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PUBLIC HEARING

before

ASSEMBLY CONSERVATION AND NATURAL RESOURCES COMMITTEE

"Water quality issues pertaining to the
Navesink and Shrewsbury Rivers"

August 26, 1991
10:15 a.m.
Fair Haven Borough Hall
Fair Haven, New Jersey

MEMBER OF COMMITTEE PRESENT:

Assemblyman Daniel P. Jacobson, Vice-Chairman

ALSO PRESENT:

Assemblyman John A. Villapiano
District 11

Jeffrey T. Climpson
Office of Legislative Services
Aide, Assembly Conservation and
Natural Resources Committee

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162 West State Street
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PUBLIC HEARING

before

ASSEMBLY CONSERVATION AND NATURAL RESOURCES COMMITTEE

water quality issues pertaining to the
Havestink and Sheepshead Rivers

August 28, 1991

10:15 a.m.

Fair Haven Borough Hall
Fair Haven, New Jersey

MEMBER OF COMMITTEE PRESENT:

Assemblyman Daniel R. Jacobson, Vice-Chairman

ALSO PRESENT:

Assemblyman John A. Villalano
District 11

Jeffrey T. Simpson
Office of Legislative Services
Aide, Assembly Conservation and
Natural Resources Committee

Hearing recorded and transcribed by
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Trenton, New Jersey 08633

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CHAIRMAN
DANIEL P. JACOBSON
VICE-CHAIRMAN
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New Jersey State Legislature
ASSEMBLY CONSERVATION
AND NATURAL RESOURCES COMMITTEE
STATE HOUSE ANNEX, CN-068
TRENTON, NEW JERSEY 08625-0068
(609) 292-7676

NOTICE OF PUBLIC HEARING

The Assembly Conservation and Natural Resources Committee will hold a public hearing on the following matter:

Water quality issues pertaining to the
Navesink and Shrewsbury Rivers.

The hearing will be held on Monday, August 26, 1991 at 10:00 A.M., in the Counsel Chamber of Fair Haven Borough Hall in Fair Haven, New Jersey.

The public may address comments and questions to Jeffrey T. Climpson, Committee Aide, and persons wishing to testify should contact Carol Hendryx, secretary, at (609) 292-7676. Those persons presenting written testimony should provide 10 copies to the committee on the day of the hearing.

DIRECTIONS

Garden State Parkway to Exit 109 to Rt. 520 (Newman Springs Road). If coming from the NORTH BEAR RIGHT onto Rt. 520, if coming from the SOUTH BEAR LEFT onto Rt. 520.

Follow Rt. 520 to Broad Street intersection and make a left.

Follow Broad Street to West Front Street intersection (will now be in Red Bank) make a right onto West Front Street. West Front Street turns into River Road - you will now be in Fair Haven.

Go through blinking light, and before the next traffic light on the right will be the Fair Haven Borough Hall, 748 River Road.

Issued 8/16/91

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ASSEMBLYMAN DANIEL P. JACOBSON (Vice-Chairman): I'd like to call the Assembly Conservation and Natural Resources Committee to order. I am the Vice-Chairman, Assemblyman Dan Jacobson. My colleague, John Villapiano, will be sitting on the Committee today. There is a court reporter here to take down the testimony.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Could you speak up a little louder, please?

ASSEMBLYMAN JACOBSON: Yes, because these mikes are not for amplification.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Oh!

ASSEMBLYMAN JACOBSON: There is a court reporter who will take down the testimony of everyone present. Our intention, from this Committee, is to develop some type of State action, or State response, to improve the water quality of the Navesink and Shrewsbury Rivers. This is a fact-finding hearing on the part of the Committee to try to get as much information as possible about the water quality of the rivers, and what can be done to improve them even further.

Again, for those who came in a little later, if you want to testify, please sign up over where the sheets are at the table, and we will get to your testimony.

I would just like to make a brief opening statement. John and I have heard from many of our constituents expressing concern on the water quality of the Navesink and Shrewsbury Rivers. This two-river system is absolutely critical to our area's economy and our area's quality of life. In addition, I love the rivers. I love the Navesink and Shrewsbury area. They are beautiful rivers, and they are one of the things that make-- The rivers are one of the things that make Monmouth County so special and such a great place to live.

Of course, there are so many uses on the rivers, they are going to have problems with water quality. There are a lot of competing uses on the rivers and in the area of the river

basin, and that is what we are grappling with now to try to bring the rivers back to the level where we would like to see them.

So, I am looking forward to hearing the testimony and comments. One thing I am going to try to do-- I should also note that the directions that were put out by the State apparently have a mistake in them, so some people who are coming from out of town may be arriving late, unfortunately. With that, I am going to open it up. I am going to ask-- We have a decent number of witnesses. Please try to keep your comments concise. Please try to avoid repetition. Feel free to mention that you concur with a previous witness.

With that, I would like to-- My colleague, John Villapiano, would also like to make a comment.

ASSEMBLYMAN VILLAPIANO: Thank you, Dan. I appreciate everybody showing up this morning. Hopefully we will be able to move through this in an expeditious manner, but yet get important testimony on the record so that Dan and I will be able to develop policy in Trenton and develop the probability and possibility of getting funds, or getting attention paid to this portion of the shore area.

I concur with Danny's first statement that this is one of the most beautiful riverfront areas -- the twin riverfront area -- in the State of New Jersey. I don't think anywhere around can you find a mix of coastal and highland surroundings around a riverfront that is as pristine and as beautiful as this is, in this area. I think with the cyclical actions of the season in the wintertime, actually the water quality is pretty decent and doesn't-- As the summer comes on, with the competing uses, the sailing and the boating and the storm sewer runoff and all of the recreational aspects, as well as the fishing, we end up with a situation where the summertime use of the river is maybe an overuse and the flushing action of the

tide is inadequate to keep the water quality exactly where we want it.

As time goes on, it is going to be important for the State of New Jersey to take a positive role not only in this one specific area, but I think within all of the river basins throughout the State of New Jersey. I think this hearing is one step in the right direction to try to get us to help in formulating that policy on a statewide level.

I look forward to hearing from anybody who wants to be heard today.

ASSEMBLYMAN JACOBSON: Thank you very much, John.

With that, we will begin calling the witnesses. Again, for those who are arriving, please fill out a witness form if you would like to testify, so we can get to you.

The first witness will be our local Councilman in Fair Haven, Councilman Fred Puhlfuerst, who is an elected official here. Fred, we would also like to thank the borough for hosting us -- hosting this meeting. Please feel free to come forward. Also, I am going to have to ask you to speak up, too. You probably know the room better than all of us here.

C O U N C I L M A N F R E D W . P U H L F U E R S T: I will stand sideways here so people can hear me.

ASSEMBLYMAN JACOBSON: Yeah, that might be better. That will be good.

COUNCILMAN PUHLFUERST: We want to welcome you here, and we enjoy having you. I think it is an important part of our community to sponsor things that are involved in the State and locally.

As just some beginning comments, years ago when I lived up in North Jersey and came down here as a teenager -- that's about 40 years ago, or so-- I can remember coming down here to the river and going crabbing with my parents, in water where you could go out in a boat and see eight feet down clear to the bottom. I always thought that was quite amazing, to be

able to not only crab, but to watch the crabs as they would crawl into the net, and be able to pull them up on a visual siting, rather than just guesswork. You know, we would look to trying to return to that kind of a situation, if at all possible.

I think the growth in population -- probably that growth causing, obviously, misuse of our waters, has contributed to the pollution. It is partially a local thing, although local has helped to clean up some. The regional sewerage authority has done a lot to improve the situation. We now have to look to a lot of areas that are not quite so local that are causing some of the problems here. I think we still get a lot of backwash from the city area -- New York City and other areas up in the Raritan Bay area -- that come in on tide, into the area here, which causes a great deal of concern.

The concern is more than just local. We are involved with the ocean and the backwash from the ocean, so that is a concern we would have here, that we are getting a lot of materials in here that come in and then settle into the bottoms of the rivers from outside of the area.

Within the area I think we all have to, as citizens, be concerned about how we take care of our homes; that is, lawn maintenance and things like that, which contribute a great deal to the pollution in the waters. Particularly, I think, as the population grows up the various estuaries that feed into the two rivers, that causes a great deal of concern -- the various farms, and again, homes that are a long ways away. So we have become an area that is not just the population living along the water here, but all of the area that empties into the two rivers. That would be a concern.

So, as we look for a solution to the problem, that solution has to include all of those particular land areas far into the interior that contribute to this, as well as those places on the oceanfront a long ways away. I think the

solutions are keeping ourselves clean, but we have to develop an attitude on the part of all of the citizens to work to do that, and the governments have to be involved, too, because water treatment and treatment of all of our different wastes contribute to this.

That is our concern here at Fair Haven. We will do our best in order to do what is necessary, but we are going to need a lot of other help from all the surrounding towns and states.

Thank you.

ASSEMBLYMAN JACOBSON: Thank you very much, Councilman Puhlfuerst.

Our next witness will be Councilman Ed Miller, who is a Councilman in Oceanport and is also very active in these issues, and active in the multi-municipal districts. Ed, why don't you come forward? Again, please speak up. Sit at either end, wherever you want, whatever you feel comfortable with.

C O U N C I L M A N E D W A R D J . M I L L E R: As far as problems are concerned, I have been involved the last two years, since being elected to the Council in Oceanport. I have worked very closely with the Monmouth County Board of Health in monitoring one of the biggest problems in the Oceanport Creek area, and that is the track. I am not going to beat a dead horse--

ASSEMBLYMAN JACOBSON: Can everyone hear? (negative response from audience) Okay. You are going to have to really speak up. That mike is not for amplification, though, Ed, so you just have to really speak up.

COUNCILMAN MILLER: Okay. I see the problems as being basically threefold, as far as Oceanport is concerned: One is the track, and I am not going to beat a dead horse. They have-- (laughter) Bad joke!

ASSEMBLYMAN JACOBSON: There we go. We got it that time.

COUNCILMAN MILLER: Between last year and this year, they spent \$700,000 on a new process. They have a manure barn. They have roll-offs instead of the big piles they had before. But I have the data to prove -- and I am not going to go through it and bore you -- that they are just about where they were last year before this \$700,000 was spent. Basically, it is a housekeeping problem. It is picking it up and getting it in the roll-offs without spreading it all over the streets, and then coming and hosing it down into the storm drains. So, that is one of the problems.

We are having a meeting tomorrow with some of the track officials and DEP and the Monmouth County Board of Health, and we are going to see if we can get them off the dime, so to speak, and do some cleanup.

The second area, as I see it, are the marinas that have large boats that do not have pump-out facilities. To give you an example of some of the private facilities that do have-- Two marinas in Long Branch-- I took water samples a couple of weeks ago, and everybody knows that 200 is the magic count for fecal coliform -- 200 colonies. Patton Avenue had a count of four, and the Long Branch Marina had a count of 13. So if there are pump-out facilities, the boat people will use them.

Now, there are some public marinas on the rivers. They were built prior to the laws that said you had to have pump-out facilities. I am afraid that some -- as was said before -- education has to take place. Some of these larger boaters are not treating our environment the way it should be treated. They are not following the rules and regulations. Unfortunately, we do not have enough marine police out there to catch them in the act, and that is the only time they can be fined. So I find that is a problem -- okay? -- some of the larger boats. The fact of the matter is, between Long Branch

and Red Bank, there is only one public pump-out facility, and that is the one at Marine Park.

Now, the Legislature passed a law last August that said: "Any existing facility that wants to add on 25 slips or more has to put in a pump-out facility." Well, I would like to see them modify the law and somehow provide the wherewithal that, "Any existing facility that doesn't have a pump-out facility should be encouraged, helped, etc. to put in a pump-out facility." I think that would go a long way toward helping the process.

The third area is the infrastructure -- storm drains, nonpoint source pollution. I have a very active Water Watch group -- and I am going to get to some solutions -- but we have about 25 people, of which about 10 to 15 are hard core. Starting last April, twice a month we have been dealing with 10 of our 31 storm drains in town. We have been analyzing them for such things as a qualitative test for coliform, nitrates, phosphates, which are indications of decomposition of organic materials. We have been doing dissolved oxygen, which is a good test for the quality of water, and if anyone is dumping acids or any acidic type things in storm drains. We did this on a shoestring.

I am the Science Department Chairman at the local high school, so I was able to get some instruments and start us off. We had a Clean Communities Grant. We took some money from that to buy the chemicals, and we have been doing this twice a month. I can tell you, even in a town like Oceanport there are some problems as far as residential storm drains. We have a relatively new infrastructure. I don't believe we have any problems as far as linkups with sanitary sewers. We know what can happen when that takes place, if you read the newspaper about what happened to the Elberon Beach Club. Probably Lester is going to talk about that a little bit later -- the infrastructure problem.

Now, that has been addressed partly, because there is a law. All the towns in Atlantic, Monmouth, and Ocean Counties have to have a final map -- the process had to be started no later than about a week ago -- to map all the infrastructure in these towns that empty into any kind of brackish or salt water. My only problem is, there are moneys for the mapping process, but there are no moneys for what comes later. I think for some towns that have a large number of storm drains that empty into creeks and rivers, etc., it is going to be a tremendous financial burden. I don't care what towns, I can tell you right now they are going to come up with numbers that are going to exceed the numbers that DEP is going to set. If they come down hard and say, "This is going to have to be cleaned up in a certain amount of time--" It is not the testing that is going to cost so much money. It is what happens when the numbers that we give to the State come back and essentially kill us with the funding that is going to be necessary to clean up the problem.

As was also alluded, one of the things we can do, I think, is to educate our public. Our Water Watch Committee in Oceanport is four-pronged: One was the sampling project; two, we have been doing some shoreline cleanup projects with our Boy Scouts; three, we have been working with the schools in providing educational materials that the State Water Watch Program has given us, so we are starting with the youth. And the last thing is, we talk about what to do with grass, what to do with fertilizer. We publicize that in our local bulletin. We passed a pooper-scooper law. We have a dog warden who goes out and issues summonses. He is a volunteer. I think at the heart of the matter is-- I think the people have to be educated, and you have to get active people in each community and get them to volunteer their time, as my Water Watch group does.

We also have a Waterways Committee. We are probably unique in the river area. We have a floating dock with a 25 horsepower motor, which goes out periodically at least once a week to pick up floatables; to check the quality of the water; to do testing; and to pick up navigational hazards. I would like to see some of the other towns around pick up on at least a Waterways Committee, if not a Water Watch Committee, and get them active.

I think a lot can be done in certain areas for a minimum amount of money, but with a lot of effort.

ASSEMBLYMAN JACOBSON: Good. Thanks very much, Ed. That was very, very important testimony. I just want to ask a couple of quick questions, if I may--

COUNCILMAN MILLER: Yes, sir?

ASSEMBLYMAN JACOBSON: --because we do have a lot of witnesses, but I just need a little more information. Now, there is a group of municipalities surrounding each river area that meet informally. Are you Oceanport's representative?

COUNCILMAN MILLER: The two-river mayors' group.

ASSEMBLYMAN JACOBSON: Okay, so the mayors' group--

COUNCILMAN MILLER: I talked at one of their meetings. Mayor Cavanaugh had me come and talk about our Waterways and Water Watch Committees.

ASSEMBLYMAN JACOBSON: Okay, so there is actually no formal-- Obviously, there is no formal government entity authorized in law. I am just wondering, the measures that Oceanport takes, in terms of pooper-scoopers and in terms of these actions that will reduce runoff-- It seems to me these things could be done by all the towns, and should be done by all the towns.

COUNCILMAN MILLER: Yes.

ASSEMBLYMAN JACOBSON: Maybe there might be some type of need for some type of regional approach that would standardize these types of measures and make sure they are done.

COUNCILMAN MILLER: Definitely.

ASSEMBLYMAN JACOBSON: Okay. That is the type of thing we are trying to figure out. Okay. John, do you--

ASSEMBLYMAN VILLAPIANO: No, I have nothing.

ASSEMBLYMAN JACOBSON: Okay.

COUNCILMAN MILLER: Thank you.

ASSEMBLYMAN JACOBSON: Thank you very much, Councilman Miller.

