



ENVIRONMENTAL FEDERATION NEWS

Fall
2004

Highlands Victory Trumped by Fast Track Our fight to Save NJ has only just begun

On the afternoon of June 11, we celebrated the passage of one of the greatest environmental achievements in this state's history – the Highlands Act. It will preserve 800,000 acres in the North-western corner of the state. The source of over half of the NJ's drinking water and home to over 150 threatened and endangered species. This was the result of the hard work of Highland's residents, environmentalists, public officials and concerned citizens throughout the state.

But as we shook hands, thanked and congratulated the governor and our allies in the legislature, we didn't realize that these same hands had been clasped by the builders, investors and developers that fought so hard against its passage. In an effort to reassure them that their interests were not ignored or their campaign donations taken for granted, a four-day marathon of legislative fancy footwork resulted in the strong-armed passage of the "smart growth" bill (S.1368). This bill trumps the Highlands victory. The environmental community would never have pushed so hard *at this time* for the Highlands bill if we knew that S.1368 was the quid pro quo.

Dubbed by us as the "EZ Pass for Polluters" or "Fast Track" bill, this act opens up approximately 1.5 million acres (over 40%) of New Jersey to expedited development and weakened permit processes (see www.savenj.net for more details.). Urban, people of color and low income communities already disproportionately impacted by pollution and environmental health problems will be further targeted thereby increasing the environmental injustices that already exist.

Because of the potentially catastrophic effects of fast track, over 50 organizations including NJEF have joined together to form the *SAVENJ Coalition*. The coalition seeks to mitigate the serious flaws of the new law in the short term with the ultimate goal of seeking its repeal. Over the summer, *SAVENJ* organized public hearings, numerous media events, as well as sent out action alerts to tens of thousands of New Jerseyans in order to educate both the public and officials about the ramifications of fast track. More recently, members of *SAVENJ* have met with high level staff and commissioners of the NJ Department of Environmental Protection (NJDEP), Department of Community Affairs (NJDECA) and Department of Transportation (NJDOT) to seek remedies to the act.

With the pending resignation of Governor McGreevey and the change in administration, new opportunities to short circuit fast track are emerging. As flaws of the new law are revealed, more and more legislators are willing to talk about undoing the potential damage of fast track. In addition, the US Environmental Protection Agency (USEPA) has long been questioning the NJDEP's legal authority to circumvent the public input requirements of certain federal laws including the Clean Water Act permitting process.

The *SAVENJ Coalition* is pursuing all of these avenues, as well as a legal strategy that challenges the basic constitutionality of the law. Particular attention is being given to the lack of due process, equal protection under the law and the right to appeal a permit that has been awarded. As written, only the developer can appeal if they do not like getting no for an answer.

While we are fighting to overturn fast track, the coalition is pressing for the adoption of a long awaited "threatened and endangered species habitat" rule. If adopted, 300,000 more acres of critical environmental habitat could be protected. The governor promised these rules over two years ago. The rule has been written, but is being held up in the governor's office. A call to the governor might help release the log jam.

As you can see, there is plenty of work to be done to turn back fast track, as well as advance a proactive environmental agenda. If you would like to get more information about fast track, go to www.savenj.net. If you would like to get NJEF's regular action alerts, sign on at our website at www.cleanwateraction.org/njef. We can always use your help.



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MANDATORY FLUORIDATION OF NJ'S DRINKING WATER: Risks & Questions



NJEF is concerned about the Department of Health and Senior Services (DHSS) plan to mandate fluoridation of New Jersey's public water supplies and urges further study. While fluoridation is intended to provide beneficial results, it also raises significant health concerns and valid ethical questions.

There is mounting evidence from multiple sources that fluoride may cause negative health impacts:

- ♦ The World Health Organization says that excessive ingestion of fluoride, most commonly in drinking water, can cause **fluorosis of the teeth and bones** and that long-term ingestion of large amounts can lead to potentially severe skeletal problems (*WHO: Water-related Diseases*). Skeletal Fluorosis is a bone and joint disease that mimics arthritis. Studies underway are looking at links to hip fractures in the elderly and bone cancer.
- ♦ Fluoride is a known **thyroid gland depressant**, and was once used medicinally for that purpose. Several studies show that fluoride accumulates in the pineal gland and is mutagenic.
- ♦ Fluoride is a known **hormone disrupter** and might advance premature puberty. Recent animal and human population studies indicate **neurological and brain development impacts** (*In Harms Way: Toxic Threats to Child Development*, Greater Boston Physicians for Social Responsibility).
- ♦ Fluoride **bioaccumulates in the body**. Certain forms are more likely to contain contaminants such as arsenic, lead and mercury. A Dartmouth study has found evidence that silicofluorides enhance the body's ability to absorb lead.

