
Commission Meeting

of

STATE BEACH EROSION COMMISSION

“Sand and gravel mining off the New Jersey shoreline”

LOCATION: D.W. Ross Library
Sea Bright, New Jersey

DATE: July 24, 1996
1:30 p.m.

MEMBERS OF COMMISSION PRESENT:

Senator Andrew R. Ciesla, Chairman
Assemblyman John C. Gibson, Vice-Chairman
Senator Joseph M. Kyrillos Jr.
Assemblyman Steve Corodemus
Assemblyman David W. Wolfe
Dr. George D. Klein
Dr. Norbert P. Psuty
Mr. Stephen Kempf

ALSO PRESENT:

Raymond E. Cantor
Office of Legislative Services
Aide, State Beach Erosion Commission



Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, CN 068, Trenton, New Jersey

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mlf: 1-61 (Internet edition 1997)

SENATOR ANDREW R. CIESLA (Chairman): If I could have your attention please. I know we have a lot of people here today. In order to provide testimony on the subject which is of great interest to the Shore, our Committee has been involved for the past several years in programs that have been designed to enhance and preserve the coast of New Jersey through ideas to limit erosion and to attempt to provide for replenishment projects.

Our current issue today is one which has received much attention since it has been announced in the *Federal Register*, that of the Federal government to propose to lease certain tracks of lands in the Federal waters for the dredging or mining of aggregates.

Frankly, this is a meeting which is being held well in advance of normal meetings in this particular matter. We are attempting to get as much information available to the general public, to the legislators, to the people that are involved, to the businesses, and to the residents in order to understand exactly what the impact of this particular proposal is.

The Beach Erosion Commission is composed of, I believe, 10 members and just about all of them are here today. In the interest of time, I am going to ask that our remarks be kept as brief as possible because our list of people who are wishing to testify is very long.

So with that, I would like to introduce, first, from the Minerals Management Service of the Department of Interior, LeRon Bielak, who is the Deputy Program Director for Policy Development and Planning, so that we can get the background information regarding this particular proposal, and then we'll have the ability to ask certain questions regarding that.

LeRon.

L E R O N E. B I E L A K: Well, actually we're going to start off with Mike Del-Colle this morning. He is the Acting Program Director for the Office of International Activities and Marine and Minerals. He'll kick it off, and then I'll be adding some comments after his.

M I C H A E L D E L - C O L L E: Thank you. Good afternoon, and I'd like to, on behalf of the Secretary and our Director Cynthia Quarterman, thank you for the opportunity to meet with you.

SENATOR CIESLA: I just have to ask you, because there is no amplification, we're going to have to endeavor to try to speak a little louder--

MR. DEL-COLLE: No problem.

SENATOR CIESLA: --because I know some of the people in the back of the room are going to--

MR. DEL-COLLE: If you would prefer, I can stand so that I can project to both you and them.

SENATOR CIESLA: That would be wonderful, thank you, as long as you keep the microphone.

MR. DEL-COLLE: As long as I keep the mike?

All right, let's do this, I'll sit at the end of the table that way maybe you can hear both.

Thank you. Maybe then to begin over: On behalf of the Secretary, on behalf of our Director Cynthia Quarterman, I'd like to thank you for the opportunity to meet with the Commission today and, in fact, to be able to meet with all of you who are concerned.

We've received a lot of comments, and I think the first thing to do is to express our appreciation for those. As the Senator said, we've begun a

particular process of community participation and soliciting comments from elected officials and industry in order to facilitate and to develop a better appreciation, much sooner than we might typically otherwise, of what the immediate concerns are for those communities that lie along the area that we're considering or have been asked to consider.

Particularly, what I'd like to point out is that we appreciate, for example, those elected officials who have been very thoughtful and mindful and given us some sense of what their immediate community concerns are and the issues, that should we ever continue, that they think to be addressed.

We believe, for example, that the *Asbury Park Press* has done a very reasonable and an objective way of presenting the issue and encouraging us in our particular dealings.

What I'd like to do, maybe, is to explain the context of the effort. The OCS Lands Act has always provided for nonenergy mineral development. The fact is that really there hasn't been a lot since the law was passed. The regs have been in place since 1989, more specifically, guiding the development and the operations of leases in the offshore should anyone want to develop those nonenergy minerals.

In 1984 there was an amendment to the Act, what we call the Ortiz Amendment, which provided much more specifically for our Bureau to have the authority to negotiate on a noncompetitive basis with states, local governments, and in certain other cases, commercial firms to have access to those sand resources to minimize the difficulties that might otherwise be encountered when you have a competitive process, which is a far more complex and exhaust of effort.

What does the law really authorize? What the law currently authorizes is -- considering all of the amendments that have taken place -- is, at first, we have the authority for noncompetitive negotiations to access the sand resources, gravel resources, and other mineral sources that are needed for replenishment efforts. By replenishment efforts, we're talking about beach replenishment, we're talking about wetlands restoration, and we're talking about shoreline protection.

It also allows us to noncompetitively negotiate where there's a public works in place in which those sanding gravel resources are needed in order to accomplish the project and where it's federally funded or authorized.

Thirdly, the law now, as it always has, provides us guidance in terms of having competitive lease sales for those resources. Now, one of the things that we need to stress today is that there have been no decisions made other than to seek information.

Today the Commission is asking information of us, and we will try and provide information to them and to all of you as well. But it's important to continue to stress no decision about leasing has been made.

We're in the process of collecting information, and part of the reason for that is because we are a response-driven program. What I mean by response driven is that those who need the resource come to us. We're not out there preplanning, advanced planning, preidentifying those needs. If a community has a need for those sand and gravel resources, under the authorities of the Act for replenishment programs, they can approach us.

By the same token, under the competitive procedures that exist, if an organization, a business, an individual chooses or wants access to those

sand and gravel resources for purposes of commercial use, then they come to us and make that request. The law provides for that, and that's why I say we're a responsive program as opposed to an imposed program. We're doing this and beginning this process because we have received a request, a commercial request that could lead -- might lead -- yet to be determined -- to a competitive lease sale for sand and gravel resources offshore.

Now, we need to point out that while this in some ways is a first-time effort, there are, in fact, a variety of ongoing initiatives along the Atlantic and the Gulf of Mexico. All are focused on the use of nonenergy resources or nonenergy minerals for beach replenishment, or we're looking to other sources like phosphates in those states in which that resource is important.

Currently, we're at the end of a four-year cooperative agreement with the State of New Jersey, and we have a task force that's in place and is moving forward on replenishment, particularly in the southern part of the State, on the shoreline down there, looking at what is needed and what the appropriate locations for those sand deposits might be.

In regard to the request for information and interest, what I will otherwise and LeRon will otherwise refer to as the orphan, it's a new approach that we're taking. We truly appreciate that as a first-time effort, there are going to be a lot of unresolved questions, a lot of anxieties, a lot of concerns, and we appreciate that.

When we issued the request for notice and information, we also complimented it with a press release, and that was meant to draw out the attention and the interest that people were going to have. It provides for an

earlier participation in what otherwise is a very incremental process. By virtue of doing that, we hope to get a better definition of the local concerns that are there. If we fail to do that, we have to kind of be presumptive. We have to presume some of your concerns to get into the formal processes that are required by the National Environmental Policy Act, or NEPA, in terms of the steps that should be followed for NEIS.

It should also facilitate the more formal process if we begin now because we need to know a lot of your issues. But we also then need to realize what it is that we need to focus on. Should we go forward, in terms of specific information sets, and how we can achieve the maximum benefit out of what's called scoping meetings, which are a meeting process that are used to supplement and to prepare the early stages of EIS description?

I think we all need to realize that we need to have a realistic set of expectations. The area that we're talking about has already been studied. There is a lot of baseline information, but it's not all inclusive of the issues that concern you and that, very naturally, would concern us and might, in fact, concern commercial industry.

We don't pretend to have the answers, and we do not come in front of you today pretending that we do. Part of the purpose of the process is, with industry having expressed an interest, we're alerting you to that opportunity. We need to know your concerns. We need to know what the drivers or the issues for them are and, then on that basis, decide if we continue. What are the questions that need to be answered, and what are the issues that need to be addressed?

We're looking for informed decision making regardless of where you stand on the issue. My purpose, as a Program Director, is not to convert people. In this process, where we are trying to be responsive to demand, it is our responsibility to be a facilitator in order to assure that all parties who have a concern and an interest, whatever it may be, have, one, the opportunity to share their concern, two, have the ability to understand what the other concerns may be. We then take that data, look at it, and then make a set of recommendations to the director or the assistant secretary into the secretary as to what we believe the next proper step might be. It might be to continue the process. It might not be, depending on the nature of the issues that are brought in front of us.

We're very mindful that New Jersey has done a lot to improve its ocean water quality. We're aware of that. I won't speak as an expert. Many of you are probably far more able to speak to that particular issue.

We're aware of the importance of tourism, fisheries, and the local beach renourishment efforts that go on and, based on the comments that I've read today, also your frustrations with that particular effort, where all your dealings with the Federal government may not have been as good or as receptive as you had hoped.

What we're about today, because it's an information-collecting process, is forging a new relationship, one that allows us to communicate and to share back and forth what needs to be done.

I want to go back to the list of authorities that the Act provides, and I wanted to stress that beach renourishment with appropriate coordination with other state and local authorities is, in fact, the possibility with our Bureau.

We have responsibility for the sand and gravel resources of the outer continental shelf of the United States of America for all of its borders, and if, in fact, there are community needs that fall within the authority of that act, then we are available to begin a dialogue and into a discussion in terms of accessing those resources.