One note about hearings: One problem we often have -- and I would like to do this one a little bit differently -- is that we have a lot of government officials signed up to testify, and a lot of citizens signed up to testify. Usually all the government officials are first and the citizens are done second, so the citizens we are working for have to sit through two or three hours of a hearing. What I am going to try to do is shift back and forth between the government officials and the private citizens who have come today. If there is anyone, though, from the State who has a time problem, just please notify my aide, and we will try to accommodate that.

Again, let me stress that we have a lot of witnesses. I am going to start to insist on concise testimony on specifics on improving water quality.

With that, I would like to call on Mr. Herbert Cahn, 29 Tuxedo Road, Rumson. Mr. Cahn?

H E R B E R T C A H N: I am a Shrewsbury River waterfront property owner.

ASSEMBLYMAN JACOBSON: Mr. Cahn, I am going to have to ask you to speak up, because it is very hard to hear in this room. The acoustics are terrible. So, please speak up as loudly as you can. We will appreciate it.

MR. CAHN: I did not come with a prepared statement. I came here primarily to become educated a bit and to learn what is going on with respect to the water quality of the two rivers.

My experience covers about 22 years as a waterfront property owner. My observation has been that one of the principal problems is floatables -- debris, garbage, driftwood, materials of that sort. The quantity of such materials has been more or less constant, from my observation. I have done no scientific measurements or anything of that sort.

ASSEMBLYMAN JACOBSON: And this is over how long? You said about how many years?

MR. CAHN: Twenty-two years.

ASSEMBLYMAN JACOBSON: Okay.

MR. CAHN: My next point may not fit neatly under the heading of water quality, but it is closely related; that is, noise pollution. The two rivers have had steadily increasing usage -- marine usage -- boat traffic, etc. The primary source of serious noise pollution, in my view, is speeding boats, cigarette boats, very high-powered boats that I am sure must be exceeding the speed limits. More recently, the jet skis have generated a great deal of annoying noise.

I thank you for the opportunity to say my piece.

ASSEMBLYMAN JACOBSON: Thank you very much for coming, Mr. Cahn. Thank you for your testimony. It is very good to hear from someone who is around the river. You made some excellent points about the concerns, especially the noise pollution, which I wasn't even thinking about. But obviously that is going to come up. That is why we are here.

Our next witness will be Lester Jargowsky, Monmouth County Health Department. Lester has been very active on these issues, particularly in the Shrewsbury. So, thank you for coming, Lester.

ASSEMBLYMAN VILLAPIANO: Is this the pigeons?

L E S T E R W. J A R G O W S K Y, M.P.H.: No pigeons this time. (laughter)

Good morning, distinguished Assemblymen. It is a pleasure to make a presentation to this Assembly Committee on an issue other than pigeon control on the Long Branch pier.

I would like to first acknowledge that for a long time this Committee, and specifically the two Assemblymen here, have been very responsive to our input over the years, and key legislation has come out of their deliberations. Two very key pieces of legislation are the County Environmental Health Act and, most recently, Assembly Bill No. 877, which the distinguished Assemblymen here have had a tremendous amount of input on. That legislation, coupled with the strong long-standing support of the Board of Chosen Freeholders of Monmouth County, has put us in a position to make some pretty strong comments today. I hope I can make some positive comments and suggestions for the future.

What we have done pursuant to the County Environmental Health Act-- One of the things has been to build an environmental health laboratory. You heard earlier Councilman Ed Miller from Oceanport, who I would almost characterize as a model for the county, or perhaps a model for the State. I am not familiar with what is going on elsewhere. We truly support what he is doing in terms of the volunteer concept. We are supporting their effort heavily through lab support. This is, again, through that County Environmental Health Act initiative.

The testing that is taking place above and beyond that includes such things as our Cooperative Coastal Monitoring Program, which is our testing along the beachfront and bayfront area. We have had a series of pretty good summers, generally speaking. The oceanfront has been looking pretty good. With full moons like we have now, I wouldn't be the least bit surprised if in the next day or two we will see floatables hit the beach. Full moon, flood high tides sort of refloat everything that is up behind Fresh Kills, up in Staten Island, or wherever. You have a northeast wind pattern. Material floats out around the Hook with the outgoing tide. Northeast winds push it up on the beach. It is a full moon. I have seen the pattern happen now for -- well, since I started this job in

1978. So, even though the Army Corps of Engineers is doing a splendid job capturing a lot of these floatables, a lot of them get away.

Whatever you can do to support and enhance the Army Corps of Engineers' activities, I would strongly encourage. They are positively doing a great job, and Operation Clean Shores is doing a splendid job with the prisoners picking up debris on the shoreline. So, whatever you can do to enforce and enhance those initiatives, will be in all of our interests.

As a result of all the sampling that has taken place -- and this is not only coastal sampling; we have ambient sampling in the inshore waters and we are doing workups on the lakes and what have you -- we are gauging water quality trends and, as you might expect, we are finding problems. Those problems-- From a regional perspective, I would list them as, number one, damaged sewer lines -- infrastructure, okay? When I say "damaged sewer lines," in some cases they just literally break and fall. In other cases, the roots from the trees tear them up. In some of the coastal towns they might get a little break in them and start filling up with sand, and you get blockages. You have a whole myriad of potential problems, but they are getting old and they are trying to age gracefully. In some cases, these pipes are not aging gracefully. They are outright breaking.

Another issue we are dealing with is animal manure disposal practices, where we have a lot of animals in a small area; a lot of animals generating large quantities of manure, i.e., horses and the like. We are seeing problems. And then, of course, nonpoint source pollution is a continuing saga to be addressed.

The infrastructure problem -- if I may just accent on that a little bit -- with its associated damaged sewer lines and/or illegal sewer connections, is a major source of surface water contamination. The photograph that I placed up on your

desk -- handed to Assemblyman Villapiano -- is hot off the press. This particular photograph was taken-- It is an underground photograph. It was taken on August 17, 1991. At the time, we closed down the beach at the Elberon Beach Club between Deal and Long Branch. Our sampling picked up high fecal coliform counts. We backtracked, and there was a storm drain. We went up the storm drain. It is just a classic problem. This is not the first time.

Assemblyman Villapiano has heard my spiel on this for I don't know how many years now. He directly relates to it because of what we did around the Deal Lake area years ago with the broken sewer lines. But, when the pipes break-- Maybe I will pass this around so if any of you folks want to see it -- but I need this back. (walks to audience to show picture) When the pipes break-- This is an underground -- well, a pipe that broke and the sewage is falling out into the ocean. This is not uncommon. I strongly suggest that there are infrastructure problems associated with these rivers -- with the Navesink and Shrewsbury. I can say emphatically that there are problems.

The bottom-line issue is that the Sewage Infrastructure Repair Act has been delayed, I mean really delayed. We are really behind schedule with that. I am really not sure there is going to be adequate funding. I am here basically to make a strong case and to reinforce the need for the continued progress with that Act and sustained funding. Don't make it a flash in the pan. We've got to address this.

If we just let our infrastructure go unattended and go the way it is going to go naturally, i.e., get old, break down, we are going to lose it. We are going to lose the rivers. They would be very difficult to recover. We've got to deal with this now.

The situation with animal manure disposal practices-- Councilman Ed Miller made reference to it. I think he depicted

the situation quite clearly. There have been some major strides. There have been major amounts of floatables taken out of the river, i.e., straw. There used to be a lot of straw going down the river, coupled with manure. You don't see that as readily as-- I mean, it was very common prior to the initiatives that were taken. We still have very high fecal coliform coming from Monmouth Park -- very high.

I still think that when you look at it overall, recycling has a key part to play in all of this. You know, get that manure recycled, and get it back into growing tomatoes or something, you know. (laughter) I mean, get it out of the water and get it into growing a crop. I think recycling is a very, very big part of this. I think that natural wastewater treatment systems have a part to play here. We are not talking about major capital outlays. We are talking about designing systems which are recognized by the EPA using natural plants, such as dogwoods, okay? Let them take up the nutrients. Let them work on the material before it is finally discharged into the vital river systems. And of course, good housekeeping, which was directly referred to by Councilman Miller.

I would like to accent on a couple of other things which I don't think people truly have appreciation for. Water quality in river basins can be damaged severely by the release of hazardous materials. We are responding to those types of events almost every day. To give you an idea in Monmouth County, there are 220 -- as of last year -- major spill events a year taking place within the county -- major spill events. That doesn't count all of the minors. If systems are not in place to deal with that, we are going to have some major problems in our river systems.

Now, we have to also look at our river systems from another perspective. It is not a case of aesthetics; it is not a case of it being a nice place to be. We are starting to rely more and more on our rivers as sources of drinking water. If

you noticed, all the surface water impoundments being constructed within the State -- the Manasquan Reservoir, the Round Valley Reservoir, the Spruce Run Reservoir -- it just keeps going on and on -- Swimming River Reservoir-- We are taking advantage of the surface waters.

So, in terms of protecting the rivers, we ought to be looking at that in terms of protecting our potential future drinking water supply. We shouldn't just look at it as a river. We ought to think of it as our future water supply.

The controls, the financing, the port, the stability of the programs controlling the environment, should always be there. They shouldn't fluctuate. They should be a sustained, constant effort.

There is something even worse happening. Right now, we know of 171 major underground tank systems that are leaking in the County of Monmouth. I am talking major systems. I am talking systems 10,000-, 20,000-, 30,000-gallon tanks -- I mean, networks.

ASSEMBLYMAN JACOBSON: Lester, I am going to ask-- This is excellent testimony, but again, try to wrap it up a little bit because we have so many witnesses. But, it's great. See if you can't kind of make it a little more concise, so we can--

MR. JARGOWSKY: Okay.

ASSEMBLYMAN JACOBSON: And this is a big point, I know.

MR. JARGOWSKY: Okay. This material is riding on top of the groundwater. This material will ride on top of the groundwater and get into the storm drains. This material will go via the storm drains into the river. All right? It has to be checked. Now, these are the major systems I am talking about.

Then we have what we call the "minor systems," which are the thousands of homes that have 500 -- 200-gallon underground tanks for their own fuel oil. They are failing at

a very high rate. Don't discount what is happening with these underground tanks and the potential petroleum impacts on the river systems.

What I want to emphasize here is that we need a very stable platform for the future to address these issues. We need stable funding; we need stable legislative support. We must build on our successes. By that what I mean is, if we have years where we are getting State funding and State support and all of a sudden it drops to nothing and then we have to come up -- have to try to rebuild those programs, we are reinventing the wheel, and we really shouldn't be doing that. This is too important a project.

I really appreciate the time you have given me to present my thoughts. I hope they will be of some benefit to you in your deliberations.

ASSEMBLYMAN JACOBSON: Thank you. Excellent. Thank you very much, Lester.

Our next witness will be -- and I apologize if I mispronounce the name -- from Bingham Avenue in Rumson, Shannon Bucci.

S H A N N O N B U C C I: Correct.

ASSEMBLYMAN JACOBSON: Thank you. It is 47 Bingham Avenue, Rumson -- Shannon Bucci -- who I assume lives right near the river. Please sit down, and again, please speak up.

MS. BUCCI: Gentlemen, thank you. I also came today without any idea of speaking, but I have heard a couple of things today that have made me realize a couple of things, and I have come across a couple of things that might be of interest.

I have a small service that I give my clients who are taking care of pets. Being concerned, the association that I belong to and myself use pooper-scoopers. But I have come across in a few catalogs something they have just come out with that is some sort of in-ground container, or cylinder, with a substance which breaks up any of your pets' waste. Now, has

anyone come across anything like that, that we could use on a bigger scale? I was, myself, thinking of sending out a check and trying it out, but as far as the gentlemen from the State -- Mr. Jargowsky, was it? -- and Mr. Miller, from Oceanport-- Is there any way of finding out what is in it and if it is safe enough -- it is supposed to be biodegradable -- to use on a bigger scale?

ASSEMBLYMAN JACOBSON: We have some officials from DEP, from Regulatory Affairs, who may have heard of this. I am not personally familiar with it, and John isn't either. That will be one of the questions we will ask DEP.

MS. BUCCI: Okay, very good.

I have noticed that the ocean is-- I don't believe I have seen one article yet this summer on the red tide, so there must be something being done right somewhere.

That is all, gentlemen. Thank you for listening to me.

ASSEMBLYMAN JACOBSON: Thank you very much for coming by and giving your testimony. We appreciate it.

MS. BUCCI: Okay.

ASSEMBLYMAN JACOBSON: Our next witness will be Oceanport Councilwoman Gloria Filippone, who is also very active on this issue. Gloria is also, I guess -- also the Democratic Senate candidate here in Fair Haven, in our district. Thank you, Gloria.

C O U N C I L W O M A N G L O R I A P. F I L I P P O N E: Thank you, gentlemen. I have to say today that I am here as a riverfront homeowner. I have lived on that river exactly in the same proximity for my whole life. I hate to tell you how many years that is, but you can tell by looking at me that it wasn't 22. I have to tell you that yesterday, the river was the filthiest I have ever seen it. The only other time it came close was a couple of times last winter, when it was so disgustingly filthy you wouldn't even look at it.

Now, Councilman Miller was on the river yesterday on the waterways boat, which is docked right behind my home. I'm sure he will attest to the fact that this river yesterday was aesthetically, by far, the worst thing I have ever seen. My son had gone down to the river in the morning and he came back and he said, "Mom, you can't believe what that river looks like." Well, I didn't get a chance to go down until later in the afternoon. I went down about 2:30 and it was still disgusting. Then I called the marine police. They came about an hour later. By that time, it had dissipated a little bit, but not a whole lot.

This morning I went down again to see what the situation was at the river. It had improved tremendously, so something is happening periodically that is causing this to happen, and it always happens during a northeast wind, and it always happens when it comes out of Troutman's Creek. Now, I have seen the fecal matter and the straw and all of that, and I have testified before on that years ago. That is no longer a problem. Whatever they are doing, that has definitely dissipated. It's gone. This summer there is no fecal matter floating down. There are no chunks of hay. It is just not happening, but the river is filthier than ever.

Another thing: I went down to the river on Friday. The river was so clean. A friend of my son's came down to crab. He wanted to catch the crabs that hang on the bulkhead and the pilings. My son said to him, "Forget it. You are never going to catch anything today. It's too clear," and it was. Friday, it's clear; Sunday, it's filthy. Something is wrong someplace.

Ed Miller has done a super, super job with the Water Watch, but the problem is, they can't take the test everyday, and every minute of the day, and this comes and goes. Unfortunately, nobody seems to believe me when I talk about Troutman's Creek -- no one. I have said this over and over

again, that something is happening in Troutman's Creek. I don't know what. I couldn't accuse anything or anybody, because I don't know where it is coming from.

Now, the marine police did go up to Troutman's Creek yesterday, but I am sure that by the time they went up, wherever this was coming from, it had stopped, because it had cleared. This morning, it wasn't clean, and certainly not as clear as it was on Friday, but it was a lot better than it was yesterday.

I also have to tell you another problem we have. On Sunday night, if you come to stand on my dock -- and Ed is laughing because we have discussed this so many times -- the bilge-- I have been on boats and I was an accuser years ago before we knew, but we never dumped the bilge in the river. I know that for sure. I know what a bilge looks like. On Sunday evening, when that tide is going out from Branchport Creek down out towards the Hook, the bilges-- Somebody is dumping I know. I have gotten all kinds of regulations, all kinds of information, and the problem is you can't accuse anybody unless you see it. Well, you tell me how you can see somebody at 10:00 on a Sunday night dumping, unless you stand there the whole time, and then you probably couldn't even see exactly where it was coming from.

I do believe that we have made great inroads in some respects, but something happened yesterday and I really would like to know what it was. That something happened during the winter -- last winter -- so we can't blame it on the horse manure, because the horses weren't there. Please, gentlemen, I would like you to find out what it was.

Thank you.

ASSEMBLYMAN VILLAPIANO: Thank you, Gloria.

ASSEMBLYMAN JACOBSON: Thank you very much, Gloria.

Our next witness will be Mary Lee Laird, from 951 River Road, who listed that she lives on the Navesink. Mary Lee, are you from Rumson or Fair Haven?

M A R Y L E E L A I R D: I am from Fair Haven.

ASSEMBLYMAN JACOBSON: Okay. We just need that for the record.

MS. LAIRD: Oh, I didn't say that. I am Mary Lee Laird, and I am from Fair Haven.