As a result of these mounting health concerns, the Natural Resources Defense Council (NRDC) has submitted a request for an independent scientific review of fluoride by the National Academy of Sciences. A decision is currently pending.

NJEF is also concerned that fluoride is regulated as a secondary standard with a recommended upper limit that could be compromised when combined with water that contains fluoride from other sewer discharge sources, which ultimately discharge into surface water. In New Jersey, our surface waters are a major drinking water source for 5 million people. Our varied uses, consumption and discharge of fluoride could create a cycle that could magnify fluoride content in our waterways over time, thus exposing fish, wildlife, and humans to toxic levels.



Ultimately, we believe that the goal of securing pure, uncontaminated drinking water is a paramount purpose of public policy. Therefore, we are compelled to note that an initiative to add what the relevant statute defines as a "contaminant" cuts against the overarching goal.

Further, we must raise two significant ethical concerns about adding fluoride and other substances to our drinking water. This practice amounts to mass medication of the public. No other preventive medication is delivered to our residents, via an element essential to life, without their advance informed written consent.

With these points in mind, NJEF requests that the NJ Department of Environmental Protection (NJDEP) assess the cumulative build up and availability of fluoride in existing public drinking water supplies, with and without additional fluoride medication.

We ask our members to request that the DHSS seek a NJDEP evaluation of cumulative impacts of fluoride on our surface waters, and await the decision to conduct a National Academy of Sciences study regarding the use of fluorides. In addition, the NJDEP should utilize the expertise of the Drinking Water Quality Institute to evaluate this issue. In the meantime, make your own personal choice about the use of fluoride toothpaste.

Please share your concerns with: Jay Hedden, Executive Director, Office of Boards and Councils, NJ Department of Health and Senior Services, PO Box 360, Trenton, NJ 08625. Please send a copy of your letter to NJEF, 1002 Ocean Ave, Belmar, NJ 07719 or via email to jvickers@cleanwater.org

NJ Environmental Federation U.S. Congressional Endorsements 2004 CONGRESSIONAL ELECTIONS

1st CD: Rep. Rob Andrews (D)

- ♦ Holds a 100% pro-environment voting record*.
- ♦ Led the opposition to the anti-environmental, uneconomical Delaware Deepening project.
- ♦ Sponsored a bill to ban garbage incineration.

3rd CD: Rep. Jim Saxton (R)

- ♦ Championed the 1996 drinking water right-to-know law.
- ♦ Stood up to party leadership on arsenic in drinking water, co-sponsored Clean Water Authority and Restoration Act, and voted against bad energy bills.
- ♦ A lead Republican who advocated for the Children's Environmental Health Caucus of NJ.

4th CD: Rep. Chris Smith (R)

- ♦ 3rd best voting record among House Republicans*.
- ♦ Sponsored a bill to prevent dumping off Sandy Hook.
- ♦ Repeatedly challenged his party leadership on their anti-environmental efforts.
- ♦ Supports the Clean Water Authority & Restoration Act.

6th CD: Rep. Frank Pallone (D)

- ♦ Has a 100% pro-environment voting record*.
- ♦ Working to phase out the gasoline additive MTBE, a ground water contaminate and possible carcinogen.
- ♦ Secured funding to protect the NJ coast. Fighting the privatization of Sandy Hook and offshore drilling.

7th CD: Stephen Brozak (D)

- ♦ Supports the Clean Water Authority & Restoration Act.
- ♦ Would reinstate the Superfund cleanup tax on polluters & the Chemical Security/Inherent Hazard Act.
- ♦ Opposes incentives for fossil fuels and nuclear power.

8th CD: Rep. Bill Pascrell (D)

- ♦ Holds a 90% pro-environmental voting record*.
- ♦ Opposed oil drilling in the Arctic Nat'l Wildlife Refuge.
- ♦ Pushed the US EPA for stricter mercury rule.
- ♦ Opposes legislation that would allow Congress to amend trade agreements that jeopardize labor or environmental standards.

9th CD: Rep. Steve Rothman (D)

- ♦ Has a 100% pro-environmental record*.
- ♦ Co-sponsored a bill [H.1413] to remove arsenic and strengthen drinking water standards.
- ♦ Will make sure federal protections aren't weakened by NJ's "fast track bill" [S1368].

10th CD: Rep. Donald Payne (D)

- ♦ Has a 90% pro-environment voting record*, including key votes supporting environmental enforcement.
- ♦ Is fighting to require increased fuel efficiency for new vehicles, thereby reducing reliance on foreign oil.