Because of the interest that the community has expressed, because of the requests that we've received, there are a number of other items and changes that are taking place. There is going to be a congressional field public hearing scheduled by Congressman Saxton on August 6. There are at least one, if not two, additional public meetings being called by possibly Congressman Smith and Congressman Pallone.

We have agreed in those discussions, once those days are set, that the comment period for the request for information and interest will be reopened, and we will reopen it so that it closes two weeks after the last public meeting. It is our intent when we have those public meetings to record them. Obviously, the congressional field hearing will be fully recorded and transcribed. The other public meetings we will record in such a fashion so that those who attend are able to officially record and feed us their comments to preclude the need to write, yet, providing two additional weeks for those who feel that writing is a more effective way of communicating their concerns to us.

We do all of that for the expressed purpose of collecting information, of being able to very carefully consider the issues that you bring to our attention. What we're looking for is not difference, but reconcilable differences. There, obviously, are needs that everybody has, and, in fact, some of the Commission have addressed to us already.

We're interested in defining those, looking at what they are, what we will have to do to carefully study them, whether they have to do with the benthic community, whether they have to do with accelerated erosion, okay, whether or not they affect fish stocks. Any of those issues that you are concerned with and that need to be addressed we want to be able to look at and find out, as the problem is stated, what more do we need to know about it, how do we pursue it, and where is it that there may be the art of the possible, all to determine whether we should continue or whether or not the information provided preclude any additional steps.

At this point I'm going to ask LeRon to kind of give you a more detailed review of what actually is taking place, what the orphan process is, and where we'll be going from here.

MR. BIELAK: I want to thank you, also, for the opportunity to give you a little more information that I'm sure you're anxiously awaiting about how this process works.

The first thing I want to dwell on is an area that deals with the selection process that we use for determining this planning area. When we went into it, after initially receiving a request from industry, we realized that, number one, we have to protect the proprietary nature of the request from industry so therefore had to mask that interest. Therefore, we knew we had to make this planning area larger than it may necessarily would have to have been. But that was the first consideration of the protection of the customer interest in this case.

Secondly, we wanted to look at an area that just might give us some information that dealt with other interests and needs along the coastal

area, and that would be primarily in the area of beach restoration. We felt that if we at least extended the area down the coast a little bit, we might obtain some very vital information that would help us in future planning, not necessarily in relation to this commercial lease sale, but to other needs that we would see brought to our attention in the near future. And if there were beach nourishment needs, of course, we would have to take that into consideration if it's involved in this area that might be of commercial interest. How do we weigh one against the other? How do we resolve that mutual interest?

Thirdly, we wanted to at least afford the opportunity to industry to give us their idea of whether or not they feel that they might explore for sand out to their technological limits, basically, 40 meters. So the eastern part -- the most seaward part -- of the planning area was based on technology limits.

Now, of course, economics would play a factor here. The farther that a company may have to go out into the ocean, the less economic that proposition may be, so we didn't fully expect that there would be an interest in the deeper parts of the planning area. In fact, we fully assume that this planning area was just that, a planning area, and over time, for various reasons, that area would be reduced in size. So this is basically a planning tool for us.

Let me give you maybe at least a thumbnail sketch of what the Federal process is when we're involved in this lease sale process, and I do want to say that this is the first instance in which we have been approached by a company for the sale of sand and gravel, and it is the first proposed sand and gravel sale, not only on the Atlantic coast, but anywhere off the continental U.S., for the Minerals Management Service.

Nevertheless, we do have a process that we follow. We're based on a law that has been in existence since 1953 and regulations, as Mike mentioned, that date back to '88 and '89 and amendments -- that I'll mention a little bit later -- that were passed in '94.

But the first step in the process is obviously the request to have a sale, and that's already passed, and we made the decision that based on what we saw, there was no reason not to move forward to the next step, the very critical one, of obtaining information, and that is why we published the request for interest and information.

And the function of that RFIN is, one, to determine if there is further industry interest in sand for commercial purposes out there, but secondly, to find out what issues are in the minds of the public and the coastal communities that we would ultimately have to address if we take ourselves to the next step, which would be the environmental assessment process, or the EIS process as we call it. So the information we're seeking is not only commercial industry interest, but information on the geology of the area, the archeology, shipwrecks, whether there are cables out there that we have to worry about, or, as Mayor Peterson pointed out, perhaps even nerve gas canisters that we would have to worry about.

We're certainly very in tune with the environmental issues, such as those that might affect the bottom communities, the fishing industry, the clamming communities, and so forth, and we have a considerable amount of data that addresses that, but we may need additional data in specific areas. But this is the nature of this process, wanting you all to bring to our attention

those things that should be addressed if we get to the environmental impact stage.

The public briefings that we have now are in advance of the ones that we had planned. If we get through the RFIN stage and determine that there seems to be enough sentiment to at least undertake an environmental impact analysis to determine what the real status of the situation is on the offshore in terms of environmental impacts, then we would be doing scoping meetings or public meetings then. But it was clear that the public felt that it was uncertain enough about our process, uncertain enough about what this RFIN step meant, that you were unclear about the whole process, that you needed more information, and you needed it now. And that's why we're here, and I'm glad that we are.

Well, if we go through this RFIN process and onto the next stage, we would publish a notice of intent to prepare an environmental impact statement, and we would begin scoping meetings. And those would be held in communities along the coast that are potentially affected by proposed leasing action.

The next step would be the environmental impact analysis, the EIS preparation, and that is the most costly step and the most time-consuming step. In terms of a time line, the EIS preparation may take as long as a year. So we're talking about several months preliminary to that and as much as 12 months give or take for the EIS process.

If we proceed through that we have a decision -- another decision point to reach, and that is, whether on the basis of that information, we should

still continue on with a proposed lease sale, and probably by this time that planning area has again been significantly redefined.

If we proceed beyond the EIS, we then would issue a proposed leasing notice, and a comment period would be involved with that proposed leasing notice just as it would be with a draft environmental impact statement before a final environmental impact statement is prepared. If, and based on that public comment, we would then proceed, if that's appropriate to the final leasing notice.

There is also an issue of consistency determination with coastal zone management plans that has to be considered in that process, and it's about at the proposed leasing stage where that comes into play for the first time but not necessarily the last time.

If then, a final leasing notice is published, there's an additional month that must lapse before a lease sale can be held. So from start to finish, and we are at the start of this process, we may be looking at a 24-month process.

I wanted to address one of the issues that has come up in the course of receiving comments from the public on this. It's the issue of using sand for commercial purposes that might otherwise be used for beach restoration efforts. The feeling is that it's either/or, and our position on that is that it's not an either/or case.

We are looking at estimates in the Atlantic offshore area, the Atlantic coastal area, of potential reserves of sand on the order of 24 trillion cubic meters. That's a phenomenal amount of sand. Not all of it would be suitable for beach restoration purposes or for commercial purposes, but that's

our best estimate. It would be hard to say that a commercial operation and beach restoration operations couldn't coexist within the same area. We think that there is sufficient sand for several purposes. But in any particular proposal, we have to look at the entire situation and weigh out whether or not, in fact, that resource is there and available for a specific use, whether a good match is made.

Access to the sand for beach restoration purpose, for example, does not have to be accomplished through a competitive process. The law that was passed in 1994 by the Federal Congress allows for the Department of the Interior and, specifically, by delegation, the Minerals Management Service to negotiate with any party for use of outer continental shelf sand gravel or shell resources, and in this case, we would fully expect that if a community has a need, if the State sees a need, whichever governmental entity may have the need for beach restoration sand, they could approach us, and we could negotiate an agreement for that use.

We have done so already with the State of Florida, while specifically with the City of Jacksonville last year, for the use of 1.25 million cubic yards of sand, which went for the beach restoration of several beaches along the Jacksonville coast, and that was a successful project.

We have had several more requests since for negotiated agreements with the State of South Carolina and the State of Louisiana for a barrier island restoration project. Those are in progress.

We have also completed a negotiated agreement with the Navy to help refurbish beaches along the Virginia coast where their facilities were

threatened, and we anticipate maybe as a minimum two or three requests per year for the foreseeable future for this kind of use.

In anticipation of that, we've entered into cooperative agreements with 11 coastal states currently. This is along the Atlantic coastal seaboard from New Jersey, including the State of New Jersey, down to Florida and west along the Gulf Coast for all the coastal states right through to Texas. Each one of those states is interested in the prospects of acquiring Federal sand for beach restoration purposes, and we're well along with all of those task forces in multiyear stage and have all of those task forces looking at whether the resources are present and what environmental issues have to be faced if, in fact, the communities along those shores want to make use of Federal sand.

In the case of New Jersey, I just wanted to mention that our task force has been in operation with New Jersey since 1991. The Federal government has cost shared studies on beach erosion along the coast, and in sources of Federal sand along the coast, our Federal share has come to about 350,000 to date, and we're looking to renew that agreement in the very near future -- this fiscal year.

We have been also undertaking environmental studies since 1991. They are specifically directed to marine minerals and the affects of marine mineral mining, and we have been able to devote close to \$2 million for those studies. They involve such things as benthic repopulation, that is, whether once an area has been dredged, whether that area can come back to its former state and do it in a relatively short period of time and, of course, asking the question of, is the community, the benthic community, the same or is it different? Is that good or bad?

We have several studies that are now indicating that benthic repopulation, at least in the Florida areas, may occur in as little as one year. At least a strong repopulation and perhaps a complete repopulation in a two year time, and that information is available to the public.