ASSEMBLYMAN JACOBSON: Mary Lee, let me again politely remind you to speak up, because it is a little difficult to hear in the back.

MS. LAIRD: Okay. I am Mary Lee Laird, and I am from Fair Haven. I thank you for calling on me.

ASSEMBLYMAN JACOBSON: Hold up for one second. Could you please close the door and be a little bit quiet out there? (speaking to people in hallway)

MS. LAIRD: I am happy that I was invited. I love the opportunity to speak my opinions. I have been on the river there for 31 years. I believe the river is for fun and beauty and to enjoy. I love to look out and see boaters. I love to look out and see people having fun. Lord knows, we need fun. I really feel that the contamination that has been in the river is from the watershed. This watershed covers 14 municipalities, and I'm sure you know what they are; all the way from Sea Bright down our river -- both sides of the river -- up to Howell. It's Manalapan, it's Tinton Falls, all these little places we would never dream of -- the watershed coming from the land. We had a population growth around 1960, and it was even written in the Red Bank Register that our river was contaminated then. It was deemed, "Dead River." I was on the river then and there were very few boats, so why was this river dead? I really didn't know.

So, it came from the watershed back there, where as soon as the population growth began, after the Second World War, the builders used chemicals on the lawns -- deadly chemicals -- which came down into the water. Also, we have horse farms. I heard everybody mention horse farms, and I

agree that horse manure is death to any marine life. I think in this article in 1987, Tom Burke -- I think his name was, or Mike Burke -- wrote for the Red Bank Register, and said that there was something like 25,000 tons a day, and that would just stay on the land and come into our rivers. I have agreed with what many people have said. I think they see and hear the same thing.

Let me see what else. There was something else. I have a positive feeling about this. I feel that I have seen the river improve greatly. I have seen little private docks where the heron have come in families and sat, and they don't do that in dirty water. The woman who just spoke a while ago-- I think yesterday, perhaps, the river could have been dirty due to the fact that the wind was from the northeast. That brings in a lot of sludge from New York City. We are all connected here. I mean, when one drop of water is dropped in the water, it goes around the world. It is more than one municipality and one state that has to do this work. It's just not us.

Let me see what else -- oh, about the Great Lakes. Now we have a problem up there. So you see, it is worldwide, and they feel the Great Lakes problem comes from Scotland, where they are burning coal. I mean, it's a big thing.

But, I love what I see now on the river. I think whatever has been happening and the awareness we have heard through the years-- It has greatly improved. I'm real happy that I could come today to say what I am thinking.

ASSEMBLYMAN JACOBSON: Thank you very much for coming. We appreciate your testimony.

ASSEMBLYMAN VILLAPIANO: Thank you.

ASSEMBLYMAN JACOBSON: Our next witness will be Dery Bennett, Executive Director of the American Littoral Society.

D E R Y B E N N E T T: I thank you for the opportunity to be here. I live in Fair Haven; I have lived in Fair Haven since 1968.

ASSEMBLYMAN JACOBSON: Dery, may I interrupt for one second?

MR. BENNETT: Yes.

ASSEMBLYMAN JACOBSON: I saw some people come in since we have started. Let me repeat: If you want to testify, please fill out a witness slip over on that table there. Thank you.

MR. BENNETT: I moved here just one year after the Navesink River was closed to shellfishing. I think it was open to direct harvesting until 1967. One of the goals, I would think, of your Committee's work, should be to try to -- whatever you do -- open that river system up to direct harvesting of shellfish again.

The Navesink and Shrewsbury river system is the major source of soft clams in this State; in fact, just about the only one. It would also be a source of hard clams if it were cleaned up. The area that was talked about earlier around Oceanport, a couple of years ago produced hundreds of thousands of very small seed clams, hard clams, which were transferred -- relayed out to other areas for harvesting later when they were grown out.

My point, I think, is that the river is enormously productive. It is full of fish; it is full of crabs; it is full of ducks. It comes and goes. We heard the story about Sunday being the dirtiest day in the river since last winter. There have been days when the water this summer has been very clear. It appears to be a summer of a small number of jellyfish. Many of the calls I get at the office are, "Why are there so many jellyfish in the river?" This year, as a direct result of pollution, or whatever--

I was down the river last week with a photographer doing some work. We went into the launching area at Fair Haven at Batten Road. While we were there for about an hour, we saw about five different uses of the river taking place. There

were some kids in there trying to scout some crabs. There were people launching to go fishing. There was a sailing club launching. A canoe went into the launch to paddle around, and two people came down to catch bait right at the dock and along the beach there.

The river has an enormous number of different uses for different people. I think the one that is forgotten is that the river is a valuable habitat for wildlife. The rivers are very small -- the Navesink and the Shrewsbury. I think the size of the river should dictate its uses. One thing that has bothered a number of us is the fact that people seem to think we can make a small river big by dredging channels and getting bigger boats in. I think one of the things this Committee might find out is that the river should dictate-- The size of the river should dictate its uses, rather than the other way around.

As far as nonpoint source runoff is concerned, I think that is an issue that was not even talked about 15 years ago. I think a new generation of people, including people like Lester Jargowsky, have come forth in positions of authority and positions of skill, and have--

ASSEMBLYMAN JACOBSON: Dery, may I interrupt for a second? Just for those who may not be familiar with the term, briefly describe "nonpoint source pollution," a term which--

MR. BENNETT: Okay. It's runoff that-- Although it does end up in a pipe in this area somewhat, it is not sewage. It is not produced by a sewer plant and does not necessarily end up in a pipe early in its role. It is rainwater run off from streets, from gutters, from rooftops, from sidewalks.

ASSEMBLYMAN JACOBSON: It is basically pollution that we cannot regulate the discharge of -- basically, I guess, would be the best way to--

MR. BENNETT: We have never been able to figure out a way to stop the rains

ASSEMBLYMAN JACOBSON: Yeah, that we're grappling with. I guess we want to change "nonpoint" to "point" whenever possible.

MR. BENNETT: Well, yeah. It can be regulated, and I think-- My note here says, "Old engineers." We are getting new engineers. The old system was getting nonpoint source pollution-- Get water into a pipe as soon as possible, and get it to the nearest stream as fast as possible and maintain the velocity of the water. Now we are thinking just the opposite. Hold it as long as we can. Keep it on the ground, in the ground, rather than shoot it toward the nearest stream. This is a change we are taking.

I would say that your work should also involve the possibility of studying better, improved access to the river, so that those of us who are living in these communities don't necessarily have to live on the river in order to be able to get to it.

I would think that one of the things to look into would be the -- and this is something that we addressed last week in Trenton with the attempted passage of A-3730, a thorough overhaul of the Coastal Area Facility Review Act -- would be to come up with some decisions about whether we have reached the point where not much more construction should be going on in this river system. Coupled with that, I think, would be a look at the regional sewerage authority to see how close they are to capacity. I think they are overcapacity during rainstorms now, about 110% or 115%, which means that our sewage is not getting as good treatment as it should be getting because of infiltration from rainwater.

As far as boats on the river, to this day I do not understand why boats shouldn't have mufflers on them. There is no speed limit. Apparently you can drive a boat at 140 miles an hour down the Navesink, as long as you cause no wake. As some of you might know, the very fast water skiing boats-- The

faster they go, the less wake they create. It is wake that causes a lot of the damage to the edge of the river. But why the boats have to make noise-- I sometimes think that if mufflers were put on jet skis, the jet skis would be put in the garage, and we would all win.

I would say that in addition to approaching this from the standpoint of a regional issue, one should look more to the statewide issue, and that is to improve the Coastal Facility Review Act with a master plan that does real thinking about whether certain parts of the coast have reached their building capacity. I would also encourage a regional approach.

I gather you are thinking about something like the Barnegat Bay -- to modify the Barnegat Bay Study, which I think is a good idea. I think you will also find that when you draw on people like Lester and the people in Oceanport and others, a lot of the information that is needed, is already there. So I think it can be a fairly quick and a fairly inexpensive procedure to come up with a plan that will do good for both the Navesink and the Shrewsbury Rivers.

The Littoral Society, obviously, has information, and would be willing to help.

ASSEMBLYMAN JACOBSON: Just a couple of comments and questions: First of all, as far as a State issue, I just want to say that, of course-- One of the reasons that John and I wanted to have this hearing-- What we are doing is trying to make the water quality of the Shrewsbury and Navesink Rivers indeed a statewide issue -- an issue of statewide concern for the New Jersey government. When we focus more attention on-- By bringing attention to it, and action, I think we will see even more progress toward cleaning the water.

A couple of specific questions, if I may, Dery: I don't remember when there was clamming. I am 29. I don't remember when there was clamming in the Navesink and Shrewsbury Rivers, although I really wasn't following it that closely.

Were both river systems equally used for clamming? Were clams harvested more out of one or the other?

MR. BENNETT: I think the Shrewsbury was more-- I mean, the Navesink is more used for clamming than the Shrewsbury. It depends on what you define by "Shrewsbury."

ASSEMBLYMAN JACOBSON: Yeah.

MR. BENNETT: I think of the Shrewsbury as the river once you get past Sea Bright and start up toward that side of Rumson toward Little Silver, and the Navesink as being the river starting behind Sea Bright and heading due west. But the soft clam populations are more prevalent in the Navesink than they are in the Shrewsbury.

ASSEMBLYMAN JACOBSON: The reason I ask is because it has often been said that one of the next goals we should have in terms of improving the water quality-- One of the next goals we should have is to bring the -- as you mentioned -- bring the water quality up to a level where you can do the harvesting of clams, because that would indicate that you achieved a good water quality level.

A couple of questions on that: First of all, how far are we away from that level? If we do achieve that level, do we need to go much further, or will we be at a level of excellent water quality? And third, if we can have commercial harvesting of clams in the systems, is that an indication system-wide that we are at a good quality level, or is it just more for the Navesink, where more clams are harvested?

MR. BENNETT: The Littoral Society did some testing of the water right before the Red Bank-- The rivers were sewerred in the '70s.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Late '60s.

MR. BENNETT: In the late '60s the regional sewerage authorities went in. I think the Red Bank was a major sewer that stopped discharging between the two bridges around 1970. There are still some septic on the Navesink -- I mean on the

Navesink River Road side of the Navesink River. There are still a few septic on both of the rivers, but most of that has been taken out.

The numbers on coliform bacteria -- and, Lester, you can correct me if I am wrong -- have been edged toward direct harvesting, but they do them seasonally and then average them, and the summer numbers are high. When they average those in, they don't quite get to the number. It's 200--

R O B E R T A. S C R O, Ph.D.: (speaking from audience) Two-hundred fecal-- (remainder of sentence indiscernible; no microphone)

ASSEMBLYMAN JACOBSON: Hold on. For the record, we can't-- Who is the best person to answer the question on the clams? Is it Lester?

DR. SCRO: My name is Bob Scro. I am from DEP.

ASSEMBLYMAN JACOBSON: Good. Why don't you come up real quick? I was going to call on you next, but let me-- Just for this question--

DR. SCRO: I am not going to give testimony.

MR. BENNETT: You are being subpoenaed. (laughter)

ASSEMBLYMAN JACOBSON: Just for this question, because we have the recorder right there and the transcriber can't pick it up. Just identify yourself for the record real quick.

DR. SCRO: My name is Bob Scro. I am with the New Jersey DEP Shellfish Program.

ASSEMBLYMAN JACOBSON: S-G-R-O?

DR. SCRO: S-C-R-O.

ASSEMBLYMAN JACOBSON: S-C-R-O, okay. Basically the question is: How far away are we from the level where you can commercially harvest clams? Is that a good indicator of water quality? And, if you get to that level, do you have to go much further? Because that is the goal that many have suggested.

DR. SCRO: I'll answer the second and third questions first.

ASSEMBLYMAN JACOBSON: Okay, go ahead.

DR. SCRO: If we reach that level, yes, it is a good indicator that the water quality is excellent.

ASSEMBLYMAN JACOBSON: Speak up, too. The mike is not for amplification, so speak way up. Sorry.

DR. SCRO: To answer the second question first, if we reach that level, then the water quality is excellent, because shellfish water quality is-- Nationwide it is an indication of the highest and best use.

The third question you had, I think-- Maybe you could repeat the third question.

ASSEMBLYMAN JACOBSON: Well, what I am basically looking at is, how far are we away from there now? I think you kind of answered it, which is that if we hit that level, we're doing very well, basically.

DR. SCRO: That is correct.

ASSEMBLYMAN JACOBSON: So, how far are we away from that now? And if we get to that level, is it a good indication that system-wide of the two rivers we are doing well?

DR. SCRO: Yes, it is a good indication system-wide. How far are we from that level? That is a tough question to answer. The data -- the shellfish data -- shows that the water quality is pretty good in the Navesink below McClees Creek when it is not raining. It is the storm water effluence during periods of runoff that cause the water quality to be in the condemned category for shellfishing. I think that applies also to the Shrewsbury River. We have been looking at the shellfish water quality for many years, and the summer data is worse than the winter data. It is basically tied into storm water runoff.

MR. BENNETT: There are a couple of other things I should mention. One is that there is commercial shellfishing going on in the river systems now, but it is not direct.

ASSEMBLYMAN JACOBSON: The relay?

MR. BENNETT: They take the shellfish and relay them out.

The other thing I think we ought to talk about is-- We've been talking about coliform bacteria. They are now talking about developing something else besides coliform to look at, as a better indicator of problems, because coliform counts are not necessarily direct indicators of human sewage. They may be problems with warm-blooded animals, but not with man.

ASSEMBLYMAN JACOBSON: Okay. Thank you very much.

Our next witness will be former Senator Richard Van Wagner, now with the Sports Authority.

R I C H A R D V A N W A G N E R: Thank you, Mr. Chairman. I especially--

ASSEMBLYMAN VILLAPIANO: Before you start, let me just-- A few moments ago, Lester Jargowsky mentioned the Environmental Health Act and some of the positive attributes of it. I want you to know that Senator Richard Van Wagner was the sponsor of that legislation in the Senate. I think that all health officers in the State of New Jersey owe him a great debt of gratitude for getting through a very controversial yet important bill. It was things like that that Richard did through his entire tenure as a Senator. I am sure that now that he is overseeing-- I am sure that, this being one of the problems he will be overseeing, Monmouth County will continue to be in the right stead with former Senator Van Wagner at the helm.

MR. VAN WAGNER: Thank you, Assemblyman. I hope I can live up to that. I am also the Senate sponsor of the Clean Water Enforcement Act, which I now have to meet the criteria of, as I develop a program for the Sports Authority.

I had hoped-- Well, Councilman Miller is here. We are going to meet tomorrow. Let me say at the outset that I started by position as General Manager of Regulatory Affairs at the Sports Authority, which includes the Meadowlands Complex in East Rutherford, Monmouth Park here in Monmouth County, and the

Aquarium in Camden, on July 22. It constituted a very quick reading program on my part, just to bring myself up to speed on the issues concerning Monmouth Park and the other properties that the Sports Authority has management control over.

Recently, about a week-and-a-half ago, thanks to Lester Jargowsky, I met with four or five members of his staff so we could review, at least prospectively, some of the things that we might do at the Sports Authority, and specifically at Monmouth Park, to improve overall management practices and also look at some interim kinds, or long-range kinds of solutions that could not only address the aesthetics of the problem -- floatables, etc. -- but also address the issues of water quality. We expect to meet with our engineers to discuss some of the suggestions that came forth at that meeting, which include some of the things that Lester has already suggested, such as-- Some of them were natural ways of controlling manure runoff.

One of the things we have been doing at the Sports Authority is to take a more proactive approach to our management problems, particularly on the back side. For those of you who are not familiar with track jargon, the back side of the track is that area where horses are kept before they are brought out to race. Those areas are where our most difficult management problems are.

As mentioned by Councilman Miller, one of the things we have done is purchase over 100 containers and eliminated all of the manure storage bins. We have instituted a program whereby trailers from Pennsylvania largely come in -- mushroom farmers-- On a regular basis, we have developed a program by which they come in on a regularly scheduled basis, during which they remove the straw and manure from the manure storage shed, which, on a daily basis, is cleaned and overseen very carefully by track personnel.

