Commissioner's UPDATE

News from the New Jersey Department of Environmental Protection November — December 2004

A Message from Bradley M. Campbell, Commissioner

At the Department of Environmental Protection, we work hard every day to protect and improve New Jersey's natural resources, safeguard public health and preserve the quality of life we treasure.

In 2004, we made great strides in accomplishing those objectives and re-established New Jersey as a national leader in protecting our environment and the health of our families. We maintained a phenomenal pace of achievement, thanks to the dedicated staff at the DEP. You can learn more about our efforts in this special Year in Review edition.

As we prepared to usher in a new year, DEP's emergency responders were involved in a massive effort to contain and clean up the oil spill on the Delaware River. Governor Codey and I toured the site within hours of the spill and wish to express our sincere appreciation to all involved for their dedication and hard work.

We will begin 2005 with a full agenda, and I look forward to continuing our work on behalf of a cleaner, healthier New Jersey.

On behalf of everyone at the DEP, I offer my best wishes for a happy and prosperous new year.

Bradley M. Campbell

2004 accomplishments show New Jersey leads nation in environmental protection

During the past year, the DEP made significant headway in promoting smart growth, securing a clean-water future, protecting our communities from toxics, preserving our natural and historic treasures, and enhancing communication with those we serve. The following pages offer highlights of the DEP's efforts.

Promoting smart growth

New state parks: Historic destinations in Paterson, Trenton and River Edge were selected as the sites for three new state parks, and a national competition will be held for the design of the parks to be created in Trenton and Paterson.

Cleanup Stars working: DEP certified its first 243 environmental professionals as Cleanup Stars. The DEP's innovative Cleanup Star program allows pre-qualified consultants to use their expertise at low-risk sites, speeding up cleanup and redevelopment and freeing up DEP case managers to focus on sites that raise greater environmental or public health concerns.

Greener & cleaner: Helping to make New Jersey's cities greener, cleaner and more attractive, the DEP began planting 500 trees in Newark and another 500 in Elizabeth, as part of its ambitious vision of planting 100,000 new trees in deforested urban communities statewide. The DEP already has planted 1,500 trees each in Trenton, Camden and Paterson. *(continued on page 2)*

Taxpayers won't foot the bill for Delaware River cleanup

After inspecting the natural-resource damage from the oil spill in the Delaware River on Nov. 26, Acting Governor Richard J. Codey said, "We will do all we can to clean up and recover from this spill." The governor said New Jersey will incur no costs of the cleanup and vowed to aggressively seek full compensation from those responsible.