We have studies on turbidity plumes and their effect, wave climate modeling; that is, if sand were to be taken from an offshore area, how will that affect the seashore? Will it exacerbate erosion or have absolutely no impact? We have just completed studies on dredging technology and mitigation measures that could be used to reduce the effect of dredging.

We have other studies that involve Canada and other countries and their experiences, the State of Virginia, currently, and several others that are in the mill.

We certainly want to use this data. We want to use data from other aspects of our program. We want to rely on experts in the field, scientists, such as Dr. Psuty, who has extensive experience in coastal processes, to understand how those coastal processes would factor into this lease sale proposal, and any other public input that we can get.

Maybe the last thing that I want to address, knowing that our time is short, is to address one comment about this sale being an opportunity for the Federal government to reduce its deficit, and we all know that that is a significant problem at the Federal level and it's-- I probably wouldn't hesitate to say that may be the case at state and local government levels, too. It certainly was not our intention and this office is not operating under the premise that we're trying to reduce the Federal deficit. I think, as a Federal agency, perhaps we're anteing up in a more personal way. MMS has lost 20

percent of its physicians over the past four or five years, so there has been a considerable cost saving, alone, in personnel. Of course, that has made our job a little bit tougher in that we have to do more with what we have. But I can assure you that that is not a motivation from our programmatic level.

I just want to close by reiterating something that Mike has brought up. Obviously we've had a company coming to us, and underlying that company's request is a need for sand and gravel for certain purposes, for highways, for public schools, for sewer systems, roadways, airports, and so forth. And that is a legitimate need.

On the other hand, in response to the RFIN, we've heard many comments that there are other needs that have to be addressed along the coast, and as Mike has said, I hope that somehow we can weigh out all these competing interests and find some compatible middle ground where we can resolve issues, approach this in a very rational and objective way, and come out of this on the other side with the public feeling as though MMS has really served it as well as possible, that we have listened to the customer, and that we've come to a reasonable solution. I thank you for your time.

SENATOR CIESLA: Thanks, Ron. If you could, maybe you could take a seat. I'm sure members of the Commission have some questions that they would like to have answered, and again, I'm going to ask everyone's cooperation in trying to be as quiet as possible so that the Commission can hear the testimony of the various witnesses as they ask their questions. Any questions?

Mr. Corodemus.

ASSEMBLYMAN CORODEMUS: I think a paramount question I have maybe many people have here today. You've already identified what I think the obvious issues are, the benthic community effects, accelerator erosion, fish stocks. We're more concerned about the process and to see that those questions are dealt with by experts, so that we can feel very comfortable that if there is going to be any sand mining that there won't be any compromise of those three important factors that have a big effect on the whole State.

The other question I had is concerning the request for the sand. Is there any part of the process that requires the applicant to be unable to obtain that sand from any other source? Do we have to go through this whole process? Is there any requirement that they could look for sand elsewhere rather than put you and all the concerned citizens in a tizzy?

MR. DEL-COLLE: Let's deal with those in maybe the order that you presented them in. If it's determined that we ought to continue by initiating the steps that are associated with an environmental impact statement--

UNIDENTIFIED SPEAKER FROM AUDIENCE: Speak louder please.

MR. DEL-COLLE: If it were to continue in a way that would support undertaking an environmental impact statement, the history of our Bureau is to seek out those sources, be they universities, commercial firms, who have the expertise that is needed to study and to evaluate the particular issues. So we would go to the experts as far as that goes.

As LeRon's already pointed out, we've already begun some general environmental studies, but we won't pretend that we can say that their study results are specific and detailed enough to speak to the issues that may be specifically associated with this coastal area. But if we go forward, then we would expect to pursue those kind of research support efforts for purposes of resolving that question.

Whether the environmental impact statement would be done substantially by in-house staff, should we think we have the expertise, or whether we contract for it is a decision that has not been made yet and would not be appropriate to be made until we can be honest about it and get closer to that point.

The way the law is set up, in terms of your second question, it's really at the discretion of the economic interests that drives that commercial firm. They're the one who's making that decision that the offshore sand and gravel resource provides them an alternative that must be attractive for them to approach us and say, "We're interested." That means that generally that they've made some kind of assessment that the resources available from other sources -- principally onshore and in some limited cases, in offshore -- maybe state water areas -- may or may no longer meet the needs, in some cases, because there were specifications that the sand has to meet for purposes of its use and that the offshore sand and gravel represents an alternative source. So it's their economics that tend to drive the request at this particular point.

ASSEMBLYMAN CORODEMUS: It's the consumers-- It's a market decision.

MR. DEL-COLLE: Correct.

ASSEMBLYMAN CORODEMUS: It's not a precondition that there is no other sand available.

MR. DEL-COLLE: No. It's driven by the economics, and you know, I will not pretend to be an expert, but I think in answering the question, obviously, to truck some thousands trucks worth of sand from an inland pit and all of the-- Obviously, the environmental costs that are paid by a community or that a firm might have to address in that process clearly are considered as an offset in terms of what would it cost should they be able to get access to OCS sand and gravel in terms of an economic driver.

ASSEMBLYMAN CORODEMUS: Thank you.

SENATOR CIESLA: Dr. Psuty.

DR. PSUTY: I have to applaud you in terms of the process. I think the process is going along fairly well. I know we've been involved for the last several years in some of the analysis of offshore information, and I think that's occurring in a very vigorous way.

Part of the presentation today, and also that which was in the papers, relates to beach nourishment, an issue that we're very interested in. But is there indeed a commitment to beach nourishment in this process? Or is it just sand and gravel -- aggregate resources out there -- and whoever has use for whatever exists being the driving factor, as Assemblyman Corodemus indicated. I presume, if it's the market that is driving it, is it something other than what we might really be looking for, which is the opportunity to get sand that might be useful in our beaches?

MR. BIELAK: In terms of the proposed sale process?

DR. PSUTY: Yes.

MR. BIELAK: I think that at this point, we have been approached for a lease sale for sand that would be used for commercial purposes and not for beach restoration. That's not to say that if a company who happens to dredge that sand might sell it at a price that is competitive with other sources of sand per beach restoration, that it couldn't come into the picture in that fashion. But that's not the prime.

DR. PSUTY: But it's not a constraint. It's not a constraint half the time.

MR. BIELAK: No. It's not a constraint, nor does it appear to be the primary driving force here. But we see that we have another process, a negotiated process, that would probably serve much better in local and state communities to obtain sand for beach restoration. It doesn't require communities to essentially become a bidder and spend quite a bit of time planning to get the sand and then find out that someone has outbid them. That was the real rationale behind the Ortiz Amendment in '94, to avoid that kind of a situation.

MR. DEL-COLLE: But I think, to add to what LeRon said, that we want to emphasize that already having had a cooperative agreement in place for the past four years with the State of New Jersey, that that task force, for example, has focused on the shoreline and has developed an appreciation and an assessment of where there are the most significant areas of erosion and where there are areas that are not as severe and is in fact looking, I think, during this coming year, on how to more specifically focus on the more severe areas of erosion so that those issues can be addressed as authorized, you know,

with the latest changes to the law that allow us to deal directly with communities.

LeRon, you might want to just, I guess, review that then real quick.

MR. BIELAK: I have to apologize for the maps. It took a pretty tough hit with the humidity. They're peeling off of the board but-- This is a map that's been prepared through the task force, the New Jersey Federal Task Force, and what it's trying to portray are, basically, areas that are experiencing higher rates and lower rates of erosion. The redder the color that you see, the higher the rate of erosion. The lighter the colors toward the green, it shows accretion, or nonerosion, or maybe no data.

Currently, MMS is involved with the State of New Jersey on a project that's looking at data and information in the Townsends Inlet area south of Ocean City. That's where we're collecting some environmental data. We've collected geologic data, and so forth, and see a number of areas offshore -- in the Federal offshore -- that could potentially provide the sand. So that just illustrates what we've been doing with the State of New Jersey for the last four years.

SENATOR CIESLA: Anything else, Doctor? (no response)

Any other questions of these gentlemen?

ASSEMBLYMAN GIBSON: Yes, sir.

SENATOR CIESLA: Mr. Vice-Chairman Gibson.

ASSEMBLYMAN GIBSON: Yes, thank you, Mr. Chairman. I'll ask questions one at a time rather than try to ask for a multiple answer. The first thing, just a clarification for me, the first three miles are New Jersey's authority. We're talking about three miles and beyond?

MR. BIELAK: That's right. Correct.

ASSEMBLYMAN GIBSON: You talked about this vendor or this commercial financial commitment, has that firm had to make a financial commitment or have they just sent a letter? That really didn't cost them anything to do that, I don't think.

MR. BIELAK: No, you're right. No. I think in the case of this company, they had made some financial commitment in coming to MMS about a year ago for a permit to do some exploratory work on a continental shelf, and they did that. And that certainly cost them a certain amount of money just to determine, if, in one particular area, where they may have had an interest, whether or not they saw sand that was suitable for their use.

But beyond that, no, there was no filing fee -- application fee -- to request the sale. Their financial would have to come at the other end if a lease sale was, in fact, held, for they would have, that particular company -- or any company coming to us would have -- to be the high bidder among various bidders and would have to meet at least a floor requirement for what we construe to be the value of the sand on that tract.

ASSEMBLYMAN GIBSON: And the cost to take it from this point to an EIS, before you decide whether or not it's even worth a sale, is not that particular individual's expense.

MR. BIELAK: No.

ASSEMBLYMAN GIBSON: That's the government's expense.

MR. BIELAK: That's correct.