We have also assigned, since your last discussion, specifically several people whose major goal is to patrol the back side areas, the stable areas, to make sure that those trainers and others who are in charge of horses and cleaning up around the stable areas, are doing the job that we expect them to do.

Obviously, as you pointed out -- as Councilman Miller pointed out -- one of our biggest jobs is the management -- daily housekeeping kinds of enforcement that we have to do on the back side of the track.

In addition to that, we are going to continue to maintain a proactive kind of approach to dealing with the problem beyond that which would just simply solve the floatable problem. We are looking to try to meet water quality standards as best we can. That is a difficult task. In some cases, it requires considerably more expense even than the \$700,000 that the Sports Authority has expended already. But we believe we can accomplish that, and we are going to make every attempt to do it within budgetary constraints.

Some of the other things we have done which are small, and perhaps may seem not to be overly important-- We have explored, in line with some of the things that Mr. Jargowsky talked about, the possibility of -- along with the County of Monmouth -- developing an even more extensive composting program for manure disposal and recycling. We are looking at that very carefully, in conjunction with many of the horse farms that impact the Navesink Watershed.

The U.S. Department of Agriculture -- and Bob Scro and I have talked about this on a number of occasions -- did approve a facility, located in Howell Township, for the sole purpose of addressing the Navesink Watershed manure runoff problem. We are working-- The racetrack and the Sports Authority are working with the operator of that facility and the Board of Freeholders to develop, perhaps, a joint program

to further the composting effort in the Navesink Watershed and to perhaps remove as much as we can from the possible runoff.

The other area we are pursuing at Monmouth Park, and at the Meadowlands, as a matter of fact, is an educational program -- an ongoing educational program. We have two individuals who are directly involved with recycling efforts at both the Meadowlands and Monmouth Park. We have developed a comprehensive program. Part of our effort is to educate our personnel as to the importance of recycling. In addition to that, we have also started to conduct ESL programs for some of our non-English-speaking personnel, which you know are quite prevalent at our racetracks during the racing season, so they will understand what the importance of these laws governing recycling and disposal is.

So again, I appreciate the opportunity to come here and give you input, and let you know what we are doing and what we are going to continue to do at the Sports Authority, and to assure you that we will continue to communicate with the officials of Oceanport and any other community that we are involved in, and all of those who are concerned with this important issue.

ASSEMBLYMAN JACOBSON: Thank you very much.

ASSEMBLYMAN VILLAPIANO: Thank you, Senator.

ASSEMBLYMAN JACOBSON: Thank you for your testimony.

Our next witness -- and I can't read the handwriting -- E.L. -- and it's 81 Riverlawn Drive-- Who is that? Is there someone who lives at 81 Riverlawn Drive, with the first initials E.L.? It looks almost like Pinta? (no response) Okay, that person must have left. So our next witness will be John Ryan, Locust Avenue, Locust. Mr. Ryan?

Again, if you have not signed up, please sign up to testify.

J O H N R Y A N: I am John Ryan. I live on Claypit Creek in Locust. I will try to be very brief, but there are two

problems which I think need to be addressed. One was mentioned briefly by Mr. Bennett, and that is the fact that there are a large number of homes, in fact, I think all of the homes on the north shore of the Navesink River, which do not have public sewers. They are on septic tanks. Whether or not this is really a problem, I don't know. I am told that the reason it is so is because of the expensive lift pumps for each of the houses along the river, to get them up to the level of the sewage plant.

However, I think the quality of the river has improved over the 20-or-more years I have lived in this location. Where a blue heron was once a rarity, we now can count four or five of them at any given time at low tide. It is easy to count 40 or 50 egrets wandering around the creek feeding. So the food supply certainly has improved.

The other major problem we have is silting. The creek has silted very badly over the 20-or-so years we have lived there. You could find where the channel is almost nonexistent. Up to the Locust Avenue Bridge was once a fairly deep channel and there were boats from New York City that docked there. Of course, this was very many years ago. But it is now a very shallow channel.

Last year we were told by Mr. Grofolo (phonetic spelling) -- I think it is -- of your Toms River facility, that he had to dredge. He had money to dredge, but he had no place to put the spoils.

ASSEMBLYMAN JACOBSON: That is a problem, a serious problem.

MR. RYAN: The problem is, we constantly have runoff. Every heavy rain, you can see the very large sewer drains coming off of Locust Avenue dumping vast amounts of very yellow water, and you know it is picking up dirt and other materials upstream and dumping them into the creek. The problem seems to

be that there is no way to put this dirt back where it came from. So we do have a silting problem.

Some years ago, when the Middletown sewage system was put in, there was a pumping station built at Lakeside Avenue in Middletown -- that is upstream -- and Claypit Creek. I think we lost, probably, an inch of level in the creek during that construction period. Apparently not adequate means were taken to prevent the silt from running downstream.

Now, I understand that in two years the county is going to replace the Locust Avenue Bridge, if it doesn't fall in before that. I am very concerned that in the process of construction of this bridge that we will again lose part of our channel, because it is obviously going to require a lot of construction and a lot of digging. Of course, this doesn't all stay in the creek. It goes down into the main river as well. So I think silting is a very major problem that needs to be controlled.

Thank you.

ASSEMBLYMAN JACOBSON: Mr. Ryan, you know, I get the branches confused up there in the Locust area. Which branch now are you talking about again -- which creek?

MR. RYAN: It's Claypit Creek. That is the creek that runs up toward the Navesink from the east side of the Oceanic Bridge.

ASSEMBLYMAN JACOBSON: Okay. Thank you.

There are a couple of people outside that I wanted to call next. Let me call Mary Ann Greco, from Ocean Avenue in Monmouth Beach. Mary Ann?

M A R Y A N N G R E C O: Thank you very much, and thank you for sending me the letter regarding the Committee.

ASSEMBLYMAN JACOBSON: Mary Ann, please speak up. It is very hard to hear.

MS. GRECO: Yes. I am simple here to support the Committee and to gain information regarding what is happening.

ASSEMBLYMAN JACOBSON: Good. Thank you very much; thank you.

ASSEMBLYMAN VILLAPIANO: Thank you.

ASSEMBLYMAN JACOBSON: Ronald Hendrickson, 61 Bay Avenue, Highlands. Mr. Hendrickson?

R O N A L D H E N D R I C K S O N: I am a recently retired earth science teacher with an awareness of the environment as part of my curriculum, which I taught for many years. I have lived in the Highlands area for over 50 years. This area is unique. It is unique because of the residents and the aesthetic beauty of the area.

Basically, there has been great progress made. I am kind of optimistic, not pessimistic, especially when you are retired and you are looking forward to enjoying the river.

All of the major towns on both rivers are now sewerred, and I don't know of any major industry that is dumping anything toxic directly into the river. I haven't taken any scientific measurements on oxygen content, but checking out the bait fish in the river, the dissolved oxygen content in the river seems to be increasing.

Now, warm water can hold less oxygen than cold water. So in the summer generally the oxygen-sensitive species, like shrimp -- grass shrimp -- would disappear almost invariably. I suppose they moved to colder water where the oxygen content is higher. In the last three years, the amount of shrimp -- grass shrimp -- in the river, in the heat of August, has increased dramatically. In fact, the river is loaded with them right now. You can almost put your hand down and pick them up. So, on that basis, I think oxygen content, which is a very, very major criteria for water quality, has improved.

What should we do? Well, I think that all marinas have to have, by law, some kind of a posting, a placard, telling people that they just shouldn't discharge oil containers, beer cans, etc. I keep a boat in the quay area --

the old quay area. I don't think any marinas there have any postings that I am aware of, that are required by law. Some are conscientious and they require them. There are very nice things you can buy and post individually, if you want to be conscientious about it. You can post these things yourself. I don't know whether the owner of the marina would be very happy.

I think there should be no discharge of sewage waste from any boats from Highlands to the headwaters of the river. Right now, we have it from the Oceanic Bridge west, and that is a great step forward -- a really great step forward. It took years, I think, to get to that point, and the Legislature is to be commended. But I think there should be no discharge from Highlands right up to the headwaters.

I think that pump-out stations should be required at all marinas. A good way maybe to do it would be a tax write-off for the marina owner, because I can understand that it is expensive, and I can't see a marina owner getting involved with pump-out stations, if he can avoid it, as conscientious as he might be.

I think Highlands has a Clean Streets Program, funded in part by the Legislature. It is great, catching the nonpoint source pollution before it enters the rivers. I think this should be extended to all towns; I don't know whether all towns do have it. We do.

ASSEMBLYMAN JACOBSON: I'm sorry, could you repeat that?

MR. HENDRICKSON: Yes. I think the Clean Streets Program -- that is a sweeping program that is funded in part by the State -- should be funded for all towns along the two major rivers. I know Highlands does it. I don't know whether all towns do -- I think Sea Bright does -- but it would be interesting to know. I know they are religiously sweeping on Thursdays and Fridays, and that catches an awful lot of materials. So, the Clean Streets Program should be expanded to all towns along the river.

Now, I taught in Long Island, and I lived in New York part of the time. They have street basins -- street drainage basins that years ago used to be scooped out. The Sanitation Department would come around with a little derrick and scoop out, periodically, whatever settled in the catch basins. I think that all street drains on the two rivers should have catch basins, and that there should be -- with screening on them to prevent any floatables from entering the river. All street basins should have a catch basin designed for the regular scoop-out of settled solids. The towns' Sanitation Departments should lift up the gratings and come down with a little scoop and catch -- scoop out any settled material.

I say this because I live across the street from the riverfront park in Highlands, and there is a street drainage that empties out in front of riverfront park -- the Veterans' Memorial Park. Invariably I have to go there myself and pick up plastic and what have you that just washes out from the street drains. There are no catch basins to prevent that kind of stuff. There are no screenings and what have you. I have asked and so forth for them to do it, and I suppose on occasion they do. I hope they do. So that would be very important also. All street drains should have catch basins, screenings, and a regular cleaning out schedule.

I think in terms of noise -- which one gentleman spoke about -- noise pollution and erosion along the river-- On Long Island waters, instead of having "no wake" zones, which is very ambiguous-- I mean, from a little boat to a big boat, everybody has their own definition of what a wake is. What they do on Long Island, down in the Lido Beach area, is-- They have pilings in the river with speed zones. It just says, "Five miles an hour." Everybody understands what five miles an hour is basically. Even if you have no speedometer on your boat, you can basically-- That is walking speed. A no wake measure of reduced erosion damage and so forth is too

ambiguous, so there should be postings, I think. In areas of marinas, they should have speed zones, bridges, and obviously in wetlands areas. There are many beautiful places along the Navesink where the marshland is almost a buddy to the channel. Now, if there is a high speed area allowed there, the waves and the erosion of the banks of that wetlands area are severe. I have seen them eroded and cut very severely. Everybody, I think, who is at all aware of the environment now, knows that the wetlands are our filtering system, to filter out pollution and so forth. If they wash away, you are losing a critical natural pollution abatement system.

Finally, I would also -- as Mr. Dery Bennett so ably spoke of -- like to see recreational clamming returned. That would truly mean that the water quality of the river has improved dramatically.

Thank you very much.

ASSEMBLYMAN JACOBSON: Thank you very much for your excellent--

C I N D Y Z I P F: (speaking from audience) May I ask this gentleman a question?

ASSEMBLYMAN JACOBSON: Hold up for one second. The only thing is-- I'll tell you what, why don't you come up? Have you spoken?

MS. ZIPF: No. I just want to ask him a question.

ASSEMBLYMAN JACOBSON: Okay. Well, you have to-- (Ms. Zipf continues to speak here) The only problem is-- Hold on, hold on, hold on. Excuse me; excuse me. The only reason I am interrupting you is for the recorder. They can't pick it up.

MS. ZIPF: Never mind.

ASSEMBLYMAN JACOBSON: I'll tell you what, I'll do it for you. Would you just-- She is concerned with the--

As a question from the Chair, what about lawn services and pesticides?

MR. HENDRICKSON: Okay, right. Well, that is a major problem. I don't know. That would have to be education to make people aware that overfertilizing with pesticides -- either overfertilizing or overinsecticiding is causing a major problem. That's education, and I think most of your pesticides-- The labels do say this now, and I guess by law they have to give warnings and so forth. I would start in the schools. Maybe mom says, "Go out and fertilize the lawn today," or, "Go out and spray for weeds today," or, "That is your job over the weekend." Now, if a kid learned in his science class that you have to use caution when using these materials, then he is one step up toward not requiring everybody to read the labels. But that is almost impossible to do.

ASSEMBLYMAN JACOBSON: Thank you very much, Mr. Hendrickson. That was excellent.

MR. HENDRICKSON: Thank you.

ASSEMBLYMAN JACOBSON: I think it is appropriate now, especially on the issue of education, to call up Cindy Zipf, from Clean Ocean Action, whose group not only has been very active in their advocacy for clean water through legislation and regulation, but which has also been very active in the education of people to prevent pollution. Cindy Zipf, Clean Ocean Action.

MS. ZIPF: Thank you, Assemblyman. I want to thank you both for having this opportunity to testify. I think it's a unique opportunity to focus on water quality issues in a watershed area like the Navesink and the Shrewsbury. But as Assemblyman Villapiano and you have also emphasized, it's important to recognize that the issues that we discuss here can be issues addressed statewide, and even nationally. The same problems that we are talking about here are chronic problems throughout the nation, and it's important that we have an opportunity to focus on the Navesink and the Shrewsbury, and

perhaps create a model program for a watershed area on how to control water quality problems.

Clean Ocean Action, as you described, Assemblyman Jacobson, is an organization of organizations. It's 170 organizations, and our goal is to clean up waters to meet shellfishing standards. In other words, the "Clean" in Clean Ocean Action means, clean up the waters to be able to shellfish, and eat them. I mean, one of the problems that could result, or has resulted in the past, is fishable and swimmable standards under EPA-- Fishable and swimmable to us may mean that we could eat the fish out of the waters, but to EPA, they just-- In some ways, they just focus on the ability to fish; not that you can eat the fish, but that the fish are there to catch. We have to be clear about what we mean by, "Clean enough to shellfish." We mean to eat the shellfish.

Clean Ocean Action has been most concerned about the fact that our laws have not been enforced, and that's basically what I'm here to do today: to talk about the ocean package of bills that was passed in 1988. The Legislature was very aggressive after our pollution problems in 1988, to pass a package of bills to address pollution problems. And many of the people here today have eloquently talked about the need for pump-out facilities, the need for improvement of our infrastructure, and have talked about this legislation. But the important thing to remember is that we passed the Ocean Education Act, which is basically being ignored and forgotten. We passed the Health Study of Coastal Waters, which was basically inconclusive. It cost the taxpayers a million dollars, but was inconclusive, at best.

We passed the Combined Sewer Overflow Abatement Bond Act, with \$50 million, to control combined sewer overflows up in northern New Jersey, a chronic water quality problem in the Sandy Hook Bay, and those moneys have not yet been spent. Most importantly, we passed the Sewage Infrastructure Improvement

Act. Thirty-three million dollars was appropriated, but to date only \$12 million-- Now the program only has \$12 million. The program is derelict. It's sitting on a shelf. It's not being enforced. It is a very big piece of legislation. It is going to have a tremendous impact financially, but in terms of ability for improvement, it is very important that we get that piece of legislation on a fast track.

We're two years behind schedule with that law; two years behind in our efforts to identify storm drain water quality problems, and two years behind in the ability to fix these problems. It is going to be costly, so I concur with the remarks made earlier that we need to find some funding -- some creative funding sources. Perhaps businesses can adopt a storm drain section, since the business community is going to be the one to most benefit. When beaches close, the economy of that community suffers, and so perhaps some creative funding mechanisms can be created. Boy Scouts and Girl Scouts can adopt storm drains, like Councilman Miller had suggested. They can perhaps control some of these pollution sources.

But the fundamental point is that the Sewage Infrastructure Improvement Act has been abandoned. There is also a bill that discussed pump-outs. It was a very important piece of legislation, because for the first time the Marine Trades Association worked together with an environmental group to pass legislation. It dealt with the number of pump-out facilities required, and it also required the identification of "no discharge areas" under the Clean Water Act. This is very important because boaters are allowed to discharge sewage that has been treated with chemicals from their boat directly into the waterways. It's a legal thing; it functions as a sewage treatment plant. But when you've got areas like the Navesink and the Shrewsbury that are very small, that don't have a lot of flushing, and you've got hundreds of boats flushing their toilets -- chemically treated sewage -- into the waterways, you get a water quality problem.

