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September 2005 Highlights

- Help "Close the Loop" at Oyster Creek
- "Sunsational" Seaside Affair - September 16

ACTION ALERT: HELP "CLOSE THE LOOP"
 Support NJDEP's Plan to Stop the Destruction of Marine Life

After 35 years of exterminating marine life, Oyster Creek Nuclear Power Plant (OCNPP) in Lacey Township, NJ, is being directed by the NJ Dept. of Environmental Protection (NJDEP) to implement technologies that will eliminate a major source of destruction to the Barnegat Bay ecosystem.

Exelon (parent company of AmerGen, which operates the facility) seeks to renew their pollution discharge permit that regulates the cooling water system. The current permit (once-through cooling system) removes and destroys **1.4 billion gallons** of life-rich estuarine waters from the Bay and discharges **1.4 billion gallons** of chlorinated, super-heated wastewater. Fish, eggs, and larvae are destroyed by these systems by being entrained (sucked into system), impinged (pinned on screens), or fatally scalded.

On July 19, NJDEP issued a draft permit (visit <http://www.nj.gov/dep/dwq/hot.htm>) that calls for OCNPP to install a closed-cycle system, and identified it as the "Preferred Alternative" - Alternative # 1. A closed-cycle system, also called a "closed-loop system," draws water into plants for cooling and re-circulates it, expelling the heat through cooling towers.

In the draft permit, NJDEP states "closed-cycle cooling is the only cooling water intake structure technology available to the facility to reduce entrainment." NJDEP's decision sends a strong message to OCNPP that the State will no longer allow them to destroy the marine environment. Instead, Exelon must upgrade the facility to adequately protect, improve, and restore the health of Barnegat Bay. Installation of closed-cycle cooling will:

- ◆ **Save trillions of animals** -- including 13 million fish and shellfish PER YEAR such as: blue crabs, striped bass, winter flounder, bluefish, grass and sand shrimp, blackfish, bay anchovies, menhaden, spot, and sparring.
- ◆ **Eliminate fish kills** caused by thermal shock from the discharge.
- ◆ **Stop the dumping** of up to 365 tons of toxic chlorine into the bay per year. Current allowable discharge levels are 20 times the lethal level of estuarine organisms including striped bass, bunker, & mummichogs (killis).
- ◆ **Create hundreds of jobs** building the new closed-loop system including cooling towers.

Potential Roll-Back Option Looms

Although NJDEP states that a closed-loop system is preferred, if the facility can demonstrate that this alternative is unavailable, the State allows for a fall-back option -- the use of "mitigation" measures. This option ("#2") is unacceptable and will allow continued destruction of marine life in the bay.

Exelon has the financial resources to install a closed-loop system. According to Exelon, it is "one of the nation's largest electric utilities with 5 million customers and \$15 billion in annual revenues." Exelon expects to "generate \$3.7 billion between 2004-2006 after funding capital expenditures." Exelon has a responsibility to meet NJDEP's recommendations to protect the environment. Exelon's recent brochure states, "We are a staunch protector of South Jersey wildlife and natural resources."

More Public Input is Needed

The timing for public comment is bad news, as it is the last week of the summer season and just before school starts. This is a critical opportunity to finally stop the marine life-killing machine -- the once through cooling water system at OCNPP. A public hearing will be held at the Lacey Township Municipal Building, 818 Lacey Road, Ocean County, NJ, from 1-4pm and 7-9pm on August 29. Citizens are urged to attend the public hearing and/or write comments. Be sure to include the following in comments: request another public hearing, request a 60-day extension to public comment deadline, support Preferred Alternative #1 requiring a closed-cycle cooling system, and oppose Alternative #2. **Visit COA's website for a complete action alert and addresses to send comments.**

COA PARTICIPATING ORGANIZATIONS
 Featuring...