ASSEMBLYMAN GIBSON: In the Florida example, you provided sand to the cities of Jacksonville Beach, and so on, three miles offshore in Florida's case as well?

MR. BIELAK: Yes, the sand came from about seven and a half miles offshore.

ASSEMBLYMAN GIBSON: And they found that to be more feasible than the first three miles, or were there other considerations why they didn't use the first three miles?

MR. BIELAK: Well, the sand near shore was unsuitable for a number of reasons. I think, one, that they had been using state water resources previously and found that what was left was not suitable, either because of the grain size, the compatibility with the beach sand, or perhaps because of contamination.

What they were looking at was trucking in sand for that area which would have cost upwards of \$15 per cubic yard, which is an extraordinarily high amount to pay for that purpose. So they looked to the offshore as an alternative and found that to be more economically advantageous.

ASSEMBLYMAN GIBSON: And in that particular case, did the Federal government receive anything from the City of Jacksonville or the State of Florida for the volume of sand that was used?

MR. BIELAK: No it did not. In that particular case the local government really petitioned us, as in fact, did the Corps of Engineers at that point. That was a project that had been in process for, I think, at least 15 years. This was just one renourishment effort that had been proceeded by

other renourishment efforts using state water sand, but in this particular case they were looking to the offshore.

There were a lot of financial commitments that had already been made. Essentially, all the contracts have been tied up, and everybody was ready to go, and the law was passed. And suddenly, we were a new player in this ball game, and it was Federal resources, and in this case, it would have to go through the Ortiz Amendment process. And in that case, because we felt that too many commitments had been made, that we were entering at the last moment, that we couldn't expect the community to encure an additional cost at that point and time. So the fee was waived in that particular case.

Under the law a fee can be assessed, but it can also be weighed against other considerations such as the public interest served.

ASSEMBLYMAN GIBSON: Thank you.

Thank you, Mr. Chairman.

SENATOR CIESLA: Dr. Klein.

DR. KLEIN: Yes, I'm a little puzzled about the comment that was made earlier about response-driven selection of cites. When the particular company came to you, did they specify an area where they wanted to work, or does the agency, in this case, Mineral Management Service, delineate areas in order of priority that can be developed?

MR. DEL-COLLE: The company having the interest submits and identifies where it would like to be able to extract or to mine the sand and gravel. As LeRon pointed out, that information is considered proprietary.

DR. KLEIN: Understood.

MR. DEL-COLLE: And on that basis, we identified a planning area that was more extensive than the area that they specifically identified for purposes of protecting that interest. It is our assumption, and it generally isn't any process where you're developing a "planning area," that through dialogue such as this and through the scoping meetings, you would eventually become more selective in that process.

Others identify their interests, and you define a better sense of what the competition is going to be. And as communities define areas and we see that there are reasons to exclude certain parcels from consideration for, again, any number of environmental issues or very reasonable issues, such as cable lines that AT&T might be running through part of that area, that obviously you say, "Stay clear of it"--

DR. KLEIN: But your agency has not prepared a rank order list of most favorable areas given the parameters that are available to you now, either for environmental or erosive aspects?

MR. BIELAK: No.

MR DEL-COLLE: No.

MR. BIELAK: No, we have not done that.

DR. KLEIN: Wouldn't that be a good way to go as a way of shortcutting some of these concerns that have been raised?

MR. BIELAK: Well, I think, once we get through this particular phase, we'll have a much better idea of what industry interests us and where it lies, and that, in itself, will have a culling effect. What we're attempting to do is identify issues and identify them in such a way that we can narrow our focus of interest. It's only going to cost the Federal government and the

taxpayer more money to have to foot a bill for an EIS that consumes much more time. If we can focus the area, obviously, then we're a little bit better off.

MR. DEL-COLLE: And we're attempting not to be speculative. In other words, there are other governmental programs in which they try and project what the future requirements are and prioritize those areas and do those kind of things as, for example, it might be characterized by the five-year plan for the oil and gas program. We're clearly trying not to do that here. We're trying to be more specific in our -- and when I say responsive, by allowing either the community need, in terms of the authorities that we have under the Ortiz Amendment, or the commercial needs to be the driver for the process. Okay.

SENATOR CIESLA: Thank you, Doctor.

Assemblyman, do you have a question?

ASSEMBLYMAN WOLFE: Yes.

First of all, I'd like to thank you both for being here. Just to let you know, and perhaps some of the members of our audience who have not been here before, that this particular group in the past has really encouraged innovative ideas for beach restoration. We had a hearing about a year and a half ago in Asbury Park where mining was one of the proposals. It was presented as an alternative to, you know, basically using sand-based -- land-based sand.

But I think, obviously, many of us here are legislators or academic professionals on this Commission and also as professional engineers, and my concern is specifically one of the comments you made about environmental

impact as part of this process. What criteria, basically, will you use as you assess the environmental impact of this and similar proposals?

MR. BIELAK: I think that's a more difficult one to answer. I think we look at impacts in at least two different ways, I mean, the immediate impact of the action, both on the offshore area in this case--

ASSEMBLYMAN WOLFE: Right.

MR. BIELAK: --and even on the coastal area. We have to certainly take into consideration the impacts on the coastal zone.

Secondly, we look at cumulative impacts. In other words, if this particular action were taken, how does it weigh out in terms of other actions that may be taken simultaneously or consequently. But in terms of, if you're looking for a sort of a gradational scale -- if it comes out number six is it acceptable or not? -- I don't think it's that clear cut.

MR. DEL-COLLE: And I'd like to build upon that by, again, going back to what I think is a very fundamental theme that we want to put out in front of everybody. We're soliciting these comments, as the Senator has mentioned earlier, much sooner in the process. We're doing that because we'd like to have better definition, that, in fact, some of those priorities shouldn't be made all the time by the scientists, but, in fact, need to be made by the community who's communicating a need. And I'm going to use as an example, because I found it helpful to me, personally--

We have somebody, for example, who very specifically has said they're concerned about striped bass and bluefish, and what they're most particularly concerned about is that they feed on eels and whether or not what we're going to do is going to affect the eel population, and therefore all the

regrowth of those stocks is going to go right down the tube. I mean, that's a very specific thing that establishes, clearly, a sense of priority there, and that's what we're going to be looking for as well, as opposed to the broad kind of generic scientific value kind of study that needs to be considered.

ASSEMBLYMAN WOLFE: I'd just like to ask one other question.

You mentioned Jacksonville, which Assemblyman Gibson asked you about, and also, Virginia Beach, or Virginia I guess it was, and South Carolina. What has been the consequence of the mining in those areas?

MR. BIELAK: Well, in the case of Jacksonville, we have asked the Corps of Engineers to undertake a benthic repopulation study as a consequence of that work. They proceeded with baseline studies before to sample the data that was there, what is the existing situation, and now, periodically, or the next 12 or 18 months, we're going to be getting feedback on how the conditions changed and how repopulations have come back.

ASSEMBLYMAN WOLFE: Okay.

MR. BIELAK: So that's one thing with us. We don't have the final answer on that. Early indications are that we're already seeing some repopulation after about a year.

ASSEMBLYMAN WOLFE: Okay.

MR. BIELAK: So that's a positive indication.

MR. DEL-COLLE: I'd also like to point out something that goes with that, and it's in the request for a notice, and some people have chosen to make comments on it, and that's-- What we're using currently, a three by three mile track, nine square miles. As a definition, there is nothing to say that input or, as we look at things, that the size of those tracks can't be varied

because we develop a better appreciation for both what's practical, in terms of what can be mined, as well as whether or not there are other issues. That is, if you make the track small enough, the repopulation of the benthic community can be accelerated as opposed to making it too large and creating much larger fringe areas that make that more difficult.

ASSEMBLYMAN WOLFE: Okay. Thank you.

MR. BIELAK: I think just maybe to add, I'm thinking, sitting here in Sea Bright that there is a very large beach restoration project going on right off the shores here in Monmouth County.

SENATOR CIESLA: That's why you're here.

MR. BIELAK: About a year ago I had the opportunity, when I spoke at a conference called The Assateague Workshop and Dr. Psuty was there and speaking as well, of viewing this project and realizing that this was a project that was taking sand from an area about, if I recall, two or three miles offshore, just this side of the Federal line, and that project has been ongoing for some time. We're very interested in seeing whether or not that in itself is having an impact on beach erosion further down the coast and, if it's not, does that indicate to us that taking sand from the Federal offshore area would, in fact, be a benign process or not? I mean, it's a very important thing to make that comparison.

There's also the Ambrose Channel dredging that has been going on for a number of years. That channel has been deepened, I think, now to a depth of about 67 feet under a Corps of Engineers and State of New Jersey permit. We're not seeing information that tends to indicate that there have been harmful effects from that kind of an activity either.

So there seems to be a situation where if we're far enough offshore, we are not engaged in the geologic -- the coastal process -- whereby sand moves up and down the Shore, and we're actually operating outside of that and not effecting that. But this is a very important question to answer, and we must do that for this lease sale proposal.

ASSEMBLYMAN WOLFE: Thank you.

SENATOR CIESLA: Thank you, Assemblyman.

Senator Kyrillos.

SENATOR KYRILLOS: Thank you, Mr. Chairman, and thank you for calling this hearing.

I appreciate the representatives from the Minerals Management Service's thorough explanation on your process. I wanted to make sure I understood correctly and clarify that you said this would be the first sale for sand and gravel anywhere, not only the Atlantic coast, but the outer continental shelf around the country?

MR. DEL-COLLE: You've got it.

SENATOR KYRILLOS: Is that correct?

MR. BIELAK: First competitive.

