MULTI-BILL PACKAGE TO TURN THE TIDE ON DEGRADATION OF BARNEGAT BAY SIGNED INTO LAW

McKeon: Enactment of Measures to Save the Bay a Monumental Victory for the Environment, Underscores Importance of Continuing Efforts to Protect & Preserve our Natural Resources

(TRENTON) -- Assembly Environment and Solid Waste Committee Chairman John F. McKeon hailed today's signing into law of a muti-bill package to reduce contamination in Barnegat Bay while announcing that New Jersey must continue efforts to protect and preserve its natural resources.

"This is a monumental victory for the environment," said McKeon (D-Essex). "Wednesday's bill signing empowers New Jersey with a comprehensive package of legislation, including the nation's strongest lawn fertilizer law, to turn the tide on the degradation of Barnegat Bay."

The fertilizer law (A-2290) sponsored by McKeon, Assembly Environment Vice Chair Reed Gusciora and Assemblywoman Valerie Vainieri Huttle, is considered the most critical to reducing nutrient pollution -- the central threat to the 660-square mile watershed.

Nutrient pollution has resulted in the deterioration of water quality and the destruction of vast quantities of diverse plant and sea life native to the bay. Some 1.4 million pounds of nitrogen, enough to fill 70,000 twenty pound bags of fertilizer, reportedly flow into the bay every year.

"Rapid overdevelopment and elevated levels of phosphorus and nitrogen threaten to deteriorate Barnegat Bay into a toxic soup," McKeon said. "Experts predict the collapse of the bay's ecosystems within a generation if we fail to take preventive action. These laws will help revive the health of the bay - an ecological jewel and an
important economic driver that contributes $3.3 billion annually to the state’s economy."

Sixty-six percent of the nitrogen pollution flowing into the Barnegat Bay-Little Egg Harbor estuary comes from surface water. Most of it is from the Metedeconk River and Toms River basins which have experienced intensive development in recent years.

Overdevelopment in the watershed area that includes parts of Monmouth and all of Ocean County has also led to the loss of much of the shoreline and the destruction of wetlands.

Ocean is the fastest growing county in the state. Its population has more than doubled since 1970 with 370,000 new residents moving into the county over the last four decades. The development went up from 18 percent of the watershed in 1972 to a current level of 30 percent.

The fertilizer law sets new standards for the content and application of fertilizer to reduce the flood of nutrient pollution into the watershed. It will require that at least 20 percent of the nitrogen in all lawn fertilizers be in slow-release form. The measure also sets buffers between the turf on which fertilizer is applied and the bay's water bodies. It prohibits the use of fertilizer during heavy rainfall and bans the use of phosphorus in fertilizers.

"Legislative action has been long overdue in protecting Barnegat Bay, one of New Jersey's most unique natural habitats," Gusciora (D-Princeton) said. "The fertilizer law is crucial to assuring the health and beauty of our waterways. It will protect fish and other aquatic life and reduce pollution in New Jersey's largest enclosed estuary."

The high level of chemicals in the bay has resulted in the explosion of creatures like stinging jellyfish, which feed on nutrient pollution. These can be harmful to humans and hurt the area's lucrative fisheries industry by devouring species native to the bay including sea grass, clams and shellfish.

"By reducing nutrient pollution, this law will control the growth of creatures that act as a deterrent to tourism by causing great discomfort to visitors of the bay," said Vainieri Huttle (D-Bergen). "It will reverse decades of neglect to one of our state's unique waterways and educate home owners on the responsible use of fertilizer."

Other measures signed into law include a bill that will reduce pollution run-off by preventing nutrients from leaching into the estuary by repairing and retrofitting malfunctioning storm basins.
A soil restoration measure (A-2501), sponsored by Assemblyman Upendra J. Chivukula and McKeon will reverse the impact of compaction, which deprives soil of its natural ability to absorb water increasing storm water and pollution run-off. This bill will require developers to restore soil at the completion of a development project.

"By developing standards to restore the content and density of soil during construction projects, this measure will make developers responsible for preserving the natural ability of landscape to prevent nutrients from leaching into the estuary though stormwater," Chivukula (D-Somerset\Middlesex) said.

An additional measure signed into law (A-3606) will require the state Department of Transportation (DOT) and the New Jersey Turnpike Authority (NJTA) to identify the malfunctioning storm water basins in Ocean County and include the cost of retrofitting and repairing them in their annual capitol budgets.

Under the law, the DOT will be required to conduct a study -- in consultation with the state Department of Treasury -- of all stormwater basins in the watershed area that are owned by the DOT, the NJTA and NJ TRANSIT.

Of the estimated 2700 storm basins in Ocean County, hundreds are in disrepair, causing water to leak into the bay without being filtered.

"These laws are a result of years of effort and public discussion between stakeholders including environmental advocates, industry representatives and members of the legislature, who have all worked together to craft a package of measures that will give the bay a new lease on life," McKeon said. "I look forward to continuing to work with stakeholders to ensure that the implementation of the multi-bill package will revive and restore the health of Barnegat Bay, one of our most precious natural resources."

The Jersey shore is the lifeblood of the state's tourism industry, generating an estimated $16 to $18 billion in annual revenues. Tourism is also the state's third-largest employer. For every 161 visitors, one new job is created.

The watershed area is a major tourist attraction that hosts more than 1.4 million people every summer including an estimated 500,000 visitors.

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