

CONTAMINATED SEDIMENTS

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Wreck Pond Permit Update



The NJ Department of Environmental Protection (NJDEP) Land Use Division was given a waiver of the 90-day decision deadline for the permit application for the Wreck Pond Pipe Outfall Extension. The waiver was requested because a key study was not completed by the March 3rd deadline.

While COA is encouraged that NJDEP delayed any decision until data is available, we are concerned that the informal and unfamiliar nature of the waiver process is not conducive to full public participation. NJDEP assured COA that full access to the data will be provided as it becomes available. In response, COA sent a letter to NJDEP Land Use (see our website, "Issues & Campaigns" and "Coastal Water Quality"). COA requested that public hearings be scheduled after all the applications (for both the pipe extension and dredging permits) are "deemed complete" and before the permits are issued. It is important that NJDEP include the concerns of citizens around Wreck Pond who have worked hard to improve and protect the watershed. Citizens should be informed of the proposed projects and review the data with enough time to submit comments.

FLOTSAM & JETSAM

Fight for Full Funding for Floatables

US Representative Frank Pallone, Jr. (D-6) sent a letter to President Bush strongly urging the restoration of funds for the NY/NJ Harbor Drift Removal Program, an essential program to eliminate and control floating junk and debris in the harbor and nearby ocean. The federal budget proposal undercut this important program by \$1.5 million. Mr. Pallone stated, "The drift removal program is not only critical to ensuring safe port navigation...but it also helps ensure clean beaches and healthy tourism along the New Jersey shore."

OFFSHORE WINDMILLS

Blue Ribbon Panel on Offshore Windmill Facilities

On December 23, 2004, Acting Governor Codey created a nine-member blue ribbon panel to study the possible costs and benefits of offshore windmill facilities as an alternate energy source and ordered a freeze on funding and permitting of any offshore windmill projects during the panel's 15-month study. The panel, which recently had its first meeting, includes Brad Campbell, NJDEP Commissioner; Jeanne Fox, President of the Board of Public Utilities; Virginia Bauer, Chief Executive Officer and Secretary of the Commerce and Economic Growth Commission; and six public members: Edward McKenna, Tim Dillingham, Theodore J. Korh, Bonnie McCay, PhD, Diane Wieland, and Scott Weiner.

Group Challenges Offshore Wind Project in Nantucket Sound

On 2001, Cape Wind Associates, LLC applied to the U.S. Army Corps of Engineers (ACOE) for a navigability permit for an offshore data tower (preparing for an offshore wind project) in Horseshoe Shoals, Nantucket Sound. This location is subject to federal jurisdiction and control under the Outer Continental Shelf (OCS) Lands Act. Thereafter, ACOE issued a permit subject to conditions: data tower removed within five years, Cape Wind post a \$300K bond for emergency repairs or removal, and data collected must be shared with government agencies and others. The Alliance to Protect Nantucket Sound brought suit alleging that ACOE lacked proper authority to issue the permit, failed to comply with existing requirements under law, and that Cape Wind lacked property rights on OCS. The district court held in favor of ACOE and Cape Wind. The Alliance appealed. In February 2005, the First Circuit Court of Appeals confirmed ACOE's authority and stated a permit "is necessary for all structures on OCS." However, the Court did not state "whether such a permit is sufficient to authorize building on the federally controlled OCS."

What does this mean for New Jersey? ACOE can, and indeed must, issue a permit for the installation of any structure on OCS off the Jersey shore. However, it is not known whether the ACOE permit, by itself, allows construction on OCS.

Mercury in Fish

A recent study by Drs. Burger, Stern, and Gochfeld (Rutgers University and University of Medicine and Dentistry of NJ) compared mercury levels in different commercially available fish from NJ markets. The study indicated a significant difference in mercury concentrations between three commonly available fish (tuna, bluefish, and flounder filets), with tuna being the highest in mercury and flounder the lowest. A regional difference was also found with flounder purchased from Jersey Shore markets containing higher mercury levels than those purchased in north, central, or south Jersey. However, mercury levels in all flounder were still quite low, and these fish are considered a good choice for consumers.

In this study, fish considered low in mercury included flounder, porgy, whiting, scallops, and shrimp (larger shrimp had lower levels than smaller). Levels of mercury in tuna, sea bass, croaker, whiting, and shrimp were higher in NJ samples than Food and Drug Administration (FDA) reported levels. This study did not research the sources of mercury.

The entire article that appeared in the March 2005 issue of Environmental Health Perspectives is available on their website or at this link: <http://ehp.niehs.nih.gov/members/2004/7315/7315.html>.

Learn About the Environment for FREE! 4th ANNUAL ENVIRONMENTAL EDUCATION FORUM

Hosted by NJ Community Water Watch
Richard Stockton College of NJ

Saturday, April 16, 9:30am

Free with Complimentary Breakfast and Lunch

Workshops:

Ocean Stewardship Alternative Energy
Water Conservation Community Organizing

Keynote Speaker Louis Gibbs, Love Canal Homeowners Association

Contact Water Watch at 609-748-6097 or NJCWW@stockton.edu.