Promoting smart growth

continued from front page

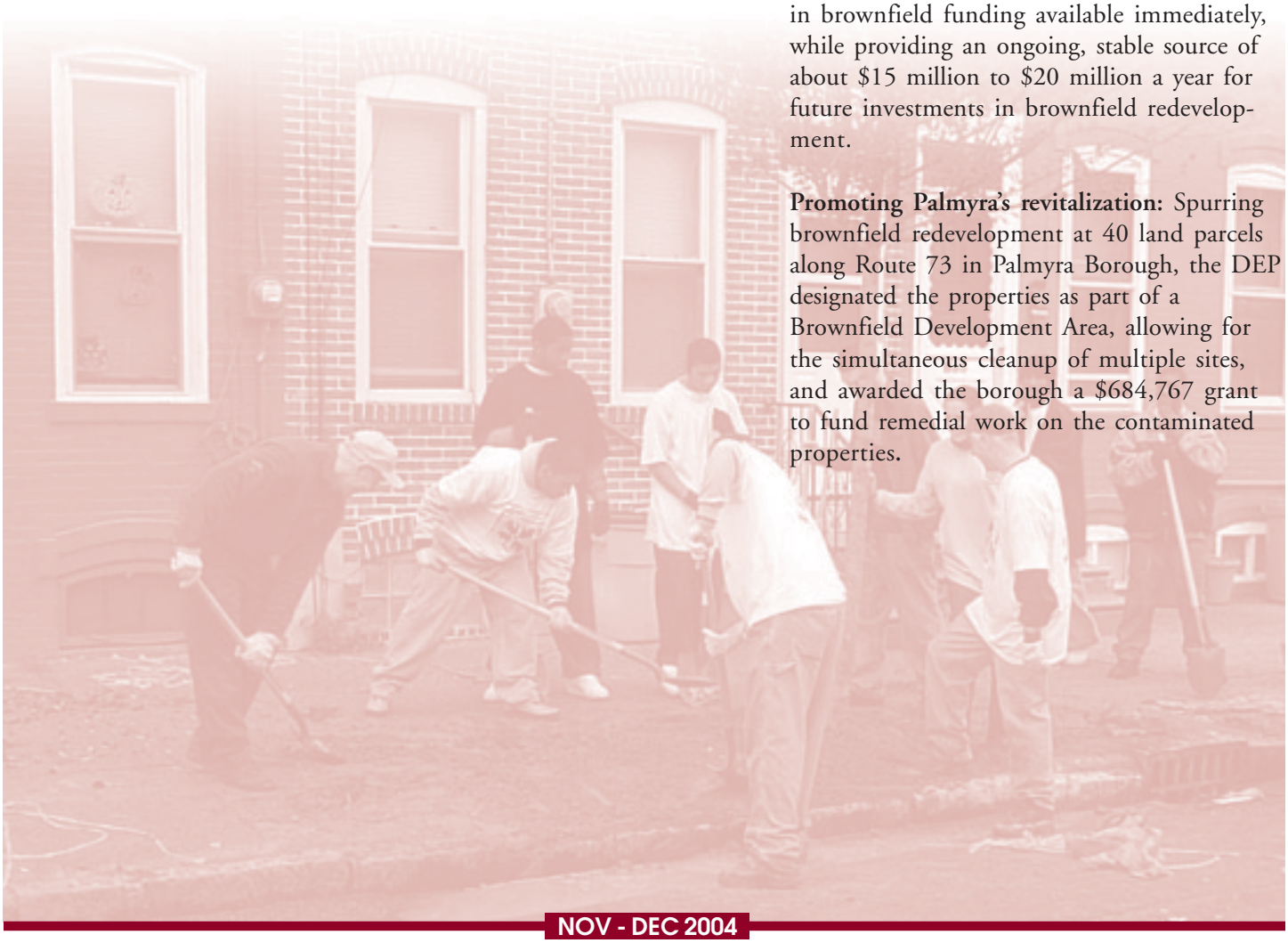
"With funding and common-sense reforms of the cleanup process, we are helping communities transform abandoned, blighted properties into engines of economic growth."

— DEP Commissioner Bradley M. Campbell

Revitalizing Asbury Park: Bringing Asbury Park's revitalization plans closer to reality, the DEP expedited permitting for a massive redevelopment project that features the construction of 3,164 residential units and 450,000 square feet of commercial space. The project seeks to preserve the city's history and character, provide employment opportunities, generate tax revenues and improve the quality of life year round.

Brownfield Redevelopment: Boosting New Jersey's annual investment in brownfield remediation by about 40 percent, a new law enacting a voter-approved state constitutional amendment freed up millions of dollars for brownfield redevelopment without creating new taxes. The legislation made $45.8 million in brownfield funding available immediately, while providing an ongoing, stable source of about $15 million to $20 million a year for future investments in brownfield redevelopment.

Promoting Palmyra's revitalization: Spurring brownfield redevelopment at 40 land parcels along Route 73 in Palmyra Borough, the DEP designated the properties as part of a Brownfield Development Area, allowing for the simultaneous cleanup of multiple sites, and awarded the borough a $684,767 grant to fund remedial work on the contaminated properties.