MR. DEL-COLLE: Correct.

MR. BIELAK: First competitive.

SENATOR KYRILLOS: First time ever.

MR. DEL-COLLE: Competitive.

SENATOR KYRILLOS: The Florida and the Virginia Beach examples were for beach replenishment exclusively?

MR. BIELAK: Negotiated.

MR. DEL-COLLE: And negotiated with local authorities.

SENATOR KYRILLOS: Right. So this would be the first time a competitive sale would happen and not for the express purpose of beach restoration. Is that correct?

MR. DEL-COLLE: Correct.

SENATOR KYRILLOS: Does this surprise you? Surprise you that you've never had an application up until now and that you do have one now?

MR. BIELAK: It doesn't surprise me only because, in working with the 11 coastal states, we've been getting very strong indications that resources, either near shore or onshore, are becoming inaccessible either because of, in the near shore area, because of pollution or supplies that have been depleted -- onshore because of public demand to close quarries, because they cause air pollution or nuisances. It does increase truck traffic, and so forth, or they're even economic issues, such as land use -- zoning. Is that land more valuable for a condo project than it is for quarrying sand and gravel, which is a relatively low-value commodity? So, for a variety of economic environmental reasons, and so forth, we are hearing that the resource just isn't as available.

Therefore, we thought sooner or later this point would probably come, and we've been trying to prepare for that by undertaking these environmental studies to help assess whether the offshore area is a legitimate alternative.

SENATOR KYRILLOS: So what you're saying then is that interest for sand and gravel offshore is a relatively recent phenomena that you suspected would emerge over time and it has, and your suspicion is, I guess,

that you'll get other applications in the recent years ahead -- upcoming years ahead.

MR. BIELAK: I'm expecting that, yes.

SENATOR KYRILLOS: The process that you outlined then, is that a brand new process? Has it been tested, employed ever before? Is this the model -- first case for it?

MR. BIELAK: No. We have-- We employed it once before. There was interest in gold placers, a rather different value for minerals, up in Alaska off the Nome area in 1991.

SENATOR KYRILLOS: What was that for? What mineral?

MR. BIELAK: It was gold placers, a material, very finely distributed gold flakes, in the sediments offshore Alaska. There was a company that, in fact, was operating up there in state waters and recovering gold that way.

We went through an environmental impact analysis process and determined that a sale could be held. We addressed a great many of environmental questions from effects on king crab habitat to the possibility of resuspending a particular toxic material that might have been in the sediments. We did a very thorough analysis up there. However, the sale was not held. The company decided, just about at the sale time, that the whole process was no longer economic for them, and it was a corporate decision to pull out of that situation. But we had tested the process up to that point.

SENATOR KYRILLOS: So this would be the second time around. The first time in the continental United States, and the first time for sand and gravel.

MR. BIELAK: You're right.

SENATOR KYRILLOS: And did your other duties deal with the oil primarily then, rather than other kind of minerals.

MR. DEL-COLLE: Not in our program.

SENATOR KYRILLOS: Not in your program?

MR. DEL-COLLE: The Minerals Management Service has responsibility for the oil and gas program -- the leasing program for that.

SENATOR KYRILLOS: Yes, right.

MR. DEL-COLLE: There are certain elements of what we're proposing here that are common because they're both covered by the National Environmental Policy Act in terms of the processes to be used.

SENATOR KYRILLOS: So this process is expressly for what then? What kinds of minerals or materials?

MR. DEL-COLLE: It's not focused, I guess the best word is, on a particular resource in and of itself. Under the National and Environmental Policy Act, there is a process by which the Federal government is expected to consider the environmental impact of actions that are proposed or to be taken under authorities that it has or that it can otherwise authorize. Okay. And it is in that context that there is a general framework. That framework applies to the Oil and Gas Program. It would apply to us, for example, having scoping meetings, doing an environmental impact statement, or an environmental assessment, and there are some subtle, not so subtle differences which are keyed to information that's available -- any environmental assessment being one that's more dependant on existing data versus an environmental impact

statement that itself becomes more exhaustive because it goes much further to collect data that isn't necessarily available.

Those are general policies that exist and are to be followed in any circumstance. For example in this particular case, our decision to issue the orphan and then to, obviously, aggressively pursue and participate in public meetings to facilitate that process is an adaptation on our part, because we think it's critical, but the general framework is common. Right.

SENATOR KYRILLOS: Mr. Chairman, one quick question, because I know you want to move on for other witnesses. Do you feel your agency has a final overriding, overarching mission? I know you go through the EIS process, other processes, criteria that drives you in this decision. Is it national security, economic security, or is it more as an arbiter trying to weave through various conflicting interests with no final agenda item or concern in the end? How will you and/or the Department come to your conclusions on this as to whether to move forward or not?

MR. DEL-COLLE: I think the issue will have to be addressed in terms of what are the reconcilable differences that we can speak and direct to, okay? Clearly, it's kind of been brought up here. What we have is an economic need that's driven the firm -- driven -- makes it attractive for a firm to look at the offshore sand and gravel as a resource to meet all of its needs that it sees, from a business context, having.

There, obviously, is a whole set of community of issues in regard to environmental impacts and issues that need to be addressed and to consider in terms of, if we do this, what happens to this?

We didn't have to sit down and look at that. I mean some of the issues that we haven't touched upon is that there can be terms and conditions on leases that speak to the issues that require mitigation, require monitoring, require that careful consideration be done, and we use as an example another area to give you that, something that most people don't recognize. In the oil and gas industry, when the bowhead whales migrate through the Arctic area, the oil rigs shut down. That's a condition of the lease.

If, for example, anything were to happen in this area, where there were specific issues that we thought could be reconciled through some kind of mitigation techniques, monitoring techniques, we'd have to give those fair consideration, and we would make them part of the lease term, and firms would have to understand. If you want access to this, then you need to live up to these terms and conditions, which we would impose if we thought they protected the interests of the environment, it protected the interests of the communities who are directly impacted by the process, the mining process, that would take place.

SENATOR KYRILLOS: All right, thank you.

SENATOR CIESLA: Thank you. A couple final questions from Commissioner Kempf.

MR. KEMPF: Just one quick question. You may have answered my question through Senator Kyrillos'. The Corps, at significant expense, has gone ahead and identified a number of sand barrow areas for beach replenishment, emergency, otherwise. Now do you know if any of those areas are located within the zone that you're targeting and, if so, has any consideration been made for those particular areas?

MR. BIELAK: We did receive a response from the Corps of Engineers, but they did not identify any barrow areas within the sale planning area at this point and time. We'll certainly ensure that they didn't overlook that possibility in responding to us.

MR. KEMPF: Thank you.

MR. DEL-COLLE: To clarify, what they did focus on was that they have responsibility for navigable waters, and that as we make our decisions, we need to be aware of that, and we need to coordinate with them just as if we were to proceed in terms of the fish and wildlife service, in terms of the Endangered Species Act, Section 7. Consultation will need to take place if and when we proceed in a way that requires that.

So we're very mindful that we are not an independent operation, that we need to coordinate both with a number of Federal organizations that have compatible and supplementary responsibilities that we need to be mindful of, as well as working with State and local officials.

MR. KEMPF: Thank you.

SENATOR CIESLA: Thank you very much, gentlemen. We appreciate your testimony. If you would stay in case some questions come up subsequently, please.

MR. DEL-COLLE: Most surely.

SENATOR CIESLA: The next witness, which will testify because he has a conflict at 3:00, is Ellis Viesar, from the New Jersey Alliance for Action. Ellis, if you could be brief our list is long.

ELLIS S. VIESER: Thank you very much, Mr. Chairman. I appreciate your consideration. I'll be brief and to the point. I believe all of

you have a copy of our testimony. I have other comments I'd like to make. For the record, my name is Ellis Vieser. I'm President-Emeritus of the New Jersey Alliance for Action.

For those of you who do not know, the Alliance is a unique statewide coalition of more than 500 business, industry, labor, professional, academic, and governmental organization. Our commitment is to improve the quality of life for the people of New Jersey through economic progress and the creation of jobs, balanced by responsible protection of the environment.

The Alliance for Action is in full support of Amboy Aggregates' proposal to lease the mining rights for offshore sand and gravel mining off the coast of New Jersey. Amboy Aggregates is a responsible partner with New Jersey. They have been in operation for 12 years mining sand used for many public projects with no adverse impact to marine life.

There is a definitive need for offshore sand mining. Upland sand mines are rapidly depleting and high-quality sand is needed for public works. If they're not depleted, the local jurisdictions with not in my backyard are zoning them out. Then that result is that we will be forced to export dollars to other states to bring sand in. At the same time as we bring it in, we're going to have to truck it in. We're going to have further deterioration of our environment, as well as wearing our roads and bridges out, and also, bringing more gridlock to our roads. This sand will provide a true benefit to the public because a high-quality product contributes to the integrity of public works projects.

Permission should be granted, expeditiously, for this lease arrangement. Amboy Aggregate has an exemplary track record, and it should be allowed to pursue this opportunity for the public's benefit.

And I might add that the agencies -- the Federal agencies -- that are investigating this, in about the early 1970s, a firm by the name of Steers (phonetic) Sand and Gravel, mined huge amounts off of Staten Island and created great big holes out there, some of which we wanted to dump dredge spoils in and the recent discussions that are going on, led by Assemblyman Corodemus.

The environmental analysts found that the fish and crabs and other critters in the ocean were so preponderant in that hole that they prohibited dumping of dredge material in that hole to cover it. The point I make is, they should take and look at that example off of Staten Island, because right close to our shoreline is a true example of the compatibility of economic interests and environmental interests both pulling on the same rope.