Friends of Island Beach State Park

Island Beach State Park (IBSP) in Seaside Park, NJ, is a beautiful location for nature hikes, bird-watching, fishing, and beach-going. The **Friends of Island Beach State Park** is a non-profit volunteer organization that works to further public appreciation and stewardship of the park. Friends of IBSP encourages protection of the barrier island ecosystem, while discovering the natural wonders of the park.



Friends of IBSP network with other organizations to protect marine resources and foster a stewardship of the

marine environment. The Friends have participated in campaigns led by Clean Ocean Action (COA), including "Dump No More, March for the Shore" in 2000. Friends of IBSP also assist with COA's Fall Student Summit and Spring and Fall Beach Sweeps at the park.

"Friends of IBSP and COA work toward similar goals," said Rita Carey, the organization's president. "We preserve resources, educate the public, and help people enjoy the wonderful natural resources."

The main event that Friends of IBSP organizes each year to teach people of all ages about the park's beauty and resources is the Beach Plum Festival. The 8th annual Festival will be held on September 11 from 9am-4pm at the North Pavilion in the park. The Festival includes craft vendors, non-profit organization displays (including COA), nature hikes, beach-plum picking and jam-making, and other fun activities and demonstrations. Park entrance fee is waived for the day, but donations to Friends of IBSP are welcomed.

For more information about Friends of IBSP, call (732) 793-5525, check out www.friendsofislandbeach.com, or stop by their office, which is located across from IBSP's Visitor's Center.

Adapted from Friends of IBSP website

RETURNS SERVICE REQUESTED

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



September 2005

- September 11, Sunday**
 - Beach Plum Festival, Island Beach State Park, North Pavilion, 9am-4pm. See article. Call COA to volunteer.
- September 16, Friday**
 - Sunset at Sandy Hook, Seagull's Nest, 6-10pm. See flyer inside.
- September 17, Saturday**
 - Festival of the Sea, Arnold Avenue, Pt. Pleasant Beach, 10am-7pm. Call Kari to volunteer for COA.
- September 24, Saturday**
 - Many Mind Creek Estuary Day, Beach at end of Avenue A, Atlantic Highlands, 9am-3:30pm. Kayak tours, nature walks, seining, beach cleanup, and more.
- September 29, Thursday**
 - 4th Annual Ocean Golf Classic to Benefit COA, Navesink Country Club. Call COA for an entry form.

SAVE THE DATE

- October 2, Sunday**
 - Cattus Island Nature Festival, Cattus Island County Park, Toms River, 7am-4pm. Call Kari to volunteer for COA.
- October 6, Thursday**
 - Dredged Material Management Summit, Monmouth University. Contact Mike Danko at 732-872-1300, ext 29.

✂ 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

COA reviewed and commented on the Public Notice and Draft Environmental Assessment for the New York/New Jersey Harbor Deepening Project that would dredge parts of Newark Bay (Contract Area S-NB-1) to 53.5 feet. The project:

- will generate 1,816,000 cubic yards (CY) of dredged material
- includes 1,345,000 CY of Pleistocene Glacial Till and Red Clay disposed at the Historic Area Remediation Site (HARS).

COA identified instances of apparent misclassification of material, warranting a re-analysis of the core data. As a result, this may lead to more rock material for NY and NJ artificial reef programs. Also, several questions were raised about how the recent designation of Newark Bay as a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Study Area has impacted the Harbor Deepening Project. COA's comments are posted on our website.

COASTAL WATER QUALITY ISSUES

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

Two Phases of Improving Wreck Pond Under Review

COA submitted comments to the NJ Department of Environmental Protection (NJDEP) on two-phases of the proposed multi-phase plan to restore Wreck Pond: the dredging of sand and the pipe outfall extension. NJDEP has

repeatedly stated that each phase will provide only part of the solution, suggesting significant improvements in water quality in and around Wreck Pond will only be possible if all phases of the project are implemented.

Currently, the public has only had the opportunity to evaluate and comment on sand dredging and the extension of the outfall pipe. See COA's website

("Issues & Campaigns") for our complete comments.