Information and Fun
for All Ages!

COA STAFF NEWS

New to COA's Crew

COA welcomes Jennifer A. Smiga as Events and Development Director. Jennifer is a native of NJ, having grown up in Bayonne, and has lived in coastal communities in Florida, Georgia, New York, and her home state.

Jennifer graduated from Savannah College of Art & Design with a BFA in Art History. She has worked in development at several museums and nonprofit organizations, and most recently as Manager of Individual Giving at the New York Restoration Project (NYRP) in New York City. Founded in 1995 by Bette Midler, NYRP revitalizes neglected parks and community gardens in economically disadvantaged communities throughout NYC's five boroughs.

Jennifer brings diverse and valuable experience in organizing events and galas, expansion of membership, appeal campaigns, production of promotional materials, and newsletter writing. Jennifer has come aboard COA at a dynamic time of year – planning many events, including the Flounder Tournament, Beach Sweeps, Student Summit, and our spring fling – the Luau. Welcome aboard!



Welcome Jennifer!

EVENTS

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Fish For Flounder for Flat Out Fun

Join COA for our 11th Annual John Murphy and Bob Hunter Memorial Flounder Tournament on Saturday, April 2nd at Bahr's Landing, 2 Bay Avenue, Highlands. We invite you to celebrate Jersey shore fishing legends John Murphy and Bob Hunter at this "no-entry" fee event. The "Blessing of the Waters" will take place at 9am, followed by a continental breakfast. Weigh-in will be held from 3-5pm, followed by an awards ceremony, refreshments, 50/50 raffle, chance auction, "Go Fish" game for children, and door prizes. Every child who catches a fish wins a prize!



Luau for the Ocean



Aloha! COA invites you to our Family Luau for the Ocean, Sunday, May 22nd, 3-7pm at Ship Ahoy Beach Club, Sea Bright. This tropical event will feature live Hawaiian entertainment, passed hors d'oeuvres, a silent auction, 50/50 raffle, children's chance auction and activities, a Hawaiian shirt contest, and much, much, more! Tickets cost \$50 per person and \$25 per child 12 and under. Bring your own beach chair (B.Y.O.B.C.) and wear your most festive Hawaiian shirt! Invitations will be mailed shortly. For sponsorship opportunities or information, please contact Jennifer.

Paws for Applause!

COA thanks **The Sons of Ireland** for their generous donation of \$20,450, collected from proceeds at their Second Annual Polar Bear Plunge on New Year's Day 2005 in Sea Bright. The exciting day was unusually warm and sunny, but the water was a chilly 43 degrees. That did not stop over 100 brave souls of all ages from plunging into the ocean for a day of fun in the winter sun. Thanks also to Donovan's Reef for offering a great buffet, following the event.

Earthshare News

COA is a proud member of Earth Share of New Jersey. By visiting Whole Foods Markets, during the month of April at any of the following NJ locations, Edgewater, Madison, Millburn, Montclair, and Ridgewood, customers can make a donation to Earth Share of New Jersey at the check-out registers.

Earth Share of NJ was founded by and represents the most respected environmental and conservation organizations in America. Donations to Earth Share of NJ are distributed to more than 50 local and national non-profit organizations working tirelessly to help protect and preserve public health, air, water, land, and wildlife.



EPA Review of Draft Environmental Impacts of Cape Wind Project

On February 24, EPA commented on ACOE's Draft Environmental Impact Statement (DEIS) for the Cape Wind energy project in Nantucket Sound. In doing so, EPA rated the DEIS as "Category 3-Inadequate" and requested that ACOE prepare a supplemental DEIS and make it available for public comment. While noting that the facility would help the region meet state and federal goals focused on renewable energy production and air quality, EPA states, "[w]e do not believe that the DEIS provides enough information to fully characterize baseline environmental conditions, the substantial impacts of the proposed project, and alternatives that avoid or minimize those impacts. Without this information we do not believe an adequate mitigation and monitoring plan can be developed, nor can a decision be made as to whether the project is environmentally acceptable and in the public interest." For EPA's further details about the inadequacies, go to http://www.epa.gov/NE/nepa/pdfs/d_capewind_022405.pdf.

Coastal Creature Feature

February's Creature Feature was a **Red Beard Sponge**. This brilliant orange or red-colored sponge is very common to our region. It attaches to hard substrates and grows in small clumps to nearly a foot in diameter, with fingerlike branches, and a tough, protein exterior full of minuscule pores. Water, bacteria, and fine detritus enter the sponge through these pores, and move through canals and chambers where food particles are ingested. Predators include sea slugs, sea stars, and turtles. You'll find the Red Beard Sponge from Nova Scotia to Florida, into the Gulf of Mexico, and from Washington to California. If this creature is broken or damaged, it regenerates into a complete sponge. Readers missed "SpongeBob Squarepants" clue.

April's Creature Feature (pictured to the left) is often found washed up along the shoreline scattered among the shells. It's dark brown or black with a leathery texture and "horns" on the sides. According to its folklore name, Ariel may use this as an accessory to her wardrobe.



Red Beard Sponge
Microciona prolifera