Thank you for your time, and I'll be glad to answer any questions, and I appreciate your consideration, Senator Ciesla.

SENATOR CIESLA: Thank you very much, Dr. Vieser. Does anyone have any questions?

Assemblyman Corodemus?

ASSEMBLYMAN CORODEMUS: Yes.

Ellis, I'd like to commend you and Alliance for Action for participating in all these issues, particularly the dredging issue, and you being familiar with the dredging issue, you know the process. It's not too much different from what the prior speaker spoke about: some notices, EIS

statements, preliminary statements, final statements, etc., takes some time, costs a lot of money. Is there any reason why this situation should be unique from other situations that I'm familiar with, specifically with the cost of the environmental impact statement process? Why should not the applicant for this sand, Amboy Aggregates, be paying for the environmental impact statement as opposed to the Federal taxpayers?

MR. VIESER: I think that decision should be made by the authorities responsible for the decision. I don't think, in all fairness, I should reflect on that at all. I can tell you that the permitting process, having dealt with it for many, many years, is a very difficult one, and we keep making it more difficult every day, and then that results -- it adds cost on cost on cost. It's not unlike a highway project. It takes 20 years to get approved, and we're all familiar with that, and I think that in this situation, rather than start a daisy chain of letters back and forth, which drives everybody nuts, why not bring all the parties of concern into meetings like this, discuss it rationally, and make decisions. So that's a reflection on many years of experience.

ASSEMBLYMAN CORODEMUS: Thank you.

MR. VIESER: Once again, thank you very much.

SENATOR CIESLA: Thank you very much, Dr. Vieser.

Our next witness to testify is the Mayor of Seaside Park, Mayor John Peterson, to be followed by a representative of, I believe, the applicant, Amboy Aggregate.

MAYOR JOHN A. PETERSON JR.: Thank you, Senator Ciesla, and thank you and the Commission for all your hard work and for taking the initiative on this particular issue and on all the many other areas

that vitally affect our environment and the coastal economy here at the New Jersey Shore. I, also, would thank Mike and Mr. Bielak, especially for their past courtesy to myself and that responding to lengthily telephone inquiry and providing me with maps, documentation, and information, which I had requested.

I, also, come before your Commission today, briefly, wearing another hat. Congressman Saxton had telephoned my office and expressed his concern and asked that I read a brief statement into the record, and as the Commission has already noted, the Congressman will be holding a subcommittee hearing for the House Fisheries Wildlife and Oceans Subcommittee in Seaside Park on August 6, and we'll also be taking information, documentation and, I'm sure, sharing that with your Commission and working together so that we come to a resolution in the best interest of the Jersey Shore.

The Congressman's statement is: "I would like to thank the New Jersey State Beach Erosion Commission for providing this forum to discuss the proposal to mine sand and gravel off New Jersey's coast. My duties to represent the 3rd District are keeping me in Washington today, but I feel very strongly about this issue and appreciate the opportunity to comment by letter. My concerns about this proposal are threefold.

"First, as Chairman of the House Fisheries, Wildlife and Oceans Subcommittee, I am extremely concerned about the impact such an operation would have on our fisheries resource. For example, after a lot of sacrifice by regional fishermen, Atlantic striped bass, a valuable recreational fish, are recovered. Any possibility of harming this fish stock, or others, should be

avoided. It seems foolish to me to tamper with the ocean floor and possibly the food supply for valuable ocean fish to benefit a private company.

“Second, it has not been adequately determined what the removal of sand and gravel from the ocean shore would mean for our struggle to keep sand on our beaches. New Jersey’s beaches are part of the foundation of our coastal economy, which comprises 51 percent of New Jersey’s economy. Some of the beaches erode rapidly and need renourishment. It is unthinkable to proceed with this mining without knowing the impacts of one of our main tourist draws.

“Finally, I am concerned about the effect this mining may have on ocean water quality. Will the disturbance cause cloudy ocean water or lower the dissolved oxygen level, a key component in New Jersey’s stringent ocean water quality testing? Will it affect clam production? Will pollution from earlier decades be uncovered and become a threat to public health? These are questions that need to be answered before we even consider moving forward with this proposal.

“It is my intention to hold an official congressional field hearing on this issue on August 6 in Seaside Park, and I am hopeful that some of the questions posed at today’s meeting can be adequately addressed at that hearing.”

Rather than making points already made eloquently by your Commission members in you’re questioning already, I would second those sentiments, the questions of Assemblyman Corodemus, yourself, and all the members of the Commission concerning the environmental impact -- the impact potentially on our Shore economy.

I have spoken with Mr. Bielak. He has been kind enough to send me some of the maps, and I know that within the last several hours there have been press releases and an announcement of an agreement concerning the mud dump site and the administration, and I would stress the word that it's an agreement. It's not a Federal statute. It's not a Federal regulation. It's an agreement, and agreements have been broken in the past. And my information of the mapping suggests that some of the proposed lease tracks do indeed come within very close proximity, if not actually touching upon areas, where the mud dump sediments have been deposited over the years. And I think that proposal in and of itself should cause us all a great deal of concern. And it's something that has to be thoroughly and adequately addressed before we even consider moving forward.

I'll submit my written comments. I know the hour is long, but in following up on one of the comments made by the officials involved, I would ask that rather than utilizing our precious and very limited Federal tax dollars that, perhaps, some of our efforts might be concentrated on the very limited projects, which do, in fact, already exist with sand mining, particularly off the South Carolina coast and the Florida coast.

I would call your attention to research and the recent issue of the *Habitat Hotline Atlantic* of February '96 where there's an article "Sand Mining for Beach Nourishment: Investigating Fisheries Impacts," published by the Atlantic States Marine Fishery Commission, and that article notes the paucity of research and literature on the subject and states that since 1950 only 11 studies have investigated the biological impacts of sand mining at all, and of these, only a single study investigated the impacts to organisms other than

those living directly in the disturbed sediments, and I would call your attention to some of the South Carolina officials, in particular, the Study Director Robert VanDolah of the South Carolina Department of Natural Resources, who indicates that the ecological impacts of dredging for beach nourishment have been largely overlooked. Several studies, including those undertaken in South Carolina, have documented substantial changes in the composition of bottom communities following dredging, but the consequences of these changes in terms of trophic function of benthic resources on fish and other predators is poorly understood.

My comments would focus upon the fact that we've heard much indication that this is the first project of such an expanse of nature. Rather than making our precious New Jersey Shore, our fishing industry, and the ocean environment itself, and, indeed, the very quality of life we all enjoy along the Shore the subject of what more skeptical individuals might be called a guinea pig type of research project, let's focus some of our attention on these actual projects, which do, in fact, exist in other areas and, in fact, expand upon environmental impact studies of the long-term effects in those areas before we proceed to commit further Federal tax dollars and State tax dollars and the valuable time of this Commission, etc., onto this project without thorough research. And thank you very much for the opportunity of speaking here today.

SENATOR CIESLA: Thank you very much, Mayor.

Are there any questions of the Mayor? (no response)

Thank you very much, Mayor, for your testimony.

Our next witness is a representative of the applicant Amboy Aggregates, I believe, Mr. Rosamilia.

RICHARD ROSAMILIA: Excuse me. I didn't realize I was supposed to speak.

SENATOR CIESLA: Oh, I'm sorry.

MR. ROSAMILIA: But I'll certainly be happy to sit up here if you have some questions, or anything I can add.

SENATOR CIESLA: Based on our conversation prior to the meeting, I thought that you wanted to--

MR. ROSAMILIA: I think it's premature for us to comment on any of your concerns, and I think the Minerals Management people have expressed it clearly.

SENATOR CIESLA: It's for recording only so could you attempt to just-- (referring to microphone)

MR. ROSAMILIA: I think it's premature, because I think this is a very first step in a very long process. There's a lot of information that has to be studied, looked at. Clearly, that even has to be determined whether to go forward with this. For me to make any kind of a statement is extremely premature.

SENATOR CIESLA: No need to-- My apologies. It's my misunderstanding. I thought you wished to testify. I wanted to give you the opportunity.

ASSEMBLYMAN CORODEMUS: Can I ask you a question?

MR. ROSAMILIA: Sure.

SENATOR CIESLA: Just, just-- I'm sorry, Steve, just for the record, since he did speak, could you just spell your last name?

MR. ROSAMILIA: R-O-S-A-M-I-L-I-A.

SENATOR CIESLA: Thank you.

ASSEMBLYMAN CORODEMUS: I had a question; since you're here, we'll take advantage of this opportunity. If there is no adverse consequence to fish, clamming industry, beach stability, I don't think most people would have any concern about sand mining by you or anybody else. But, so that we can understand why someone like Amboy Aggregates would go to the efforts of mining sand, could you tell us about the market economics that were talked about before -- that you might have to go to the ocean to get affordable sand? Could you tell us, in this metropolitan area, what the status is of the market for sand? What is the need for it? What are the available sources? What is the cost comparisons?

MR. ROSAMILIA: Well, it's not unique. We have been, for the past 12 years, mining sand in Ambrose Channel, believe it or not. So there is a precedent. We are doing it. We're supplying, roughly, 2 million yards of specification sand, meaning a sand that has a quality to be used for concrete and asphalt and mason products in a lot of the building projects.

During that permit, or that application, we were applying for the Ambrose Channel, a study was done on upland resources, reserves, and the problem with that, of course, is that a lot of them are either grandfathered and once they're depleted they're no longer in existence. There is a very strong group in the State of New Jersey, the Pinelands Commission, which limit the

amount of material that can be extracted from those areas where there may be a good quality sand.