12th CD: Rep. Rush Holt (D)

- ♦ Has a 100% pro-environment voting record*.
- ♦ Sponsored a bill [H.R. 121] to protect kids from pesticides used in & around schools.
- ♦ Sponsored legislation to reduce power plant emissions.
- ♦ Obtained "Wild & Scenic" federal protections for portions of the Delaware River.

13th CD: Rep. Bob Menendez (D)

- ♦ Holds a 95% pro-environment voting record*.
- ♦ Voted against and expended political capital regarding Yucca Federal Nuclear Waste Repository.
- ♦ Sponsored legislation to restore over \$3 million to US EPA for environmental enforcement.

Compare the Records of John Kerry & George W. Bush 2004 PRESIDENTIAL ELECTIONS

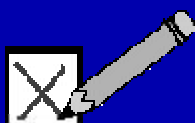
Senator John Kerry (D)

- ♦ 92% lifetime score from the League of Conservation Voters (LCV)*.
- ♦ Voted repeatedly against weakening the arsenic standard for drinking water.
- ♦ Long history of votes for Superfund's "polluter pays" provisions and toxic cleanups.
- ♦ Co-sponsor of Clean Water Authority & Restoration Act.
- ♦ Voted for Climate Stewardship Act to curb greenhouse gases.

Incumbent George W. Bush (R)

- ♦ Received an "F" on LCV Report Card*.
- ♦ Suspended stricter arsenic standard, but was forced by public & panel of experts to reinstate it.
- ♦ Cut back Superfund cleanups. Didn't reinstate polluter pay provisions. Fund now in deficit.
- ♦ Proposed rule to remove 60% of U.S. waters from Clean Water Act protections.
- ♦ Withdrew U.S. from Kyoto Protocol, intended to curb greenhouse gas emissions and address climate change.

* Environmental voting records compiled by the nonpartisan League of Conservation Voters, www.lcv.org



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GREEN UPDATES!



Sustainable Sanctuaries Program: Pest Free & Clean!



In the coming months, NJEF's Pesticide Campaign Coordinator, Jane Nogaki, will be working as a consultant to *GreenFaith's* (formerly Partners for Environmental Quality's) *Sustainable Sanctuaries Program*. Jane will train religious facility

managers on how to utilize least toxic cleaning products and pest control options. "We're thrilled that NJEF's Jane Nogaki, who is a nationally recognized leader on these issues, will be working with us," said Reverend Fletcher Harper, Executive Director of GreenFaith.

NJEF has already successfully trained over 100 school nurses and health aides in the Newark Public School System about safe drinking water, pesticides, and "green" cleaning. NJEF also helped pass the School Integrated Pest Management (IPM) legislation, which requires that every private, public and charter school in New Jersey to utilize least toxic pesticide options first.

For more information about *Sustainable Sanctuaries*, contact *GreenFaith* at 609-394-1090 or www.greenfaith.org.

Hidden Dangers Lurking in the Grass



As thousands of New Jersey's boys and girls head for the soccer fields this fall, their moms and dads will be on the sidelines cheering unaware of the potential danger posed by the very field they're playing on.

Parents can be reasonably assured that coaches and field managers have checked the field for glass and other dangerous objects before, but who is thinking about the lawn care chemicals?

The US Youth Soccer Association, estimates more than 3.2 million players between the ages of 5 and 19, are enrolled in club sponsored programs. This age group, because of their body weight, developing systems and activity patterns, is particularly susceptible to the harm caused by chemicals used by many commercial lawn care companies. Many studies show a direct correlation between pesticide exposure and the development of cancers in children, such as leukemia, tumors and brain disease.

A child's naturally higher rate of breathing can result in twice as much pesticide in their blood as their parents. The nature of play also increases risk because players expose their skin, eyes and mouth to lawn care chemicals through direct contact with the grass.

Soccer associations (clubs), municipal officials and parents should work together to make sure **Integrated Pest Management (IPM)** is utilized wherever children's athletic programs are conducted. IPM produces great and safe playing surfaces by encouraging grass growth with the use of the appropriate grass species, employing proper maintenance techniques like aeration, and limiting fertilization so as to eliminate "lawn stress" which usually results in grass disease, weeds and insects.



Coaches and parents can ask municipal officials to provide them with a copy of their athletic field maintenance plan including the lawn care company's treatment protocols list of chemicals used and contact information in case of adverse effects.

If you would like to make sure your local athletic fields use IPM, contact Jane Nogaki, NJEF Pesticides Coordinator at 856-767-1110 or janogaki@cleanwater.org. Additional information is available at The NJ Dept. of Environmental Protection (NJDEP) at 609-984-6568 or visit the NJDEP website (www.pcp.nj.org) and click on School IPM.