The pump-out bill addressed that issue. It required the Department to identify no discharge areas under the Clean Water Act, which would, in fact, make that illegal, so that nobody could discharge into these waterways.

I think one of the best things that could happen to the Navesink and the Shrewsbury is that we enforce those laws that I just talked about. Those are the laws that would have dramatic improvement for this area, and also for the State.

Another thing that I would like to point out is that the Coastal Monitoring Reports that the Monmouth County Health Department sends out weekly from Lester Jargowsky are very interesting, in that some of the most chronically and consistently contaminated areas are the areas near Oceanport, near the Branchport Creek, from the manure at the racetrack, and also the area in Red Bank near Cooper's Bridge and Newman Springs Road. These reports, again, can be utilized to try to focus in on where these problems are coming from and, as Lester has done on so many times, the Monmouth County Health Department can go in and fix it.

Just a word about the Monmouth County Racetrack, is that it's been a long time -- this effort to stop the pollution from the Monmouth County Racetrack. There has been so much red tape and so much process involved, and we are now-- Almost another season has gone by without really, truly fixing the problem. If this was a private company, we would be all over them. We would have them in court. We would be taking them very aggressively, but I think that the fact that it is a State agency might be slowing down the process a little bit. Let's just fix the problem. We know how to treat sewage to solve sewage treatment problems.

Finally-- Not finally, but another point that I want to address is new legislation. We did talk about the fact that we have a lot of laws that are not being enforced, but with respect to new legislation, I was recently testifying at the

hearing on A-5128, which has to do with reduction -- or, a process for incineration of municipal solid waste. That bill, sponsored by both of you, is a very good piece of legislation, and really needs to move forward.

Another piece of legislation that Dery Bennett, from the American Littoral Society talked about, was A-3730, which controls coastal development. I think that's another piece of legislation that we need to have. Most of our problems come from the fact that there are too many of us living too close to these sensitive areas. As Dery Bennett often says, "We're loving our coast to death little by little." These things really need to be taken seriously. New Jersey is being pointed at nationally as what not to do with the coast. I'd like to see that turned around a bit.

I'd also like to make a point about Gunning Island, which is a small island in the Shrewsbury, which has been just tragically despoiled by drudge materials. I believe Andrew Beaton is here today, who will talk more specifically about that, but what happened there is a tragedy, and something must be done there to improve that situation. Whether it requires State action or local action, perhaps some regional approach would prohibit anything like that from happening again.

Finally, Dery Bennett also mentioned, and I want to emphasize, the need to address the future of sewage treatment in the region. The Northeast Monmouth Regional Sewage Treatment Plant is at capacity. This is a very critical issue. If the Northeast Monmouth Regional Sewage Treatment Plant expands, it's going to provide opportunity for additional growth in these areas. I think that we really need to have a citizen participation group of some sort, but a regional approach to look at this. The opportunities at the Northeast Monmouth Regional Sewage Treatment Plant-- It's a plant that handles most of the two rivers' areas. It's a very critical issue, and what happens at the Northeast Monmouth Regional

Sewage Treatment Plant will have a sweeping and direct effect on the two rivers' areas. It's very important that we get ahead of that, instead of following behind.

ASSEMBLYMAN JACOBSON: Specifically, what type of citizen participation are you thinking of?

MS. ZIPF: Well, there is going to be some need for identifying what should happen at the Northeast Monmouth Regional Sewage Treatment Plant: whether or not it expands, whether or not we require some other types of treatment processes in different township areas. I think that there are a lot of options, and citizens need to be a part of that, particularly in the environmental community, because if-- And this is a similar situation in the bay-shore community. If you expand a sewage treatment plant to double its capacity, you are going to have double the growth in the area. You are going to have additional growth. What that growth is going to do to this area is going to have impact.

Additionally, what they do with their sewage sludge-- Right now, the Northeast Monmouth Regional Sewage Treatment Plant sends much of its sewage sludge to Stony Brook to be incinerated. This is an issue that is going to have to be addressed, because a statewide policy coming down is beneficial use. How is that going to affect Northeast Monmouth? How can we move Northeast Monmouth to be self-sufficient with its sewage sludge treatment? Those issues are going to have an impact, and it's important that the citizens be involved in that decision-making process, not find out at the eleventh hour that they are going to build an incinerator in Monmouth County, or in Monmouth Beach. You know that we've been through that scenario. Let's get ahead of the game and put a group together.

Just in conclusion, I'd like to thank you for supporting Clean Ocean Action's educational programs. Clean Ocean Action knows that citizens have a direct place in pollution prevention. We have quite a bit of educational

material for people: "Ten Tips for Boaters," "Ten Tips for Beach Goers," "Ten Tips for Fishermen." We try to really get to the citizens and let them know that they have an impact, too.

One of our most effective programs, which will be started up in the fall again, is our storm drain stenciling project, where student groups and community groups, together, stencil little blue fish on storm drains to indicate the direct link of storm drains to water quality and to where fish live. This project has not been completed in New Jersey, but we'd like to get every storm drain in New Jersey stenciled with a fish. This project has also been sent to Texas, to Rhode Island, to Massachusetts, to the Soviet Union, to England, and to Australia. So, hopefully, people will recognize worldwide that no matter what you dump or where you dump it, ultimately, it winds up in the waters.

Thank you for the opportunity to testify, and I do have some materials for you.

ASSEMBLYMAN JACOBSON: You know, Cindy, I want to compliment you on that fish program. For those of you who know me, one of the projects that I have been doing since April of this year-- I'm actually bicycling through my legislative district trying to meet everyone I represent. Cindy, I've been all through the district on my bike, going door to door and saying hello to people, and no matter where I am, I see these blue fish on the storm drains everywhere.

MS. ZIPF: Do you know what they mean?

ASSEMBLYMAN JACOBSON: Yes, I know what they mean. I knew what it was. But it was amazing how many-- It's all over the place, so it's great. Thank you very much.

Our next witness will be Joseph L. DiLorenzo, 25 Meadow Avenue, Monmouth Beach. Mr. DiLorenzo?

J O S E P H L. D I L O R E N Z O: Thank you, Mr. Chairman. I'm a local resident; also an environmental

scientist. I'd like to make a very brief point and highlight something that hasn't been emphasized today.

One of the basic problems--

ASSEMBLYMAN JACOBSON: You have to speak up, too, because that's not for amplification -- the microphone.

MR. DiLORENZO: (complies) One of the basic problems with the water quality in the Navesink and Shrewsbury Rivers is the fact that they don't communicate directly with the open ocean; that is, the exchange is very limited. When the tide comes in from Sandy Hook Bay, the tide has a range of about three-and-a-half feet -- almost four feet. By the time the tide works its way through the Sea Bright Channel towards the Shrewsbury River, the tide has a range of about 1.7 feet. That is one of the limiting factors in controlling the water quality of this river system.

The flushing of the system occurs because of this tide, and because of the fact that the tide is cut by more than a factor of two, there is a limited flushing capacity. Right now there have been very few studies to tell us exactly what the flushing capacity of the system is; that is, how long would it take, for example, for various loadings of a point or nonpoint source pollutant-- How long would it take for that pollutant to flush?

Because we don't have that information, we really don't have a handle on how to improve that flushing -- how to reduce that time.

There are some very quick and reliable methods to estimate this flushing time. There are field methods where a dye is introduced into the waterway, and you monitor, over time, just how long it takes for this dye to be released into the ocean. Another way is through computer simulations, where you actually simulate the flushing with a computer model.

Those same techniques also allow you to estimate how various mitigation schemes might improve that flushing time.

For example, the system was recently dredged, and if you dredge the entrance channel, you reduce the-- You prevent the reduction of the tide, and you will enhance the flushing. So, whereas it might have taken, for example, say 15 days to flush the Shrewsbury River, by dredging it by a certain amount you might reduce that significantly -- that flushing time.

Also, for example, another way to improve the water quality might be by adding culverts through the barrier islands, for example, through Sea Bright. Another way to increase the exchange with the open ocean is by adding culverts.

All of these schemes could be analyzed, either by the computer simulation method, and also with coordinated field studies. That's the way that you would get a real quantitative assessment of the impacts of these pollutant (indiscernible) that you have been hearing.

We do need a lot of information concerning the various point and nonpoint sources, but we also need a better handle on the flushing capacity of the system, and how we can improve that flushing capacity by options such as dredging or new culverts.

That's all I want to say.

ASSEMBLYMAN JACOBSON: The only question I have is when you, I would think, but I guess you would-- I don't know the answer to this. I would think when you were trying to increase the capacity of the system, basically flushing, cleanse itself, by increasing it's--

MR. DiLORENZO: Tidal exchange.

ASSEMBLYMAN JACOBSON: --tidal exchange with the ocean. I would think, though, you are taking a big risk with the ecosystem by increasing, I assume, the salinity of the water?

MR. DiLORENZO: Right. That's correct.

ASSEMBLYMAN JACOBSON: For the land in it, that would be a big risk, wouldn't it?

MR. DiLORENZO: It would be a risk. You would change some-- What happens is, in many areas the predators are in the saline regions, and they might migrate further upstream into some of the fresher portions -- the brackish portions. So, there is a risk in terms of that aspect. But the benefits you would gain from that should outweigh the risks.

ASSEMBLYMAN JACOBSON: Thank you. That's a very interesting point about the capacity of the system to cleanse itself with its limited interaction with the ocean. Thank you very much.

Our next witness will be Andrew Beaton, 81 Waterman Avenue, Rumson. Mr. Beaton? Again, let me remind you to speak up so everyone can hear.

A N D R E W R. B E A T O N: Okay. Largely, I think the the environmental issues have been very well discussed at length.

ASSEMBLYMAN JACOBSON: Mr. Beaton, just so you-- You have an affiliation?

MR. BEATON: Yes, The Small Craft Association of the United States, primarily a clean water, boating organization. I have a list of suggestions based on 28 years of boating experience on the two rivers and four years of experience covering Maine to Florida in the boat business, as well as three years engineering experience inspecting CAFRA required utilities.

We feel that all boaters should be required to demonstrate their operational skills under normal conditions, at their own expense, with a certified instructor. At no time should a vessel be allowed to operate without a licensed operator on board. And we feel that each activity -- small craft, sail with auxiliary power, and power -- should be licensed under separate categories.

We also feel that funds and fees generated by licensing should be dedicated to educational programs to be

established in the community with facilities for on-water and classroom instruction.

We also feel -- and this is very important -- that State Police responsible for enforcement of regulations should be required by law to maintain instructor-level certification in all three of these activity areas.

This is all relevant, to me, to the environmental conditions which we have discussed, because all of the regulations should be interposed with the licensing requirement. This will make the rivers cleaner and safer, and actually be able to increase the amount of use without additional environmental damage.

I'd like to thank everybody for coming and standing up for our rivers. I think it's great to see everybody here.

ASSEMBLYMAN JACOBSON: Could we get a copy of those recommendations?

MR. BEATON: Yeah. I have it here for you.

ASSEMBLYMAN JACOBSON: I appreciate that.

MR. BEATON: Thank you very much.

ASSEMBLYMAN JACOBSON: Thank you.

Our next witness will be Andy Willner from the American Littoral Society, who is also Baykeeper of the rivers. Andy, also in your testimony, I'd appreciate it if you would also address the issue of agricultural runoff -- the different types of natural systems. I know Lester Jargowsky, for example, alluded to some of them that you could use on farms. Specifically, what types of things could be done to decrease the agricultural runoff, or recycle it, or break it down?

I'd appreciate it if you would address that, as well as any other issues that you want to.

A N D R E W W I L L N E R: If I don't, you'll remind me?

ASSEMBLYMAN JACOBSON: I will.

MR. WILLNER: Okay. My name is Andrew Willner. I work for the American Littoral Society, and I run the Baykeeper

Program for the New York/New Jersey Harbor, which includes the tributaries of the Shrewsbury and Navesink Rivers. I think that there has been eloquent discussion about what the problems are. We have combined sewer overflows from our older cities which contaminate the waters of the rivers. We have nonpoint sources of pollution. We have overdevelopment. And particularly, we have habitat loss in the rivers.

These problems have now been identified. The next stage has to be increased enforcement; more than a slap on the wrist. We need high fines and jail time for polluters, instead of summary abatement orders and administrative consent orders. I'm particularly alluding to State agencies which pollute and seem to get preferential treatment from the Department of Environmental Protection because they are sister State agencies.

One of the most tragic occurrences, obviously, for the last 200 years, has been habitat loss in the entire estuary, as well as in the Shrewsbury/Navesink Rivers. Habitat loss includes wetlands areas, near shore or near coastal areas, and areas blocked by impediments to migration of anadromous fish.

On tributaries to the harbor, including the Shrewsbury/Navesink, we've identified over 50 dams on main stem rivers which have eliminated the normal migratory routes of anadromous fish, including shad and blue back herring, as well as some of the other fishes that need to breed in fresh water. This is critical, especially when it's linked with shoreline development and its attendant pollution problems from nonpoint sources, because National Marine Fishery Services' scientists have recently identified the problems with fishery management, and the primary problem with fishery management is not putting limits on the catch, but how we are going to preserve and enhance the remaining habitat areas. Some scientists are now saying that within the next 10 years, if we don't improve habitat areas -- including wetlands and near coastal areas -- our inshore fishery, the fishery that we use for food, will

crash. That includes a multimillion dollar business in the State of New Jersey, and a multibillion dollar business throughout the nation.

One of the significant habitat losses in the river has been shellfish. Dery Bennett alluded to the fact that when he moved here, there was still a direct harvest shellfish industry in the rivers. Now most shellfish are harvested and have to be transferred or depurated before they can be consumed.

The standard we should be looking at is shellfish harvesting and direct harvesting, and the ability to eat the catch, and that should be our goal for the waters within the two rivers.

ASSEMBLYMAN JACOBSON: Excuse me. Does direct harvesting mean -- just imply that you eat the catch? I mean, if the DEP-- In other words, it's all synonymous, right? It's not a separate standard?

MR. WILLNER: If you can directly harvest it, then you should be able to eat it without depuration or transfer.

ASSEMBLYMAN JACOBSON: That's the standard: Eat the catch. Right, okay.

MR. WILLNER: The Clean Water Act, which was passed in 1972, says that there shall be no discharge of pollutants to navigable waters; No discharge of pollutants to navigable waters. It was modified to say that there would be no direct discharge of pollutants after 1985. We've passed 1985 now, and it seems to me that it's time to initiate State policy of no discharge of pollutants to waters. The way we avoid discharging to water is by land-based systems.

At this point I'll address the issue of agricultural runoff, farms, and large animal impoundments like the Monmouth Park.

There are several ways that sewage can be treated on land. By creating wetlands areas is the primary way, and especially where it abuts a waterway, the best way to do it is

to build a series of impoundments where sewage is treated naturally. This sewage can include both the straw and the manure from farms and from tracks. Then the water is treated to the same standards as it would be to secondary. In fact, some of these land-based systems can actually treat water to tertiary treatment and then discharge to the local waterway.

The goal has to be shellfish standards, and I believe that's 70 -- a number of 70 fecal coliform, and not 200. Two hundred is where you can harvest some fin fish.

What we have done with the Baykeeper Program is try to get citizens directly involved with water quality monitoring. We've established 24 stations around the harbor estuary, three of which are in the two river systems. We have a monitoring station at Long Branch. We have a monitoring station at Fair Haven, and one in Highlands. We also have them on the bay shore of Monmouth County, and additionally, 24 others around the harbor itself.

This is primarily a citizen involvement program. What we've discovered is that the scientific information that we are gathering is secondary. The primary thing is that we are getting people down to the water and having a hands-on approach to monitoring water quality in their own backyards. We've found that this was so interesting to people, and people are reaching out for a program like this, that we had an opportunity to train 80 people to do this -- people from all walks of life -- but we had over 300 people who wanted to participate. And if we had additional funding and sites and staff, we could have accommodated 50 of these stations, which would probably mean six stations on the Navesink and Shrewsbury Rivers.