The northern part of the State is made up, primarily, of stone block. It's not sand. It's a little different situation. So there is a limited supply of sand. When you talk about a firm like ours that are supplying 2 million yards a year to the construction industry, which is primarily the northern part of the State, it's a very large part of the business. I venture to say in the northern part we supply 50 percent to 75 percent of the needs of the concrete and asphalt producers in that part of the State. So I hope that answers your question.

ASSEMBLYMAN CORODEMUS: What about the money?

MR. ROSAMILIA: In terms of what?

ASSEMBLYMAN CORODEMUS: If the--

MR. ROSAMILIA: The alternatives?

ASSEMBLYMAN CORODEMUS: Let's say inland sand sources, what does it cost, and what is a projected cost to the ocean? Can you make a compelling case for us that there is a need for someone like you to go to these lengths to mine sand in the ocean?

MR. ROSAMILIA: Well, certainly I can sit down and put some numbers together and everything else, but in the northern part of the State, again, there is no sand. It's basically a stone sand. They'd have to take stone and grind it down into a consistency of sand to be used as a sand product, and that gives the producer another set of problems in terms of flow ability of concrete, and so on. So you'd have to go, perhaps, to Connecticut, maybe out in Pennsylvania -- some areas in Pennsylvania -- that may have a sand deposit

somewhere where they can bring their sand in there. There it becomes very costly, because now you're trucking material maybe 100 miles or more to bring material--

ASSEMBLYMAN CORODEMUS: Through the Chair, there is no in-state sand, inland sand source in New Jersey?

MR. ROSAMILIA: No, that is not true. There is. In South Jersey there is plenty of them. Clearly, in the tip of South Jersey, I mean, there is any number of major sand producers down there. But just picture taking that sand by truck to North Jersey. You may do one load a day, and if a guy is using 100,000 to 200,000 tons a year and he's getting 20 tons per load, I mean, you imagine the number of trucks it would cost involving something like that. You know, I think just the trucking alone you're probably looking at about \$11 to \$12 a ton, where sand is selling for less than \$7 a ton delivered.

ASSEMBLYMAN CORODEMUS: So the concern is to supply consumers of that sand within close proximity to the mining source?

MR. ROSAMILIA: That's correct.

ASSEMBLYMAN CORODEMUS: Who are the consumers of the Ambrose Channel sand?

MR. ROSAMILIA: You mean customers of ours?

ASSEMBLYMAN CORODEMUS: Right.

MR. ROSAMILIA: Weldon Concrete, Blue Circle, Colonial, Lozieuax, (phonetic) Stavola Paving Company -- I mean I can just go on and on and on.

ASSEMBLYMAN CORODEMUS: They're in the Middlesex, Monmouth County area?

MR. ROSAMILIA: They're in Somer (sic) and Monmouth County, but primarily Middlesex, Hudson, Bergen, Union, some in Hunderton we sell to.

ASSEMBLYMAN CORODEMUS: Thank you.

MR. ROSAMILIA: Okay.

SENATOR CIESLA: Thank you, Rich, I appreciate that, and, again, my apologies. I thought you wanted to speak.

From the Borough of Mantoloking, Councilman Husted.

COUNCILMAN ELBERT E. "RUSTY" HUSTED III:
You need me up there?

SENATOR CIESLA: Sure do.

We'd, also, like to extend our welcome to former Mayor. We'd also like to say hello to former Mayor Roman from Mantoloking.

MAYOR ROBERT A. ROMAN: Current Mayor.

SENATOR CIESLA: Current Mayor. Oh, I had you out early.
(laughter)

MAYOR ROMAN: If I don't bring that up I'll get fired. (laughter)

COUNCILMAN HUSTED: I have written comments, so I'll try to make this as brief as I can. I am a Councilman in the Borough of Mantoloking, and for a considerable number of years I've been Dune and Beach Program Director. So I've been fighting the vicissitudes of the ocean on our beaches for at least 10 years.

There have been a lot of studies by DEP, coastal communities that demonstrate frequency of ocean storms, on this Reach that they're talking about, have been increasing in frequency and are worse.

It's also my belief that the scientific understanding is that the most economic and most effective way of protecting the Shore communities is wide beaches and wide dunes. This means more sand not less, and the dunes have to be protected by suitable grass protection -- legally prohibited walking across it. These are significant points in terms of the economy of the entire coastal region, particularly the Reach where they're talking about doing this mining. Traditional sources of sand in this area and in the inlets have been drying up, getting more difficult to get, and more expensive all the time. So it is hard for me to understand why there is any thought of taking this sand anywhere except for the coastal regions.

There is no need for the Federal government to go looking for a customer. The State of New Jersey and all those communities are a ready-made customer. I'm a bit astonished when I hear that all anybody had to do was ask and you could buy this stuff. The communication seems not to be well understood, at least by the communities, and until now, I didn't even know it was well understood by the DEP. Minor aside, there has been frequent indications today that the Corps of Engineers would study all this, and I'm a little confused as to how the Corps can continue to function when President Clinton has edicted that they will not any longer be involved in the coastal process. So I hope they have a better communication with him than most of us do.

The idea of selling the sand to an individual corporation who, then, has the right to resell it as it see fits seems to me a very foolish use of resources. All it does is add cost to the element user if it is the beach. This should go directly to the beachfront owners, not through a private property

who will sell it for a profit. All of the beachfront communities are paid for. Their restoration efforts, and so forth, are paid for with tax dollars. If we have to compete with a private enterprise for those tax dollars, all we do is increase our tax base without any benefit.

I'll take a small moment of time to tell you how easy it is to get sand. Everybody says it's very easy. In the '92 December storm -- March '93 storm Mantoloking beaches were severely damaged, and at one place we felt that the best way to get some sand in was to use a system that was used by the Corps of Engineers Jacksonville District at Coco Beach. They brought in, in this case, some 500,000 cubic yards of sand on barges, off-loaded it in the near coastal area and let the water wave action move that into shore. It was highly successful.

Using that as an idea, the Borough of Mantoloking wanted to reinforce this particular weak area, and we needed 30,000 cubic yards, far less than what was done down there. The Borough of Mantoloking authorized the expenditure of the money necessary to do this. With that in hand, we got the necessary permits from the DEP and the Corps of Engineers to off-load that amount of sand in the near surf. Several times we have had access to a barge which would do this. We have, still, never have been able to get that 30,000 cubic yards of sand when so much of it's supposed to be out there, and our permits are still in existence, still valid, and we can't find the sand.

I strongly submit consideration of using sand off the Jersey coast for anything except Jersey use. It should not even be a consideration.

Thank you very much.

SENATOR CIESLA: Thank you very much, Councilman.

Our next witness to testify will be Mr. Ken Smith of the Coastal Advocate and the Alliance for a Living Ocean.

Ken, thank you, and my usual admonition, if you could summarize your remarks it would be appreciated.

K E N N E T H J. S M I T H: I will, and I thank the Minerals Management Service representatives and the folks here for reading my mind. My testimony has a lot to do with those concerns, and I won't read it, but there are three basic concerns, of course the environmental concerns.

Rather than just a blanket rejection of the proposed lease plan, we would support a dredging program which includes a harvesting and recovery plan. For example, for surf clams, we'd want to see that their bed be minimized as much as possible, and we really can't support any disturbance of prime recreational and commercial fishing areas, and in any areas that ought to be leased, we would want to be ensured that the disturbance is temporal.

Regarding beach erosion and the impact of dredging operations on the beaches, I'm not really terribly concerned about that. It should be addressed, but beyond what is called the closure depth, a rule of thumb is 30 feet and that can vary in depth. But there is not a lot of impact from operations that are done beyond that depth, except that some studies have shown, and I'm sure Dr. Psuty is aware of this, that episodic events, northeasters, for instance, can have an effect from even deeper areas. So I would want us to-- I think if we go out beyond the three mile limit we're okay in that regard, but we can't be too cautious on that issue. So I would definitely want to see that examined.

A major issue is beach replenishment versus the Aggregate needs. We should not have to compete our coastal communities with the needs of private industry for beach quality sand. We don't dredge sand because we feel like it. We dredge it because it's the only way we can get good competitive best quality material at a price that we can afford. The Harvey Cedars project is a good case and point. We didn't have permits for that, so we had to truck in orange colored, rust colored sand, which is why the top layer is washed white. But it was a public relations nightmare, you know, and it also turned the ocean orange for about four or five months.

If we could access the sand ridges that are 3 to 6 miles off of shore, we could have saved about a million and a half off that project, about 60 percent. So what I'm saying is offshore sand, that can be brought to the beaches competitively, has to be earmarked for those beaches, and if that precludes leasing those tracks for any other purpose, so be it. The need for affordable beach quality sand is just too great to allow it for any other use.

I noted, in the Minerals Management Service monograph, a suggestion that, and it's in quotes, "The deeper offshore mined out areas could be used as disposal sites for trash and contaminated dredge spoils from channel maintenance." I can assure you that will never happen, and I probably have your-- I'm sure I have your agreement on that. But the mention of it, for consideration, puts up a red flag among everybody. You know, it must have been thought of by someone who's not familiar with our coast.

One last thought, and, I guess, the burning question I have is simply why? I need to be convinced that there is economic justification for this, and we've heard some testimony on that today, but before any leases are

opened up, I would like to see demonstrable supporting data for the expressed need by private industry to mine these sensitive areas.

Thank you very much.

SENATOR CIESLA: Thank you very much, Ken. Any questions?