Unfortunately, detailed plans and funding for the other phases are unknown and, as such, COA also questioned how the public can assess the merits of the entire project without the opportunity to review all phases at the same time.

Shark River Regional Dredged Material Management Plan

The Shark River Bay Environmental Planning Committee held a press conference on August 8 to release the "Draft Dredged Material Management Plan for Shark River Bay." The report is posted on www.neptunetownship.org. The Committee also hosted a "community-wide open forum" on August 16 to accept comments on the draft plan and will present the final plan on September 14.

COA reviewed the draft plan and although COA supports regional dredged material management, the draft falls short of being a comprehensive regional dredged material management plan. A comprehensive plan, at minimum, would assess the region's dredging needs, characterize the material to be dredged, and identify a range of alternatives based on the quantity and quality of the material. The draft plan does not provide these details.

Further, the draft plan is disheartening in that it lists COA as an organization that "coordinated and consulted" with others to produce the draft plan. Rather, COA attended meetings to receive information about the concept of a plan, but did not coordinate and consult with the Committee in producing the draft. COA requested that our name be removed from any and all drafts of the plan regarding the coordination of the draft, which is being addressed.

COA remains open to discuss ways to move forward with regional dredged material management for the Shark River Bay that includes extensive public involvement and developing a plan that would be environmentally sound and meet the dredging needs of the region.



CLEAN OCEAN ZONE

Offshore Wind Park Proposal off Jones Beach, NY

On August 12, COA submitted comments on the Long Island Power Authority's (LIPA) proposal for 40 wind turbines off Jones Beach, NY, stating, "the application is premature, incomplete, and lacks scientific justification." More importantly, the proposal is proceeding without regulations to govern offshore wind development. No specific criteria, rules, or guidelines exist for the management, monitoring, maintenance, or decommissioning of offshore, ocean-placed wind turbines. Therefore, in the absence of a regulatory framework, COA is not supportive of the installation of offshore wind energy facilities.

Recognizing the lack of any regulatory framework for renewable energy, the new Energy Policy Act signed by US President Bush last month (see article in "Flotsam & Jetsam")

No specific criteria, rules, or guidelines exist for offshore wind turbines.

includes sections that require that the US Department of Interior (DOI) to enter into a contract with the National Academy of Sciences (NAS) to perform a study to evaluate the potential of developing wind, solar, and ocean energy sources. The study will also assess current federal laws and regulations related to the development of renewable energy, and recommend mechanisms specifically tailored for such development. However, the Act also allows for discretionary citing of offshore alternative energy projects in the absence of any federal regulations. The DOI is given the authority to grant a lease, easement, or right of way on the Outer Continental Shelf for renewable energy projects. The new law defers permitting to DOI, not the US Army Corps of Engineers (ACOE).

However, should the Army Corps of Engineers proceed without the benefit of the results from the NAS study and the subsequent regulations, COA strongly urged ACOE to require LIPA to prepare a comprehensive Environmental Impact Statement (EIS) for the proposed project. 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 effects on the marine environment. COA's complete comments are on our website.

ARTIFICIAL REEFS

Artificial Reef Monitoring Program

COA is working with the NJ Council of Dive Clubs and 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 with the school's underwater research course. The main objective of the program is to monitor subway cars for their durability and effectiveness as artificial reef material. The first meeting on August 11 (see agenda on COA's website) included discussion of possible monitoring locations and strategies. Also, several needs, including volunteer divers, boat time, and equipment, were identified. A second meeting is scheduled for mid-September, with the date, time, and location still to be determined. Divers that are interested in assisting in the program, should contact Jennifer Samson at (732) 872-0111 or science@CleanOceanAction.org.

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

The Sharksucker or Remora is a unique fish found in New Jersey's waters during the summer. This fish is unique in that its dorsal fin has been modified as a sucking disc on top of its head (see photo). The remora uses this disc as a suction cup to attach to large fish, sea mammals, turtles, and the occasional scuba diver.