Securing a clean-water future

Most protective arsenic standard in U.S.: New Jersey formally adopted regulations limiting arsenic concentrations in drinking water to five parts per billion (ppb), the most protective standard in the nation and half of the 10-ppb arsenic standard the federal government adopted for drinking water. New Jersey's standard and the federal government's become effective in January 2006.

Highest water-quality protection: Committed to improving the quality of New Jersey's drinking water and protecting it for future generations, the DEP formally adopted Category One (C1) water-quality protections for portions of 13 waterways and their tributaries, measuring more than 500 miles, in Bergen, Hunterdon, Monmouth, Ocean and Warren counties. Since 2003, C1 protection has been applied to nearly 600 miles of waterways and nine reservoirs, totaling 7,865 acres, from which four million people get some or all of their drinking water. Previously, the C1 designation was used only to protect healthy, trout-spawning streams.

Stormwater rules: Safeguarding the integrity of New Jersey's drinking-water supplies and other water resources, the DEP formally adopted two sets of stormwater management rules that will reduce pollution from stormwater runoff, replenish vital groundwater supplies and minimize the adverse effects of new development by requiring 300-foot vegetated buffers along more than 6,000 miles of Category One waterways.

"The adoption of Category One protections represents a significant victory in our ongoing fight to increase water-quality protection for New Jersey residents."

— DEP Commissioner Bradley M. Campbell

The new rules represent the strongest, most comprehensive clean-water initiative in the nation.

Financial incentives for farmers: Under an agreement with the U.S. Department of Agriculture, the DEP and the state Department of Agriculture created the Conservation Reserve Enhancement Program, a $100-million initiative to encourage farmers to plant trees, shrubs, contour grass strips and other vegetative buffers that prevent polluted runoff from washing into streams near their land.

Tackling Wreck Pond: Meeting publicly with Spring Lake officials and residents, the DEP proposed a four-point plan to address water-quality problems in Wreck Pond, blamed for causing most of New Jersey's beach closings in recent years.

$1-million settlement: The DEP and the Attorney General's office reached twin settlements totaling $1 million with AmerGen Energy Company, LLC, owner and operator of Oyster Creek Generating Station, to resolve criminal and civil actions stemming from a thermal discharge that violated the company's water pollution discharge permit and caused almost 6,000 fish to die from heat shock. More than two-thirds of AmerGen's $1 million settlement payment will fund environmental projects.

Protecting communities from toxics

"We are asking school bus drivers to help improve the air our children breathe with one simple task: Turn off your engines."

— DEP Commissioner Bradley M. Campbell

Nation's toughest mercury rules: New Jersey formally adopted regulations that require incinerators to reduce toxic mercury emissions by up to 95 percent within the next three to five years. The new mercury-emission rules are the strictest in the nation. Mercury exposure, which comes primarily from eating contaminated fish and shellfish, can permanently damage the brain and central nervous system in developing fetuses and infants.

Addressing global warming: Commemorating the 50th anniversary of New Jersey's Air Pollution Control Act, the DEP proposed new rules that redefine carbon dioxide as an air contaminant, clearing the way for New Jersey to participate in a regional greenhouse gas emissions reduction program.

Stopping the soot: DEP Commissioner Bradley M. Campbell launched a statewide campaign to protect New Jersey's schoolchildren from the dangers of diesel exhaust by asking school districts and school-bus drivers to pledge voluntarily to eliminate school-bus idling while waiting to load and unload students. Strengthening the soot-reduction initiative, the DEP announced Public Service Enterprise Group Inc. and Camptown Bus Lines are partnering to retrofit Newark school buses with emissions-control devices that trap soot before it can be released into the air.

Plugged in to clean-air effort: Providing truck drivers an affordable alternative to idling and to curb harmful diesel exhaust, the Travel Centers of America truck stop in Paulsboro installed 98 truck electrification bays. The project is the first of its kind in New Jersey and is part of the DEP's coordinated initiative to reduce diesel emissions statewide.

Model rules: The DEP formally adopted regulations to further reduce emissions of volatile organic compounds, which contribute significantly to the formation of ozone and smog, both of which worsen respiratory ailments.