(no response)

Our next witness will be Mr. Michael Beson, from Congressman Frank Pallone's office.

M I C H A E L D. B E S O N: Thank you very much, Mr. Chairman, Senator. I just wanted to apologize for Congressman Pallone's absence here today. He's in Washington -- actually had some good news on the closing of the mud dump site, which I'm sure you'll be informed of in the papers tomorrow.

But I wanted to just express my concern to Minerals Management Service, who will be testifying in front of Congressman Saxton's Committee and as well as coming back for a town meeting for Congressman Pallone.

I guess the case really has been made why this needs to happen, and I'm tired of New Jersey being the first test bed in the nation when it comes to new ideas and things that might harm the environment and the ocean. So I'd rather not be a test bed for something like this to be first in nation. I really don't understand why it's needed. I'm concerned that we're going to go to the expense of an EIS, environmental impact statement, when it's really not clear what we're doing this for. We're not only here to serve industry, we're here to serve the constituents of New Jersey, and I am very concerned about that, and I'm concerned that an EIS could be used for other purposes, most notably, could be used for offshore oil drilling purposes to be speculated and looked at

by companies. I know that we do not have offshore oil drilling. That's because of the Congress and it's asking for it not to happen. So I'm really concerned. I don't know if this is a good idea. I would say that we really don't need to go through an EIS. I think that we should probably scuttle this project at this point. I don't think a clear case has been made, and I hope we can make a determination of that. I thank you, again, for coming here today. I'm sure you'll have a lot more to say on August 6 and in future town meetings. But I don't think the case has been made. I don't know if it's necessary.

Thank you.

SENATOR CIESLA: Thank you very much, Michael. We'll look forward to the Congressman's work in this matter.

The next individual to testify is representing the Coastal Engineer. Cyril Galvin is that?

CYRIL GALVIN: I have no comments at this time, but I just request that my name be put on the list for the minutes of this meeting. Thank you.

SENATOR CIESLA: Thank you very much.

For the New Jersey Council of Diving Clubs, John Fullmer.

JOHN H. FULLMER: I am Jack Fullmer, Legislative Committee Chairman of the New Jersey Council of Diving Clubs and one of its Directors. The New Jersey Council of Diving Clubs is an organization of about 31 sport diving clubs active in New Jersey.

Our first concern is the shipwrecks. Three hundred years of shipping between the busy ports of New York and Philadelphia have left thousand of shipwrecks off our coast. These shipwrecks are know as the reefs of New Jersey. They play a multiuse role in our society. Shipwrecks are

important habitat for fish and lobsters and other marine organisms. They are critical habitat for such fish as blackfish and black sea bass, both of which are depleted now. Some of these shipwrecks are archaeologically and historically important.

Before you begin any project you have to do what they call a Section 106, National Historic Preservation Act Compliance, and this normally requires a complete side scan -- high resolution side scan -- of the area to be, in this case, sand mined. And in addition, you would use like a proton magneton there, because some of these wrecks may be buried. It's the concern of the New Jersey Council of Diving Clubs that this may not be done.

If a shipwreck were to be found in the sand mining area, you should realize that you just can't go around it. If you did that, the wreck would be left on a high mound of sand, and the currents would level that mound leaving the wreck to collapse and any wood exposed to marine borers, and so on, and it would eventually destroy the shipwreck.

Since sand mining anywhere near a shipwreck will impact on it, a cultural resource investigation would have to be done. Again, the question comes up, who's going to pay for that? Is that going to be the person that's applying for the permit, or is that going to be the taxpayers?

The New Jersey Council of Diving Clubs is extremely concerned about impact on shipwrecks because of a number of projects that are destroying shipwrecks in the last year or two. For example, this massive sand replenishment project will destroy or bury 10 shipwrecks between Manasquan Inlet and North Long Branch, and that does not count the wrecks in the barrow areas. The section between Manasquan Inlet and Seaside Park -- I'm

not sure whether it's Seaside Park or Seaside Heights, I've heard several things so far -- will destroy another 5. The expanded mud dump site threatens 9 more shipwrecks, and God only knows how many shipwrecks are threatened by sand mining over an estimated 1400 square miles, which is what was written in the *Asbury Park Press*, for this project.

Finally, the New Jersey Council of Diving Clubs wants to remind you that the ocean bottom that is covered with sand is not devoid of life. There are clam beds and crabs and fluke and other life that inhabit this area. After a sand mining operation, you will have created what is referred to in the sport diving community and the fishing community as a dead zone that may take years to recover, since you will have killed all the clams and marine life in that layer of sand. What impact will this have on commercial fishing boats that harvest these clams? What impact will it have on fluke and other fish that feed on those clams?

The other thing I wanted to mention is, New Jersey coastal rules require that you have to replace any shipwreck habitat that is adversely effected. In this case it might be a sand mining operation, or it might be a sand replenishment, and the New Jersey Council of Diving Clubs respectfully request that if this sand mining operations or sand replenishment adversely effects any shipwrecks that they be replaced with other shipwreck reefs.

Thank you very much for your attention.

SENATOR CIESLA: Thank you very much, Jack.

From the Borough of Ship Bottom, Thomas Mather. Am I saying that correctly, from the Borough of Ship Bottom? Not here? (no response)

From the Borough of Lavallette, Roger Martin.

ROGER MARTIN: (speaking from audience) I really don't have a prepared statement, but--

SENATOR CIESLA: If you could, just use the recording microphone so the record will be complete, please.

MR. MARTIN: I don't have a prepared statement, but I did hear comments and a letter from Congressman Saxton that was read by the Mayor of Seaside Park, and it seemed to me, he covered all bases, and you can't help but agree with it.

The only other comment I had is, in this lease agreement or sale agreement with a contractor, is it feasible for that agreement to include the contractor putting some percentage of the sand that he's taking away into our beaches? Everybody realizes, I think, that we lost Federal money to replenish the beaches from Manasquan Inlet down to Barnegat Inlet. Now that one is going to be done, I guess, by the Corps of Engineers. Is it feasible to have, if we do lease this land or if the State does lease this land, this sand and gravel pit, or sell it, in that lease have a percentage of that sand come back and replenish our beaches?

Thank you.

SENATOR CIESLA: Thank you very much for your idea.

I will take two individuals next jointly. They are from the Shores Condo, I believe right here in Monmouth Beach.

BERNICE KEMPLER: There is only one left.

SENATOR CIESLA: There is only one left? (laughter) They're dropping like flies. (laughter)

Well, we tried.

MS. KEMPLER: That is all right.

SENATOR CIESLA: Your name please for the record.

MS. KEMPLER: Bernice Kempler, and I'm representing the Shores Condominium Association.

We have a problem, and I think it's been noted in the newspapers, that our beach is the only beach that lost all the sand since May, and I've been up here, and we were very much concerned for the mere fact that the constant pounding of waves against the seawall is eventually going to come through and undermine our building.

My husband was an engineer. We owned two beach clubs in Long Branch in the West End area, the Colony Surf and the West End Casino, and we knew that every year, nature versus man, we had to replenish sand every year. We send our dozer out with a big bucket and brought the sand back in. But the amount of sand that we lost on our beach is astronomical.

We have no beach anymore. We have pipes that are leading out from our property, and we're wondering what good those pipes are for us. They're there with pilings, and does it do any harm to our beach? Should we leave them there? Should they be taken out? Does the Army Corps of Engineers know this answer? (no response)

They're not here.

The point is that we are concerned about the building. We don't want our building to be undermined, and in time, the velocity of the water will do this. It has to seep through that seawall, and what can you do about this?

SENATOR CIESLA: I can only pass your concerns on.

MS. KEMPLER: I know.

SENATOR CIESLA: And I will pass them on to the Department of Environmental Protection so that they can look at that matter for you. So immediately after this hearing, I will be in contact with them so that they can--

MS. KEMPLER: The other point is that jetties, or groins, as they are called-- We have one that is south of us, next to the Borough of Monmouth Beach, Beach Club, and I noticed that was covered completely by sand. Now the sand is on the north side, and I understand on the northeaster, when the winds come and the waves come along, that they will throw the sand south of the jetty.

So if we have another jetty, possibly, to the north of us, would that protect our beach? I mean, the engineers should know an answer for that.

SENATOR CIESLA: That's a question for the engineers. My suspicion is that whenever you mess with Mother Nature there's always a consequence.

MS. KEMPLER: Yes. There's always a consequence.

SENATOR CIESLA: We will pass your concern on to them.

MS. KEMPLER: Okay. So our concerns, our questions are, number one, the pipe on the pilings. Is that necessary, or does that -- when the water comes through -- throw the sand right back out into the ocean that has been laid there. And the seawall, what's going to happen to the seawall and the water that undermines our building?

SENATOR CIESLA: Okay. We will pass it on. Ray, be sure to get the address. Thank you.

MS. KEMPLER: Thank you.

SENATOR CIESLA: Our last witness that has signed up to testify, if he is still here, George Tracey, from the Seaside Park Taxpayer's Association.
(no response)

And since he is not here, I'd like to thank all of you for your attendance, and, again, August 6 will be the next meeting that Congressman Saxton will have on this matter.

Thank you, and thank the members of the Commission as-- Oh, I'm sorry, one final thing that I'm very neglectful-- Excuse me, one second, please. I was very remised in not thanking the members of the Sea Bright Council, Jack Keeler, Read Murphy, Joan Brearley. They were very, very hospitable in setting up this particular facility for us here in Sea Bright, and I wanted to extend the thanks of the Commission. Thank you very much.

(MEETING CONCLUDED)