The Remora does not hurt the host to which it is attached. It is hitching a free ride and feeds on scraps the host leaves behind. This species of Remora is found from Nova Scotia to Brazil and throughout the Gulf of Mexico, and can grow to nearly three feet long. Stop by the Institute of Coastal Education and see this very cool fish.

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



Institute of Coastal Education
Pacific Avenue, Wildwood
Tony Totah, 609-729-9262
Wildwood@cleanoceanaction.org

WASTING OUR WATERS AWAY

Update on Beneficial Reuse of Wastewater

On August 4, 2005, COA Policy Intern Lauren Koch, and Nicole Simmons met with NJDEP to discuss beneficial reuse of wastewater. Lauren presented the paper she authored as an intern in 2004, entitled, "Water Reuse Programs: A Primer for New Jersey." NJDEP is re-adopting the NJ Pollution Discharge Elimination System (NJPDES) program in February and will be including beneficial reuse. NJDEP updated the technical manual, "Reclaimed Water for Beneficial Reuse," in January and considers it the final version (*note*: it could be updated again). COA made three recommendations: create a Vision Statement, hire a Program Director, and draft reuse regulations. NJDEP is working to create a Vision Statement and rules (which will be incorporated into the NJPDES program), but cannot hire a Director at this time due to financial restrictions.

ATTENTION TEACHERS IN CENTRAL/SOUTHERN NJ!

Fall Student Summit, Island Beach State Park, October 7
Go to COA's website (follow links for "Education"), or call 732-872-0111 for program details, eligibility, and an application.

NONPOINT SOURCE POLLUTION

Dive for Trash - October 8

Divers are gearing up for the 10th Annual Underwater Cleanup, hosted by Divers Two, at the "L" Street boat ramp in Belmar, NJ, on October 8 (rain date: October 9). Check-in starts at 9:30am, followed by orientation at 10:15am, and the cleanup at 10:30am. COA's Tony Totah will conduct a marine life identification and release at 11:30 am. All are invited, and non-divers are needed to assist at the surface. This event may be rescheduled due to weather conditions. For information and updates, contact Divers Two at 732-776-7755 or Divers.Two@verizon.net.



20th Anniversary Fall Beach Sweeps - October 22

COA is celebrating the 20th Anniversary of Beach Sweeps, the longest running cleanup effort of its kind in the nation. Please join COA and thousands of volunteers at Fall Beach Sweeps at more than 55 locations (for sites, visit our website), and/or help locate corporate sponsorship in your area. Sponsorship packages are available and may include a monetary donation, advertising space, or cleanup materials such as work gloves and pencils. Many local businesses and their employees are unaware of this tremendous effort. Please call Jennifer at 732-872-0111 to help with sponsor ideas and corporate outreach.

FLOTSAM & JETSAM

Energy Policy Act: 1 Small Step Forward and 3 Large Steps Back

President Bush signed into law the "Energy Policy Act of 2005" (H.R. 6) on August 8. The Act lays out an energy research and development program, including: energy efficiency; renewable energy; oil and gas; coal; Indian energy; nuclear matters and security; vehicles and motor fuels, including ethanol; hydrogen; electricity; energy tax incentives; hydropower and geothermal energy; and oil and gas leasing in the Arctic National Wildlife Refuge and in offshore areas including the New York/New Jersey Bight.

Unfortunately, the Act promotes the use of nonrenewable energy rather than renewable. The Act contains approximately \$4 billion in subsidies and tax breaks for the oil industry and allows oil companies to pay even less in taxes and royalties for the use of publicly owned resources. The bill gives oil companies the advantage over states' rights in siting Liquefied Natural Gas (LNG) facilities and pipelines off the coast. Even nuclear power is given a boost by stimulating the development of new reactors.

However, the Act also contains provisions promoting renewable energy (See the "Offshore Wind Park" article for details). Furthermore, funding is limited to \$400 million, a measly sum compared to the \$4 billion for non-renewables.