'Clean Cars' law gets green light: Embracing the nation's most stringent auto-emissions standards, New Jersey's "Clean Cars" legislation requires the DEP to begin implementing in 2009 the California Low-Emission Vehicle program's reductions in tailpipe and evaporative emissions of hydrocarbons and nitrogen oxides for all passenger cars, light-duty trucks and sport-utility vehicles.

Empowering people: As part of its special Air Toxics study in the city of Camden, the DEP

launched the "Bucket Brigade" project that enables Waterfront South's residents to play a key role in measuring exposure to airborne pollutants. Residents learned how to use a five-gallon plastic bucket and a plastic bag to collect air samples, which are analyzed for various potentially harmful contaminants.

Out-of-state polluters sued: Continuing a record of aggressively pursuing out-of-state entities that pollute the air and threaten public health, New Jersey joined with three other states to sue the owner of five coal-fired power plants in West Virginia for violating the Clean Air Act after the federal government dropped enforcement cases against the power plants late in 2003.

Environmental Justice: The DEP reorganized its Environmental Justice Advisory Council and created a new interagency Environmental Justice Task Force to evaluate closely how state agencies' decisions and policies affect public health and the environment in low-income communities and communities of color. Many of these communities already shoulder a disproportionate amount of industrial pollution and other environmental hazards. The DEP also established a process that enables residents to petition the task force to address the community's environmental concerns.

Integrated Pest Management: Working to significantly limit New Jersey schoolchildren's exposure to potentially harmful chemicals in pesticides, the DEP adopted rules for implementing the provisions of the Integrated Pest Management Act, which requires minimal use of toxic pesticides in school settings and adequate public notification.

No butts about it: Offering an alternative for beach-goers who prefer a smoke-free environment, the DEP launched a pilot program at Island Beach State Park that designated a smoke-free zone along a section of the beach.

Safer community: Following negotiations with DEP, chemical manufacturer Octagon Process Inc. of Edgewater agreed to pay New Jersey $100,000 in penalties to settle violations of state laws regulating the handling, storage and disposal of hazardous substances that posed a threat to the community.

Health risks in fish: New Jersey dedicated $500,000 to test the level of toxic contaminants, including mercury, dioxin and PCBs, in fish living in the state's coastal waters and back bays. The DEP will use the sampling results to revise its public-health advisories on the safe consumption of fish.

Revving up recycling: Working to boost lagging recycling rates, the DEP provided $3.6 million in municipal and county grants to help local recycling programs recover more materials for reuse. It was the second consecutive year the state funded towns and counties for successful recycling operations.

Clean Air settlement: The DEP, New Jersey Attorney General's Office, U.S. Environmental Protection Agency and U.S. Department of Justice reached a Clean Air Act settlement with CITGO Petroleum Corporation's Paulsboro facility, calling for emission reductions of air pollutants as well as a $100,000 penalty to be paid to New Jersey.

"Clean cars will mean healthier air."

— DEP Commissioner Bradley M. Campbell

Preserving New Jersey's natural treasures

Moratorium on windmills: Seeking to protect New Jersey's treasured coastline, Acting Governor Richard J. Codey signed an executive order imposing a moratorium on offshore wind turbine facilities until a blue-ribbon panel can fully evaluate all environmental and economic issues, including costs and benefits as compared to other renewable energy sources. Impacts on tourism, property values, birds and marine mammals, and commercial and recreational fishing were among the concerns Governor Codey cited in his executive order.

Landmark legislation enacted: Advancing a legacy of strong environmental protection, New Jersey enacted the historic "Highlands Water Protection and Planning Act." The law preserves nearly 400,000 acres of environmentally sensitive land in the state's cherished Highlands region and protects its high-quality water resources, which supply clean, fresh drinking water to 5.4 million residents.