Nonpoint sources and combined sewer overflows are a big problem. I've heard people say today that it's sludge, it's this and that that comes from New York City. We live in the same system. The estuary -- the Hudson/Raritan Estuary --

is one system. The Hudson River is a main freshwater input. The Raritan River is a main freshwater input. And there are hundreds of small streams that input fresh water. Newark Bay on a summer day-- The freshwater input to Newark Bay is mostly sewage, treated sewage -- treated to a certain extent.

We have to address these problems, not just for the two river systems, but we have to address them estuary wide. It's a bistate problem and it needs bistate solutions. And we need a management organization, possibly an extension of the powers of the Interstate Sanitation Commission, which can address these problems on a bistate basis.

I'd like to talk a little bit more about our anadromous fish study, because it's something that we've just finished. We've found, again--

ASSEMBLYMAN JACOBSON: Can I interrupt for a quick question, again just on that, out of curiosity, regarding the whole system?

The testimony we're receiving today is indicating that the vast amount of pollutants going into this river system is coming in through various nonpoint source pollutions in this area. In terms of tides, does that much really flow in from, say, the Raritan Bay, in terms of -- to cause a problem, or is it-- I agree with you, there has got to be a regional solution in the bight, and all the water problems in the New York/New Jersey system. But as far as the Shrewsbury and the Navesink, the thing that I thought was unique, and which Mr. DiLorenzo from Monmouth Beach brought out, is that there is very little contact outside of the tidal waters. And it seems fairly self-contained, almost.

MR. WILLNER: Well, it's self-contained in the sense that it takes 17 tides to flush the river.

ASSEMBLYMAN JACOBSON: Okay.

MR. WILLNER: So, I think that's what -- four tides a day, etc. So that it's only self-contained in that it is

enclosed. It naturally wants to emerge somewhere this side of Sandy Hook.

ASSEMBLYMAN JACOBSON: But waters from the Raritan Bay do come in in significant amounts.

MR. WILLNER: Waters from the Raritan Bay are the main saltwater influence for the rivers. There wouldn't be saltwater unless there was influence from Raritan Bay and the ocean.

I guess I really want to reiterate that these are regional problems. We talk-- One of the speakers talked about the watershed. Well, this is a fairly small watershed compared to the watershed of the harbor, and of course, we're dealing with the estuarine influences and the problems that are exhibited because it is part of that system. So that, yes, there are local solutions; there are New Jersey solutions, but primarily we are looking at regional and national solutions that will eventually enhance the water quality in the two rivers.

And I'll finish with what I said in the beginning, which is that our solutions-- We've identified the problems; we've studied all these areas to death. It's now time to enforce the laws that are on the books and improve the laws, including the enforcement areas that are on the books so that we can abate these problems and abate them immediately.

We are at a nexus. The next 10 years will make a difference as to whether or not we want to save our water resources in the region, in the nation, and worldwide.

Thank you very much.

ASSEMBLYMAN JACOBSON: A couple more questions, real quick: A very quick question I have, again, about these systems, to control the agricultural runoff. You mentioned impoundments, which I assume are fairly self-explanatory, to hold the water -- to hold the waste -- which, as Dery Bennett pointed out earlier in the hearing, it's the opposite

engineering of what we all tried in the past; of trying to hold everything on-site, and then treat it. How feasible is that for some of the farms, particularly upriver, that are causing runoff? I just, you know-- Conceptually, I see a large tract of land. Can you identify the points of runoff and, with a reasonable cost, contain that runoff and then hold it -- impound it -- and treat it? What are we talking about in terms of scope of the project for a farm?

MR. WILLNER: Well, the largest "farm" is Monmouth Park. I think that we, along with other environmental organizations, individual citizens, State legislators, and the DEP, have tried to get the point across that a land-based sewage treatment system -- a natural system -- is more beneficial and more cost-effective than a standard hardware or sewage treatment plant solution would be.

It goes along with the idea that you can conserve open space while treating sewage, and you can enhance the environment while treating sewage or sewage-related products with a land-based system that is essentially a recycling system.

ASSEMBLYMAN JACOBSON: So how does it specifically recycle? What are the natural processes--

MR. WILLNER: It uses the idea that the first flush has to be contained. This is applicable to storm water as well. The first flush is that which goes into the pipe with velocity and goes out and contains all of the contaminants. So, in any system what you have to do is slow it down. That can mean run it across some sort of planting that is effective, depending on whether it is saltwater or freshwater, into a basin where the particulate can settle out, so that you're not getting all the floatables and the suspended solids in the water, and then into another type of system. A lot of times-- There is a city in California -- Arcata, California -- which is actually using a reconstructed, rehabilitated wetlands area to treat the sewage to tertiary conditions.

ASSEMBLYMAN JACOBSON: But it's a natural process, to treat to tertiary?

MR. WILLNER: It's a natural process using the idea that there are bacteria in the water. There is oxygen in the water-- Oxygen breaks down the system.

ASSEMBLYMAN JACOBSON: Okay.

MR. WILLNER: There has actually been a study done by a local engineering firm which shows how this project can be done for Monmouth Park.

ASSEMBLYMAN JACOBSON: Okay.

ASSEMBLYMAN VILLAPIANO: It would seem to me that the mass of land and space that you would have to have would be considerable, to do something like this.

MR. WILLNER: There are estimates and calculations that determine how much land you need for a specific amount of runoff. Again, I'm not an expert; I'm not an engineer. But we've seen good results on this, both on an office building size project, and -- all the way up to a town of 25,000 people, the sewage being treated. So that it runs the gamut and the larger the amount, obviously, the more land that you need.

ASSEMBLYMAN VILLAPIANO: You would let it run in a raw state out into this natural-- It would run--

MR. WILLNER: Yeah. We tend to think of sewage as being a waste product, when, in fact, it's a resource. We put pejorative terms on it. We call it things like "raw." Raw sewage is nothing more than manure. If it doesn't contain other contaminants, then it's a product, not a waste product.

Yes, I wouldn't, no-- I wouldn't personally, because I don't have enough of the information and I'm not an expert enough to say that I would let it run raw, but this is something that has been done in many places. It's proven that the quality of the product that's returned to the environment is much better than that which comes from a sewage treatment plant at a much less cost. Remember, you have the benefit of

preserving open space, and one of the things that we have been finding out is that open space is more valuable to the community and the region, both environmentally and economically, than developed land.

So, this is one way of treating sewage and preserving open space.

ASSEMBLYMAN VILLAPIANO: Thank you.

ASSEMBLYMAN JACOBSON: Thank you very much. Thank you for your testimony.

Our next witness-- I don't want the representatives from DEPE to think that I've forgotten them. I'm just saving them to the end because I have a list of questions that have come up. We have one more witness before we get to that. From Colts Neck, Vincent Domidion, from the Colts Neck Environmental Commission.

And then if there are any more witnesses to testify-- We just have one more from the New Jersey Department of Environmental Protection and Energy, with the big questions we have to ask.

But, Vince, please?

V I N C E N T D O M I D I O N: Good afternoon. Thank you for the opportunity.

You have heard a great deal of useful information from a great number of knowledgeable speakers, so I'll try and perhaps fill in a gap or two. Coming from where I do, which is upstream in the watersheds, and dealing regularly with issues like nonpoint source pollution, and indeed, as Mr. Willner so eloquently described it, you can deal with runoff through the use of retention/detention basins. Ideally, the potential exists to decelerate even more, and as development occurs, to retain on-site.

Recently I heard Dr. Theodore Shelton from the Rutgers Extension Service speak, and we were talking about that very issue; whether or not you can retain storm water on-site, i.e.,

on a building lot. With proper site design, he agreed that this was possible; a proper land use. Again, rating, planting. This is the sort of micromanagement that minimizes expense because many of the things that will be called for, of spending on infrastructure which is essential, is also expensive. I know that you are as familiar as I am with the effort to get that bond issue package that now is being talked about together, and the resistance that has developed over the idea -- the concern -- of bringing more bonding and more debt to the public in this economic climate. And that contains money for sewer refurbishment.

I think that if you take a look at the problem, you have to look at it in an integrative and an interdisciplinary manner. You can't look at it one-site, one-process. If you will recall, the Navesink River Nonpoint Source Pollution Project, which was in place a few years ago, dealt from the EPA on down. This was an opportunity to work from all different levels of government and to provide educational services to farmers to install best management practices, and to do a number of constructive things where they can be most effectively done, at the appropriate level of government. I think that's something that you should be focusing on, integrative processes like that.

In addition, there are problems such as-- I'm not sure that there is a right answer to this, but what do you do if you have a water body such as a pond or a lake or a reservoir that is silting, and contains silt that has hazardous levels of various chemicals like arsenic or whatever, that are the result -- that are there because of past agricultural practices, legitimate agriculture? This is something that you want to remove in order to enhance and support the ability of these water bodies to have a retention function and to trap sediments and pollutants before they get down to the river, but you also have what are often prohibitive costs of disposal of

contaminated dredge spoils. What do you do about it? Can the State make a distinction between dredging that is being done simply because somebody wants to do it, and dredging that is being done that has a specific benefit as part of preservation of a broader system? I think that's the sort of question where you have to protect the State from the consequences of the disposal -- of being exposed to contaminated dredge spoils, but you also have to protect water quality and natural systems.

I think the emphasis should be on natural systems, remembering that the natural systems, before we developed, were all working perfectly well. There were no problems before we came along. And we've got to try and identify those natural functions and see how we can best restore them on the lowest impact level.

You heard -- I believe it was Dery Bennett -- say that the tide has changed from when they were using-- The idea was to engineer everything and get the water as quickly as possible from storm water into the rivers. Now, it's been clear that natural systems are more effective, and it really does work very well. I'd like to urge you to look in that direction.

An example: You might take a very specific area, and the new -- the interim draft of the State Development and Redevelopment Plan, one of the techniques for-- They rely extensively on what is now Planning Area No. 5 -- it used to be Tier 7 in the preceding draft -- to protect environmentally sensitive areas. However, for areas that are smaller than, I believe, it is one square mile, they are not included in this planning area, but within the smaller areas you can designate environmentally sensitive sites. And this is something that in communities, particularly small communities that are perhaps no more than one square mile themselves, it is possible to identify small sites that are sensitive that can be used to enhance environmental quality. This is something that I think the State should be pushing as an educational process, as well

as the various able volunteer groups -- citizen groups -- to encourage people to recognize that there are small micromanagement sorts of things that can be done that will benefit the environment, without having to undertake costly, expensive processes. These are things that also have ancillary benefits that are economic, aesthetic, etc., that enhance communities generally, I think, by emphasizing that you get benefits that are not necessarily seen always as being purely a water issue, but you get the benefits by emphasizing other processes.

So, I won't take any more of your time. I'll let you get to the gentlemen from DEP. Thank you.

ASSEMBLYMAN JACOBSON: Thank you very much.

All right. Our final witnesses are from the Department of the -- the new Department of Environmental Protection and Energy, Brian McLendon, and also, do you want to have the rest of any other DEPE representatives--

B R I A N M. M c L E N D O N: Yeah, it may be necessary in answering some of the questions you may have. Dr. Scro and Ms. Crouse, who is the Navesink Coordinator. They can come up if you want them to. Would you like them to come up?

ASSEMBLYMAN JACOBSON: Yeah. Please, come up.

MR. McLENDON: They may be more appropriate in answering some specific questions you may have on some of the projects that we have been involved with.

ASSEMBLYMAN JACOBSON: Just for the transcriber: Will that mike work like that, or do we have to point it--

MS. SYLVESTER (Hearing Reporter): If they all sit at the table.

ASSEMBLYMAN JACOBSON: No matter what angle, it will be okay? Okay.

Why don't you, just for the record, identify-- All three of you, just identify yourselves, around the table.

MR. McLENDON: I'm Brian McLendon. I'm the Acting Section Chief for Nonpoint Source Pollution Planning in the Bureau of Water Quality Planning, which is within the Office of Regulatory Policy.

DR. SCRO: My name is Bob Scro. I'm with the Shellfish Program, New Jersey Department of Environmental Protection, which is now part of the Water Technical Program.

V I C T O R I A C. C R O U S E: And I'm Vicki Crouse. I'm with the Nonpoint Source Pollution Section, and the Navesink River Water Quality Improvement Project Coordinator. I also work in the Bureau of Water Quality Planning within the Office of Regulatory Policy.

ASSEMBLYMAN JACOBSON: Thank you. Go ahead.

MR. McLENDON: First, I'd like to thank the Committee for having us down and I'd also like to apologize for not being fully prepared to present specific testimony today. We're here kind of on the spur of the moment. Nonetheless, Assistant Commissioner Weingart felt that it was necessary for us to come down to at least relay the Department's interest in the Navesink and Shrewsbury Rivers.

The Department has long recognized these two rivers as important natural resources for the State of New Jersey, not only for the important recreational opportunities they afford for this region of the State, but also because they essentially represent the only soft clam resource in the State. Since 1980, the Department has been involved in numerous studies in this area, primarily through the Navesink Water Quality Improvement Project. As a result of that project, in 1986 there was a memorandum of understanding developed between the Department of Environmental Protection, the U.S. EPA, and also the U.S.D.A. -- the Department of Agriculture -- as well as the communities within the watershed. As part of that understanding, it was acknowledged that there was a priority status for the Navesink River, and that there was a great need for a multifaceted and diligent watershed pollution effort.

ASSEMBLYMAN JACOBSON: What year was that again -- 1986?

MR. McLENDON: That was in 1986.

ASSEMBLYMAN JACOBSON: And it only covered the Navesink? It didn't cover the Shrewsbury?

MR. McLENDON: It did not include the Shrewsbury; just the Navesink River.

There was a lot of activity at that time. It's kind of slacked off to date, but there were some important studies developed as part of that endeavor. I have fact sheets that outline those activities--

ASSEMBLYMAN JACOBSON: That would be great.

MR. McLENDON: --that I'd be happy to give to the Committee for their review.

ASSEMBLYMAN JACOBSON: Please.

MR. McLENDON: I only brought a few, but I can make available--

ASSEMBLYMAN JACOBSON: That would be great.

MR. McLENDON: --more for your constituency, if you would like them. There is a phone number on there that you could reach us, if you would like extra copies.

That being said, I think it's important for me to speak somewhat candidly about what I have observed here today. In sitting through all of the testimony, most of what I've heard has been right on target. Nonpoint source is a concern, and probably the greatest concern in this watershed.

I think people's perceptions are right on target; at least the people in this room. And the Department is involved in numerous activities and initiatives that address some of these issues. I think it's necessary to clarify what nonpoint sources are, exactly. I know Mr. Bennett had tried to define what nonpoint sources are, but to really understand the complexities of what we are dealing with, I think you really need to understand, thoroughly, what nonpoint sources are.

They are not necessarily-- A nonpoint source pollution problem isn't necessarily an unidentified point source, something which could come under regulation. We're talking about diffuse sources of pollution that are the result of individual actions. Those individual actions, combined, create a significant problem, actions such as: changing motor oil and disposing of that used crank case oil in the backyard and overfertilizing lawns. Those types of activities create significant nonpoint source problems that need to be addressed. Because of that, education is probably a very key aspect to getting at the route of the problem; making people aware of what they are doing, how they are impacting the water quality, and what all of the implications are.

I've listened to testimony. It cuts across many different issues. Nonpoint sources deal with solid waste stream reductions. It deals with air pollution. It deals with water pollution. And because of that diversity, nonpoint source pollution is somewhat elusive in that you are dealing with so many issues, it's very difficult to bring down a plan of action into a comprehensive plan.

We've been dealing with it in the Department for a number of years now, and we can't come out with any degree of confidence and say, "We have all of the answers. This is what you have to do." However, we're beginning to understand that -- I don't want to say regulatory actions, but -- the actions that would be necessary have to come from a local level. We're dealing with local issues, for the most part. It's very difficult to sit in Trenton and try to identify what's going on in Fair Haven. I think the people in Fair Haven probably have a better idea of these particular issues in their town than we do.

We can provide-- Certainly we can provide the guidance that would be necessary in dealing with some of these issues, but probably the greatest obstacle that needs to be

overcome right now are institutional arrangements -- the institutional arrangements that are necessary to make things happen. Now, those arrangements are going to vary between different levels of government, and certainly at the local level they are going to differ. Each municipality does business differently.

