. Citizens raised concerns about the need to extend the outfall pipeline an additional 300 feet into the ocean, and many citizens were concerned about the future availability of funds to complete the project. COA presented overriding concerns including the dumping of dredged materials that are only 75% sand on the beach. Wreck Pond sediments contain very high levels of bacteria. The original permit application stated only material that is 90% sand or greater would be used for beach replenishment.

A formal public hearing was held on July 18 in Sea Girt to specifically discuss the outfall pipe extension and sand dredging projects that are currently under permit review. Official testimony was taken from the public, including environmental commission members of surrounding communities. COA presented concerns about conclusions made in a Steven's Institute of Technology Report on the impacts of the proposals, including the appropriateness of the model used to determine the probability of the plume from the outfall pipe reaching the beach. COA will submit comments (*due August 2*) on these projects.

Coastal Creature Feature



June's Creature Feature was the common **Jingle Shell**. These are the valves (shells) of the "rock oyster" *Anomia simplex*, a bivalve that is found in waters from Southern Massachusetts to Brazil. The hole near the edge of the lower shell is not from a predator, but is actually the point of attachment for the byssus threads that are used to attach the shell to hard surfaces. Often the left valve is found by beachcombers, as the right valve is thinner and more fragile and tends to break up in the surf. To feed, the rock oyster opens its shell and actively pumps water and filters it for plankton. In Asia, these paper-like translucent shells are often used to make lanterns. There were no correct entries for this creature.

August's Creature Feature is popular with recreational fishermen along New Jersey's coast. These slow-growing, long-lived fish can reach 30 years old. They love to hang-out around jetties, rocky shoals, and artificial reefs and can be found both inshore and in the deeper offshore waters. Native Americans gave this fish its interesting name. To enter for a chance to win a COA T-shirt, send your guess by mail, fax, or e-mail (PO Box 505, Sandy Hook, NJ 07732; fax 732-872-8041; SandyHook@CleanOceanAction.org).



August's Creature

(What's Cool at ICE and Coastal Creature Feature appear every other month.)

Update on Shark River Regional Dredge Management Plan

On June 29, COA, Brian Hegarty of the Shark River Cleanup Coalition, and members of the Wall Environmental Commission toured the potential de-watering facility site, which is part of a plan to dredge the Shark River. The de-watering site is approximately 11 acres of wetlands near Camp Evans and InfoAge. The concept plan has been presented to NJDEP, who expressed reservations about the size and locale. NJDEP requested that the Shark River Bay Environmental Planning Committee submit an alternatives analysis that would list all the available alternatives to filling the 11 acres of wetlands, and submit a delineation of the forested wetlands within the site. COA also awaits a written document describing the plan.



Heading to the beach for some summer relief?

COA will help release a national report on 2004 beach closures due to pollution in late July.

Check out the beaches that are closed in your area this summer by visiting NJDEP's website at <http://www.nj.gov/dep/beaches/> or calling 1-800-648-SAND, or logging onto www.earth911.org.

NONPOINT SOURCE POLLUTION

COA Beach Sweeps Goes to Hawaii

In May, COA's Tony Totah attended the annual International Coastal Cleanup Conference in Hawaii. COA was chosen as one of only ten organizations from 88 countries and 49 US states and territories to be a special presenter and was selected based on our thorough use of data from 20 years of cleanups in New Jersey. The data card that COA uses in the cleanups is one of the most comprehensive data cards used in the international effort, allowing for a complete evaluation of the trash collected. By using the best debris classification methods available, as well as incorporating concerned citizens in beach cleanups, COA can increase awareness about the items polluting the ocean and beaches. The data that is collected by volunteers is used as evidence to elected officials to enforce and enact laws to protect the ocean.

Mark your calendars for the next cleanup, set for October 22, 2005, at over 50 sites. Visit COA's website for details and Sweeps locations.

FLOTSAM & JETSAM

Coordinated Environmental Action Comes to Long Beach Island

The Environmental Commission of Long Beach Island recently added two new towns - Beach Haven and Long Beach Township. The Committee is now comprised of all 6 Long Beach Island towns, the first of its kind in New Jersey. Long Beach Township's participation in the Committee is critical as it is the largest municipality and splintered geographically throughout the island. A more coordinated effort on environmental issues is certainly good news for the island.

Far and Wide

Even though COA's work is focused on protecting the waters off the New York/New Jersey region, Barbara Bennett, COA's Volunteer Projects Coordinator, has received emails and mailed inquiries from across the globe requesting our free educational resources such as the "Pointless Pollution Kit" and "Ten Tips Cards". Requests from government officials, educators, and citizens from Central and South America, Inner Mongolia, Morocco, Pakistan, England, India, and Portugal have proved that COA's work is far reaching and inspiring. For more information on our globetrotting, or to request free educational materials, contact Barbara at projects@cleanoceanaction.org, or visit COA's website.