Sourlands preservation: The DEP's Green Acres program preserved eight significant properties in the Sourland Mountain region, where rapid development threatens the quality of its valuable water resources and the lush forests and wetlands that provide habitat for endangered species.

Battling invasive species: Following a DEP report that, for the first time, detailed major problems posed by invasive plant species, the New Jersey Invasive Species Council was established to develop comprehensive measures to fight these harmful invaders and protect the state's biological diversity. Leading by example, DEP Commissioner Bradley M. Campbell issued a policy directive to halt the use of invasive, nonindigenous plant species on state lands.

Increased fishing access: The DEP completed the purchase of 43 properties, totaling 3,662 acres of permanently protected space located in 13 counties, to give New Jersey residents and visitors fishing access to more than 30 bodies of water, including some of the best fishing streams in the nation.

Fish ladder for Batsto: The DEP and the U.S. Army Corps of Engineers will work together to build a fish ladder on the Batsto River dam in Wharton State Forest to provide spawning access for migratory fish and increase fishing opportunities for New Jersey anglers.

Ocean protections: Focused on safeguarding the integrity of New Jersey's precious coastal and marine resources for future generations, the DEP held public hearings on a set of proposals that

Protecting precious open space …

Purchased through the DEP's Green Acres program or in partnership with private, nonprofit organizations and local and county government, properties acquired by DEP for preservation include:
(denotes property is situated in the New Jersey Highlands)*

- Gerard Woods property, 1,198 acres, Sparta *
- Crown Towers property, 600 acres, Mount Olive Township *
- Wooded land along Musconetcong River, 45 acres, Bloomsbury Borough *
- Buckhorn Springs property, 433 acres, White Township *
- Buttonwood Game Preserve, 137 acres, Harmony Township *
- Danville Ridge property, 231 acres, Liberty Township *
- Pelio property, 290 acres, Lebanon Township
- Blair Creek Preserve, 480 acres, Hardwick and Stillwater townships
- Undeveloped parcel in industrial zone, 113 acres, Wall Township
- Salt hay farm on Maurice River, 130 acres, Commercial Township
- My Ben property, 92 acres, Stockton Borough and Delaware Township
- S.V. Farming property, 597.6 acres, Quinton Township

Since 2002, DEP's Green Acres Program has acquired 68,952 acres of open space — 45,873 acres for state projects, 11,797 acres for local projects and 11,282 acres for nonprofit groups. To date, the Green Acres Program has protected more than 551,358 acres of open space and provided funding to develop hundreds of parks statewide. The statewide system of preserved open space and farmland totals more than 1.27 million acres.

address the challenges of improving water quality, limiting development, increasing recreational opportunities, boosting fish and shellfish stocks, and increasing funding for existing shore-protection programs, among others.

Natural Resource Damages: The DEP and the New Jersey Attorney General's Office took unprecedented action to make polluters compensate state residents for natural resources damaged by or lost to pollution, and filed complaints against companies alleged to have polluted 12 sites in nine counties. The state has already negotiated more natural resource damage (NRD) compensation from polluters in two and a half years than was collected during the previous 10 years of the NRD program in New Jersey.

Raritan River initiative: Seeking timely action to eliminate pollution of the Raritan River, the DEP launched an initiative that requires specific cleanup work by responsible parties at five contaminated sites along the river's lower section to improve water quality.

Cranberry-bog restoration: Ensuring the preservation of environmentally sensitive wetlands, the DEP reached a settlement agreement requiring A.R. DeMarco Enterprises Inc. to restore 22 acres of Burlington County wetlands unlawfully converted to cranberry bogs in 1998 and to pay a $400,000 fine for long-standing violations of New Jersey's Freshwater Wetlands Protection Act. DeMarco Enterprises later sold the 14-square mile property to the New Jersey Conservation Foundation for $12 million. The DEP contributed $3.5 million from the State Land Acquisition Fund toward the purchase and preservation and retains a 40-percent interest in the property. It is one of the single largest private land acquisitions in New Jersey's history.