So, we can provide the guidance. That's not a problem. But I don't think we can provide specific answers to a lot of the issues, and that's something that needs to be addressed, I feel.

Beyond that, the Department welcomes the initiatives that are being taken by this Committee today. We would certainly support and provide any assistance to any steps that may be proposed for improving the water quality in both the rivers -- both the Navesink and the Shrewsbury. I commend the Committee for taking this initiative, and if you have any further questions of us, we'd be happy to answer them.

ASSEMBLYMAN JACOBSON: Yeah, I would like to follow up on a few points. Something, actually, you said at the end I found very interesting, Brian; and that is, the institutional arrangements -- the problems that you have with the institutional arrangements. Although John and I represent from Atlantic Highlands to Brielle, the coast of Monmouth including Fair Haven, and Rumson now, and Sea Bright, and Monmouth Beach, and Highlands and Oceanport and Long Branch -- we represent all those towns -- our hometown is Ocean Township, where Deal Lake--

MR. McLENDON: Right.

ASSEMBLYMAN JACOBSON: --is very much situated there, as well as other towns. And there is a Deal Lake Commission -- a multi -- a regional commission, in a sense.

I think I agree. I think I know where you are going. I think one of the things that has come out very clearly in

this hearing today is that the solutions cannot be town by town. Yet you point out that there is a problem imposing it from the State.

The question I have: Is there any precedent, something similar to a Deal Lake Commission -- something John and I have talked about -- for some type of institutional or regional compact or commission in the Navesink/Shrewsbury area that could work together to enact certain standards for, say, certain municipal ordinances like you have in Oceanport that could, basically, advocate for the two rivers? And would that have any value from a regulatory standpoint?

MR. McLENDON: There was a committee set up at some time. I'm not sure where that committee sits right now.

ASSEMBLYMAN JACOBSON: But there is nothing that is institutionalized in laws or government structure, and if you had some type of government structure or some type of compact or commission among the municipalities-- One, would it be valuable? And two, if it's valuable, what type of powers would you like to see them have?

MR. McLENDON: I think such a committee or, essentially, a regulatory group -- a local regulatory group -- would be very useful, something along the lines of a watershed association.

ASSEMBLYMAN JACOBSON: Is there any precedence for that in the State, at all, or any of the states that you know of?

MR. McLENDON: There is. There are some very active watershed associations in the State right now, such as the Stony Brook Regional Sewage Authority, and I guess the Passaic River Watershed Coalition. Those organizations are very active and they are very effective, and they are able to sustain themselves through their own sources of funding--

ASSEMBLYMAN JACOBSON: Right.

MR. McLENDON: --which causes big problems for-- The whole issue of funding could be a problem for the Department if we wanted to provide funds to such organizations. A watershed association isn't a problem, but maybe an unincorporated committee may be a problem for us -- a nonrecognized governmental entity.

ASSEMBLYMAN JACOBSON: So a commission could receive government funds if it's chartered by the State government. You would have no problem with that? It would help you in terms of resources?

MR. McLENDON: Depending on how the organization was set up, correct. They would go far in supplementing our activities and augmenting any local controls that would be necessary.

ASSEMBLYMAN JACOBSON: I have a bunch of questions. Do you want to hop in for any--

ASSEMBLYMAN VILLAPIANO: No. It's a very good point. I know on the Deal Lake Commission, each of the towns -- the eight participating towns -- earmark a certain amount of money on an annual basis to keep the Commission going, to get a professional-- Because you really can't do much unless you really have a professional analyzing what the problems are and what the solutions are, and you move in a direction towards acquiring DEP bond funds, or any other moneys that might be available for correction of various problems.

I think it's a great way to start.

DR. SCRO: I was going to say, when I began working on the Navesink project, about eight or nine years ago with DEP--

ASSEMBLYMAN JACOBSON: Speak up.

DR. SCRO: --we were receiving money -- approximately \$50,000 or \$100,000 a year -- from the U.S. Environmental Protection Agency for a pollution control program in the Navesink. I don't know if that money is still forthcoming. If it's not, then additional moneys that may be able to come out

of the Legislature would be a great help in furthering the program. A program was established in the last eight or so years in DEP -- at least being coordinated within DEP, but working with other Federal and county and municipal agencies. So, the kind of core program is there.

MR. McLENDON: I'd just like to add that at this time the Department is involved in numerous initiatives in developing a statewide nonpoint source and storm water control program. As I mentioned, the issues are diverse and they are very complex, and it's very difficult to bring that into focus. We're initiating activities through the Sewage Infrastructure Improvement Act. I heard that was mentioned here. Contrary to the picture that was painted, however, I feel the project is on track. The communities that were affected by that law in the four coastal counties have been actively participating in the program, which is to their credit, because the legislation came short in terms of dollars for those communities. So, out of 94 municipalities in Phase I activities, we had participation from 88 municipalities. I feel minimizing their efforts is somewhat counterproductive. I think they should be applauded on the efforts they put forth, and in some cases they -- a lot of the municipalities, I should say-- In most cases they recognize the need for this.

The Infrastructure Program represents a methodology. It's a methodology for municipalities to begin to identify where they have storm sewer discharges to go back up and map those systems and begin to identify where there could be potential nonpoint source pollution problems that are getting into their storm drains. We'd like to see that same pattern -- that same method -- applied throughout the State.

A lot of municipalities, particularly in the coastal communities, understand the need for that. All it takes is one beach closing, and they understand the need for that type of a program.

So, I think we're moving into the second phase where they are actually going up and beginning to map their systems and identify nonpoint source problems.

ASSEMBLYMAN JACOBSON: A specific question on the Navesink: Is the lack of sewers on the north shore of the Navesink-- Is that a serious environmental problem in your estimation?

DR. SCRO: The last piece of information on that was that the septic-- If you are referring to the septic--

ASSEMBLYMAN JACOBSON: Yeah. We had testimony today that there are still a lot of septic systems on the north shore.

DR. SCRO: The Health Department in Middletown had dye tested -- this was several years ago, four or five years ago -- those sewage systems and found no major problems. Now, what's happened since then, I don't know. If they have deteriorated further-- I think any time you have septic systems along the shore you have that, either actual or potential problem of raw sewage getting into the water body.

ASSEMBLYMAN JACOBSON: So the last time of the study was when?

DR. SCRO: Four or five years ago. The last time I had worked with the Middletown Health Department, Steve McKee.

ASSEMBLYMAN JACOBSON: Okay. And the last question I have is: We talked before about the systems to basically recycle and treat animal waste, which is obviously one of the major problems here, on-site. We started to get into it with Andy Willner. Do you know of any specific success stories in the State in this area, in terms of private -- private farms or anything that we can examine any further, or any states; anywhere you can lead us?

MR. McLENDON: I can't think of anything in the State. In fact, I'm sitting on a task force right now with the Department of Agriculture and coming up with a manure management regulation. The only thing I'm hearing are problems

all over the State with animal feedlots and that sort of thing. I don't know of any success stories in that regard.

ASSEMBLYMAN JACOBSON: But the DEP and Agriculture are trying to--

MR. McLENDON: We're trying to come up with a regulation for composting and handling animal manure, both commercially and privately, which essentially, in a private situation, would require a farmer to develop a conservation plan in which they would show how they are handling manure, how they are spreading it back onto their crops, that sort of thing.

ASSEMBLYMAN JACOBSON: Well, right now in the State it's just basically unrestricted runoff from farms on manure and other animal waste.

MR. McLENDON: Well, it gets back to whether it's a point source or a nonpoint source. Something like the Monmouth Racetrack-- That, theoretically, requires a permit, and I believe they are coming under permit right now.

There is a lot of uncontrolled point source discharges going on. It's incumbent upon a discharger to apply for their permit. But at this point-- What prompted the initiation of a regulation for controlling manure was Bob Gastel's composting facility that is being funded by U.S.D.A. Where's that located, Vicki?

MS. CROUSE: In Howell Township.

MR. McLENDON: That hopefully will serve as a regional collection center for this part of the county and the horse farmers for collecting their manure and composting it, and then reselling it as a fertilizer, or whatever you would sell it for. That hopefully will be a solution. But we recognize that, well, these things may start springing up all over. We'd like to encourage it wherever we can and regulate them a little differently than a solid waste facility, like a landfill or something like that, which was happening initially and was really causing problems in getting Gastel on-line. Hopefully this will work it all out.

ASSEMBLYMAN JACOBSON: Yeah.

DR. SCRO: Also, in answer to your question, there is ample property on--

ASSEMBLYMAN JACOBSON: I'm sorry. Could we please have some quiet? (referring to conversations among members of audience)

DR. SCRO: There is ample property on any of the horse farms to incorporate a detention basin and have the drainage from the manure go into the detention basin. And that technology is a proven technology. If you can retain storm water--

ASSEMBLYMAN JACOBSON: But that's not implemented-- It sounds like it's rarely implemented in the State right now.

DR. SCRO: That's why there are no success stories, because it's not implemented.

ASSEMBLYMAN JACOBSON: Okay.

DR. SCRO: It's not that there are no success stories because it doesn't work.

ASSEMBLYMAN JACOBSON: Right.

MS. CROUSE: I'd like to just expand on what Bob said: It's that the larger farms have the land available, but there are a lot of small suburban farms of a few acres, especially in the Middletown area, that would be prime candidates for Bob Gastel's facility, in that they don't have the room to put the manure on the fields.

ASSEMBLYMAN JACOBSON: Thank you very much. What I'm going to suggest is one thing: I think I am going to close the testimony out. However, a lot of people have responses and follow-ups to others' testimony. I encourage you to submit that follow-up in writing to us. You can get that address from either John's or my aide, Shane Keats, or the Committee aide, Jeff Climpson, because we'll probably be going back and forth quite a bit. I think at this point it would probably-- We've heard an amazing amount of testimony. It's been a very, very

productive hearing, so I encourage people with follow-ups-- I know, Andy, you have a follow-up. Please submit it to the Committee for testimony, and we'll work on it that way as we fashion a program.

Thanks very much to the three of you.

For a closing statement, I'd like to call on my colleague, John Villapiano.

ASSEMBLYMAN VILLAPIANO: Dan, thank you very much for allowing me to participate with the Conservation and Natural Resources Committee for the last--

ASSEMBLYMAN JACOBSON: Hold on. Hold on, hold on, hold on. Wait a second. Excuse me. Excuse me for a second. (addressing audience as the members begin talking among themselves)

ASSEMBLYMAN VILLAPIANO: It's been a very rewarding time. I've enjoyed listening to the testimony. I think we have come up with some real solid plans on how best to address the water quality issue in our two-river area. And I'm sure that when everything is deciphered and put together, we'll have testimony-- I think we in Monmouth County, once again, are far ahead of the curve when it comes to dealing with issues head-on and making sure that these issues won't be problems in 10, 15, or 20 years. We have to address them. We will address them, and with the help of everyone out here, I'm sure that we can come up with some good policies and procedures.

ASSEMBLYMAN JACOBSON: Thank you, John.

I'd like to thank everyone for coming out. One of the reasons we have these hearings here in the district is to give the opportunity for not only government officials and other people from advocacy groups, but just private citizens also who are interested, to give their input, and we received valuable input all around from everybody.

I have taken copious notes, as have all of the aides, and we should be able to put together, hopefully, some good

action from what we've heard, to try to make these rivers a cleaner system.

I'd like to see this river system be a model for the rest of the State on how to prevent pollution and improve a watershed. I'm confident that that process will begin right here at this hearing of the Conservation and Natural Resources Committee.

So with that, we're going to digest what we have. Please submit other written testimony on follow-up to us, and thank you very much. Have a good day.

(HEARING CONCLUDED)

APPENDIX

The Monmouth County Board of Health

Robert Kiefer
President

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P.O. BOX 1255
FREEHOLD, NEW JERSEY 07728-1255

TELEPHONE (201) 431-7456

Lester W. Jargowsky, M.P.H.
Public Health Coordinator
and
Health Officer

TESTIMONY BY LESTER W. JARGOWSKY, M.P.H.
PUBLIC HEALTH COORDINATOR
MONMOUTH COUNTY HEALTH DEPARTMENT

DATE: AUGUST 26, 1991
FOR : ASSEMBLY CONSERVATION & NATURAL RESOURCES COMMITTEE
SHREWSBURY/NAVESINK RIVER STUDY

THE MONMOUTH COUNTY HEALTH DEPARTMENT IS ACTIVELY INVOLVED IN A SERIES OF POLLUTION CONTROL INITIATIVES IN THE NAVESINK AND SHREWSBURY RIVER BASINS. THIS WORK IS A DIRECT REFLECTION ON THIS COMMITTEES PAST DELIBERATIONS AND LEGISLATION WHICH ESTABLISHED THE COUNTY ENVIRONMENTAL HEALTH ACT AND MOST RECENTLY A-877 WHICH FURTHER ENHANCES THE ENVIRONMENTAL HEALTH ACT PROGRAM. THIS LEGISLATION COUPLED WITH THE LONG STANDING STRONG SUPPORT OF THE BOARD OF CHOSEN FREEHOLDERS IN THE COUNTY OF MONMOUTH HAS PUT US IN A POSITION TO MAKE SUBSTANTIAL STATEMENTS TODAY RELATIVE TO THE CURRENT AND FUTURE ENVIRONMENTAL QUALITY OF THESE RIVERS IN MONMOUTH COUNTY.

OUR COUNTY HEALTH DEPARTMENT IN COOPERATION WITH THE NJDEP HAS BUILT AN ENVIRONMENTAL HEALTH LABORATORY AND TESTING SYSTEM WHICH HAS HAD SUBSTANTIAL POSITIVE IMPACT ON OUR NEAR SHORE COASTAL WATERS TO INCLUDE THE NAVESINK AND SHREWSBURY RIVERS. ON A ROUTINE BASIS OUR COUNTY LABORATORY IS ANALYZING SAMPLES TO NOT ONLY GAUGE WATER QUALITY TRENDS BUT TO IDENTIFY PROBLEMS. NEEDLESS TO SAY WE HAVE IDENTIFIED PROBLEMS AND FROM A REGIONAL PERSPECTIVE 1) DAMAGED SEWER LINES 2) ANIMAL MANURE DISPOSAL PRACTICES AND 3) NON POINT SOURCE POLLUTION, ARE CAUSING SUBSTANTIAL NEGATIVE ENVIRONMENTAL IMPACT.

THE INFRASTRUCTURE PROBLEM WITH ITS ASSOCIATED DAMAGED SEWER LINES AND/OR ILLEGAL SEWER CONNECTIONS TO STORM DRAINS IS A MAJOR SOURCE OF OUR SURFACE WATER CONTAMINATION. THE PHOTOGRAPH THAT I PRESENT TO YOU TODAY IS A GRAPHIC EXAMPLE OF THE PROBLEM THAT THE COUNTY HEALTH DEPARTMENT IS DEALING WITH ON A DAILY BASIS. THIS EVENT TOOK PLACE ON AUGUST 17, 1991 AND INVOLVED A BROKEN SEWER LINE WITH SEWAGE FLOWING INTO THE STORM DRAIN AND THEN TO THE ELBERON BEACH BATHING AREA IN LONG BRANCH. THE BEACH WAS CLOSED AS PER THE REQUIREMENTS OF THE NJDEP COOPERATIVE COASTAL MONITORING PROGRAM AND THE PIPE WAS REPAIRED IN A VERY TIMELY MANNER. THIS TYPE OF GOVERNMENT ACTIVITY IS CRITICAL IF WE ARE GOING TO ENHANCE OUR ENVIRONMENTAL QUALITY. IT IS IMPERATIVE THAT THE

SEWAGE INFRASTRUCTURE IMPROVEMENT ACT BE IMPLEMENTED AND FULLY FUNDED WITHOUT ANY MORE DELAYS.

ANIMAL MANURE DISPOSAL PRACTICES CONTINUE TO BE A PROBLEM EVEN THOUGH SUBSTANTIAL STRIDES HAVE BEEN MADE. RECYCLING, NATURAL WASTEWATER TREATMENT SYSTEMS AND GOOD HOUSEKEEPING PRACTICES SEEM TO BE THE ANSWER TO THIS LONG STANDING PROBLEM.