Restoring tidal wetlands: The DEP received a $1 million grant from the U.S. Fish and Wildlife Service's North American Waterfowl Conservation program to restore tidal wetlands along the Delaware Bay in Cumberland County.

Eagle count soars: Volunteers participating in the DEP's annual Mid-Winter Eagle Survey counted 178 bald eagles, the highest ever recorded in New Jersey, and nine golden eagles.

Rockingham reopened: As America prepared to celebrate its 228th birthday, DEP Commissioner Bradley M. Campbell officially reopened Rockingham, a significant landmark in our nation's struggle for independence, and announced $500,000 toward additional renovation.

Cliff dwelling: The DEP's Green Acres Program preserved a Native American cliff dwelling that may have been inhabited as early as 8000 B.C. Archeologists have unearthed evidence that suggests the Wildcat Rock Shelter, in Sussex County, served as a temporary dwelling as early as 10,000 years ago.

… and priceless pieces of history

During 2004, the DEP's Historic Preservation Office added the following historic treasures to the New Jersey Register of Historic Places:

- Battleship New Jersey, Camden Waterfront
- Community Hospital, Newark
- Military Park Commons Historic District, Newark
- Hinchliffe Stadium, Paterson
- Iviswold, Rutherford Borough
- Jacob Bogert House, Harrington Park Borough
- Burlington's Lost Burying Ground, Burlington City
- South Jersey Gas, Electric & Traction Co., Camden
- Buzby's General Store, Chatsworth
- Chateau Bleu Motel, North Wildwood
- Motels of the Wildwoods, The Wildwoods
- Thomas Ludlam House, Dennis Township
- Dawlis Mill Historic District, E. Amwell & W. Amwell
- District No. 98 Schoolhouse, Stockton
- Beverwyck Site, Parsippany-Troy Hills
- Black Creek Native American Site, Vernon Township
- Eastside Park Historic District, Paterson
- Demarest Railroad Depot, Demarest Borough
- Livingston Manor Historic District, Highland Park
- Trinity Episcopal Church, Woodbridge
- Manitou Park Schoolhouse, Dover Township
- VanDerventer-Brunson House, North Plainfield
- Green Brook Park, Plainfield & North Plainfield
- Fanwood Park Historic District, Fanwood Borough
- Ramsaysburg Homestead, Knowlton Township
- Indian Head Site, Deerfield Township & Vineland City
- Erie-Lackawanna Terminal, Hoboken
- Bottle Hill Historic District, Madison Borough
- Reeves-Isazrd-Godfrey House, Upper Township
- Israel Stevens House, Lawrence Township
- Isaac Tomlinson House, Pine Hill Borough

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Enhancing communication

Web site: With more than 10,000 Web pages and nearly 6,000 PDF documents, the DEP's Web site is rapidly becoming its most powerful communication medium. Every day, the site receives more than 11,000 visitors who view well over 40,000 Web pages. To ensure the site meets users' needs, it is continually updated with news items, new data downloads, reports, rules and event information.

Open, accountable, accessible: A report on the DEP's second year of fulfilling New Jersey's Open Public Records Act (OPRA) showed the department invested almost $1.4 million and 50,000 hours tracking down records and preparing them for the public. In OPRA's first two years, DEP handled more than 17,500 public-records requests – over 55 percent of the all requests made to New Jersey's state-government agencies.

Every day, right away: Honoring the public's right to know by offering better access to information about environmental protection, the DEP unveiled its "Data Miner," a newly improved Web site that provides easy, round-the-clock access to key environmental reports and other public documents seven days a week at no charge.

Enforcement alerts: To improve customer service and communication with its constituencies, the DEP began regularly issuing Enforcement Alerts to regulated communities to keep them informed about plans to target certain compliance problems and ways in which the department will continue to provide compliance assistance.

"By putting technology to work, we are making it possible for more people to get more information about environmental protection in New Jersey's communities."

— DEP Commissioner
Bradley M. Campbell