THE WATER QUALITY IN THE RIVER BASINS CAN BE DAMAGED SEVERELY BY A RELEASE OF HAZARDOUS MATERIALS. THE MONMOUTH COUNTY HEALTH DEPARTMENT MAINTAINS A HAZARDOUS MATERIALS RESPONSE TEAM FOR THE COUNTY OF MONMOUTH TO INTERCEPT CONTAMINANTS BEFORE EXTENSIVE DAMAGE IS DONE. HOWEVER, A MORE INSIDIOUS RELEASE OF HAZARDOUS MATERIALS IS OCCURRING AS A RESULT OF LEAKING UNDERGROUND STORAGE TANKS. THIS MATERIAL IS MOVING ON THE GROUND WATER AND WILL EVENTUALLY FLOW INTO OUR RIVERS IF IT IS UNCHECKED. AT PRESENT WE KNOW OF 171 MAJOR UNDERGROUND TANK SYSTEMS THAT WERE LEAKING AND ARE BEING MONITORED DURING CLEAN UP. RESIDENTIAL UNDERGROUND STORAGE TANKS REPRESENT A SIMILAR RISK.

I HAVE ONLY TOUCHED THE SURFACE OF THE COUNTY'S HEALTH DEPARTMENT'S INVOLVEMENT WITH WATER POLLUTION CONTROL. THE REAL HARD WORK, ON A DAY TO DAY BASIS, IS TAKING PLACE AT THE HEALTH DEPARTMENT LEVEL WORKING AS A PARTNER WITH THE NJDEP PURSUANT TO THE COUNTY ENVIRONMENTAL HEALTH ACT. IF WE ARE TO HAVE GOOD WATER QUALITY THEN WE MUST HAVE A FULL PARTNERSHIP WITH SOLID FUNDING SO THAT WE CAN SUSTAIN AND BUILD UPON OUR SUCCESSES. CEHA APPROPRIATIONS THROUGH THE NJDEP ARE MAKING ALOT OF GOOD THINGS HAPPEN AT THE RIGHT LEVEL OF GOVERNMENT WITH THE MOST BANG FOR THE BUCK.

WE MUST BUILD ON OUR SUCCESSES AND THAT CALLS FOR STABLE FUNDING SOURCES SO THAT WE DO NOT HAVE TO REINVENT THE WHEEL.

OF PARTICULAR IMPORTANCE AT PRESENT IS THE DEVELOPMENT OF A GEOGRAPHIC INFORMATION SYSTEM DATABASE IN OUR DEPARTMENT. FISCAL AND TECHNICAL SUPPORT FROM THE NJDEP IS MAKING THIS A REALITY. THIS SYSTEM WILL DRAMATICALLY ENHANCE OUR ABILITY TO MANAGE ENVIRONMENTAL RESOURCES AND TO PROTECT THE PUBLIC HEALTH AND WELFARE. ALTHOUGH OUR SYSTEM HAS ONLY BEEN IN PLACE A FEW MONTHS WE ARE MAKING SUBSTANTIAL STRIDES IN COLLECTING AND ENTERING THE COMPLEX ENVIRONMENTAL DATABASE. WE FORESEE THIS COMPUTER SYSTEM AS AN INVALUABLE TOOL TO ASSESS AND MEASURE A WIDE RANGE OF ACTIVITIES IN THE NAVESINK AND SHREWSBURY WATERSHEDS AMONGST OTHER LOCATIONS IN THE COUNTY OF MONMOUTH.

BUT AGAIN STABLE FUNDING - FULL PARTNERSHIP WITH THE NJDEP AND ALLOCATION OF RESOURCES AT THE RIGHT LEVEL OF GOVERNMENT IS WITHOUT A DOUBT THE KEY TO OUR ENVIRONMENTAL CONTROL PROGRAMS.

THANK YOU FOR THE OPPORTUNITY TO PRESENT MY THOUGHTS TO THIS DISTINGUISHED ASSEMBLY COMMITTEE. YOUR DELIBERATIONS HAVE LED TO MANY SIGNIFICANT ENVIRONMENTAL IMPROVEMENT PROGRAMS AND WE TRULY APPRECIATE YOUR EFFORTS.

NAVESINK RIVER WATER QUALITY IMPROVEMENT PROJECT

Located in northern Monmouth County, New Jersey, the 95 square mile Navesink River Watershed represents a valuable resource to the State as well as local residents. The recreational value of the Navesink River is measured by the diversity of water-based activities available, including fishing, crabbing, sailing, canoeing and motor boating. The New Jersey Department of Environmental Protection (Department) Division of Fish, Game and Wildlife stocks trout in many of the tributaries to the Navesink River. In addition, the shellfish resource of the Navesink represents a virtually untapped industry. Along with the Shrewsbury River directly to the south, the Navesink River comprises the soft clam resource in the State. Since the 1960s, the Navesink River has been closed to direct harvesting of all shellfish due to high fecal coliform levels.

The Navesink River Water Quality Improvement Project represents a commitment by various levels of government and concerned agencies to institute nonpoint source water pollution control practices in the Navesink Watershed. Beginning in 1980, various agencies have been involved in a comprehensive study of the Navesink Watershed. These efforts focused on discovering the primary pollution problems affecting the estuary but also incorporated natural resource issues such as water supply, soil erosion and agricultural productivity.

In response to these efforts, a Memorandum of Understanding between the New Jersey Departments of Environmental Protection and Agriculture and the U.S. Environmental Protection Agency (USEPA) and Department of Agriculture (USDA) was signed on August 21, 1986. In this brief document, these four agencies and eleven local and academic organizations "acknowledged the priority status of the Navesink River and the need for a multi-

faceted and diligent watershed pollution control effort." More importantly, each agency pledged to continue to support the program towards achieving the broad goal of "sustaining use of the Navesink River and its natural resources."

In the past three years, a number of efforts have been made to further identify pollution sources as well as attempt to reduce them. In terms of the latter, most notable is the comprehensive \$1.3 million Watershed Plan established by the USDA and administered by the Soil Conservation Service and Freehold Soil Conservation District. Efforts to identify the pollution sources have, for the most part, been conducted by the Department with support from local health departments. In addition, Rutgers Cooperative Extension and NJ Sea Grant Extension Service have both produced a number of educational materials and presentations geared to specific audiences.

Based on monitoring data and land use analysis, horse farm operations in the agricultural sector and domestic animal waste from the urban sector are the probable nonpoint sources of animal bacterial pollution to the upstream segment of the estuary. The minor human fraction of bacterial pollution most likely originates from untreated boat waste dumped in the estuary, unidentified interconnections between sanitary and storm-water sewer systems or from leaking septic systems.

During dry weather, water quality, as determined by bacteria levels, in the Navesink was consistently good (i.e., in the "approved" range) downstream of McClees Creek. Both agricultural and urban loadings of bacterial nonpoint source pollution intensify under wet weather conditions. The water quality

2/91



NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES - BUREAU OF WATER QUALITY PLANNING

data indicated that a substantial (1200 acres) portion of the estuary, below McClees Creek, has the potential to be upgraded.

Presently, the project is focused on identifying simple best management practices (BMPs) that could be implemented on a municipal level with relatively little burden placed upon the implementing agencies and residents. Through a grant from USEPA under the New York-New Jersey Harbor Estuary Program, the Department hopes to examine the effectiveness BMPs such as regular catch basin maintenance, street vacuuming schedules and stormwater filtration screens.

A portion of this grant will be subcontracted by the Department to municipal agencies to install and implement these BMPs. Within the drainage areas of two stormwater outfalls representing commercial and residential land use, monitoring will be conducted to evaluate the effectiveness of various BMP strategies.

Pre- and post-BMP monitoring will be conducted by the Department with assistance from local agencies. Four rainfall events during both pre- and post- conditions will be examined with sampling occurring twice per event. The Department will analyze the samples for a number of parameters characteristic of suburban/urban nonpoint source pollution including total suspended solids,

nutrients and heavy metals as well as bacteriologic indicators. Through this monitoring, the effective pollutant removal of various BMP scenarios will hopefully be demonstrated.

Throughout the grant period, a record will be kept of dollar costs and resource needs associated with BMP installation, implementation, and maintenance. As a result, recommendations concerning BMP applicability to similar coastal areas can be made based on relative cost and water quality improvement.

Interest in improving the water quality of the Navesink River has continued to grow, especially on a local level. The municipalities that comprise the Navesink watershed include Middletown Township, the Borough of Red Bank, Fair Haven Borough, Rumson Borough, Colts Neck Township, Holmdel Township, and Tinton Falls Borough. Representatives of each have joined together to form the Navesink River Municipalities Committee. This Committee provides a public forum to coordinate efforts to address water quality problems in the river. Municipalities are encouraged to identify and implement other source controls such as limiting fertilizer and pesticide use on public grounds.

For additional information on the Navesink River Water Quality Improvement Project, contact the Bureau of Water Quality Planning at (609) 633-7021.

F A C T
S H E E T

United States Department of Agriculture
Soil Conservation Service
77-55 Schanck Road, Suite B-11
Freehold, NJ 07728

NAVESINK LAND TREATMENT WATERSHED PROJECT FACT SHEET

In 1985, the Freehold Soil Conservation District entered into a watershed agreement with the USDA Soil Conservation Service to provide technical assistance to landowners/users in the Navesink Watershed for the planning and applications of soil and water conservation practices. The purpose of the 10 year project is to reduce soil erosion and agricultural waste runoff into the Navesink River; thereby improve water quality and quantity at the Swimming River Reservoir and reduce bacterial levels in the shellfish waters of the Navesink Estuary. The project will also help cropland owners and operators to improve soil drainage, field workability, water holding capacity, and reduce costs for fertilizer, fuel and other crop inputs. Agricultural waste management practices will improve livestock health, reduce muddy barnyards and result in more efficient use of animal wastes.

The success of this project depends on the voluntary cooperation of you and other landowners/users. Cost sharing will be available to cover 50 to 65 percent of the cost of any needed practices and will be available to landowners/users through 3 to 5 year long term contracts. Practices which will be cost shared include animal waste management systems, conservation cropping systems, conservation tillage, contour farming, diversions, grassed waterways, pasture and hayland planting (conversion to permanent grass), sediment and runoff control structures and terraces.

Eligibility for cost sharing is based on a soil and water conservation plan developed with you by the USDA Soil Conservation Service. A soil and water conservation plan includes a soil map with soil descriptions for your property and a record of your decisions as to land use and treatment. All assistance is free of charge.

The first step is to make a request for a soil and water conservation plan with the attached form and return to the Freehold Field Office of the USDA Soil Conservation Service.

ALL SCS PROGRAMS AND SERVICES ARE OFFERED ON A NONDISCRIMINATORY BASIS, WITHOUT REGARD TO RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, AGE, MARITAL STATUS, OR HANDICAP.

MONMOUTH COUNTY HEALTH DEPT. LAB
DOCUMENTS HIGH FECAL COLIFORM LEVELS
AT ELBERON BEACH CLUB 3/17/91 - PROBLEM
FOUND AND CORRECTED IN 24 HOURS.

BROKEN SEWER PIPE WITH RAW SEWAGE
GOING INTO STORM DRAIN TO THE
BEACH. UNDERGROUND PHOTO.



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The Small Craft Association of the United States
P.O. Box 3663-0163, Washington, D.C. 20007-0163

To: State Of New Jersey

August 26, 1991

From: Andrew R. Beaton

Regarding: North and South Shrewsbury Rivers

Sirs:

As noted on the attached, our organization is dedicated to improving the conditions for the use of small craft (rowing, canoeing, kayaking, sailboarding, and small boat sailing).

I am not an advocate of government control, but my life has been endangered many times on these rivers by operators of vessels traveling at speeds and producing dangerous wake that were hazardous to themselves and their passengers as well.

Boating is a great recreational activity, and I feel that, if properly handled, there is room for all types of vessels on our rivers. The suggestions below are based on 28 years of boating experience in the rivers here, and six as a marine industry employee.

1. All boaters should be required to demonstrate their operational skills under normal conditions, at their own expense, with a certified instructor.
2. At no time should a vessel be allowed to operate without a licensed operator on board.
3. Each activity (small craft, sail with auxiliary power, and power) should be licensed under separate categories.
4. Funds from fees generated by licensing should be dedicated to educational programs to be established in the community with facilities for on-water and classroom instruction.
5. State police responsible for enforcement of regulations should be required by law to maintain instructor level certification in all three activity areas.

Respectfully Submitted,



Andrew R. Beaton, Director

8X

P.O. Box 3663-0163, Washington, D.C. 20007-0163



Program Outline

Introduction

The Small Craft Association is dedicated to improving the conditions for recreational use of the water. Our purpose is to prove that a cleaner, safer recreational environment can be obtained by communicating, educating, and promoting the issues and answers to problems that exist in, on, and about the water.

There are many groups, both large and small, that represent segments of recreational and competitive water related activities. We all share a common thread, and that is the delicate environment that we float upon. The issues affect all of us, yet somehow the information we need does not always get to us. Do sailors talk to kayakers? Surfers? Canoeists? Sailboarders? We do have much in common and the purpose of this association is to unite these segments into a whole for the benefit of all.

Strength comes from unity, and unity comes from purpose. As small segments of a great public, we cannot easily be distinguished from others who have agendas laden with goals that we disagree with, and by our lack of a strong presence, we are included, wrongly, as being represented by them. Improving the conditions for our activities requires we become involved with organizations that exist for the purpose of bettering the environment. Funds and support for local, regional and national efforts will be a top priority.

1 Communication

The primary goal of our association is to communicate our goal of obtaining and maintaining a safe recreational environment for all to enjoy. Many individuals and groups are doing things good and bad that need to be brought to the attention of the floating public, and at times also to the public at large.

Our first source of information will be from our members, their issues are our issues, we are based in Washington to lobby aggressively for the rights of our members across the country.

The second tool we will use are the many organizations that overlap ours in the many segments we represent in the recreational and environmental areas. Our goal is to direct our information to the best sources for a fast, complete solution of a problem. We also intend to use our networks to keep our members informed as well.

As we grow in membership, our quarterly news letter will also. Of course, the most important method we have of communicating with our membership is our news letter. It is a big job to get out and we need your help in doing it! Information and stories, Ideas and art, photographs and opinions from members will be published and mailed to all members.

2 Education

Safe, clean use of our recreational resources requires a knowledge that is never complete. Each activity has it's own safety concerns, while the basics of all are the same. Standards for each activity will be published and sources for instructional certification will be monitored and critiqued. While not offering instructional certification of it's own, the association intends to maintain communications with existing groups that provide instructor level training, to eliminate redundancy and to encourage instructors to be certified in more than one activity.

Youth and adult beginner programs that stress safe, clean use of our waters are to be funded and staffed by members of the association. Scholarships for individuals to attend community boating programs will be funded by the association as well.

3 Promotion

The growth of any activity depends on how future participants are recruited and retained. Many segments of the marine industry make margins on products that allow them to spend millions on promotion. Small craft are provided by even smaller builders, many are home-made, thus there is little money to promote the activities that we represent in the association available from industry. In order to keep their prices competitive, many will gladly provide all the help they can to us, but this alone will not be near enough to promote our activities.

Promotion of marine activities requires positive public perception. A prime goal of the association is to promote our activities in a positive, inclusive manner. All are always welcome and encouraged to participate in any activity, no activity will be sponsored by the association that is not open to the public, unless skill level certification is required do to the difficulty level of the event.

Funding

The association has been to date funded by several individuals who choose to remain unnamed. Registered as The Small Craft Association Of The United States in October of 1990, No effort has been made to incorporate or seek non-profit status to date.

The association will become a non-profit corporation within 6 months of obtaining an active membership of 250,000 individual Members.

The Association is seeking funding for the expense required for incorporating as a non-profit entity.

Unlike most associations, statements of income, balances, and paid expenses will always be available to current individual members.

Annual Dues 15.00

Gifts of any amount are welcome and needed.

Payable to Small Craft Association Of The United States, P.O. BOX 3663-0163 Washington, D.C. 20007-0163

Conclusion

The association, now a small group from many parts of the world, will grow only if we continue working to better our environment by doing what we have been doing as individuals. By sharing our knowledge we can all improve, by providing it to the public in a creative manner we can expand our small percentage and create a larger image than we have as segments. This will not be done to the detriment of existing organizations, as each activity will benefit from a broader base of information, skills, and participation.

Andrew Beaton - Association member

