

Mr. Nolan offered the following Resolution and moved on its adoption:

**R-10-83**

**RESOLUTION**

**STATEMENT OF SUPPORT FOR THE NEW JERSEY/NEW YORK CLEAN OCEAN  
ZONE BILL - H.R. 2854**

**WHEREAS**, the New York/New Jersey Bight is defined as the waters from Montauk Point, New York, to Cape May, New Jersey, offshore to the outer edge of the Continental Shelf (out to 100 miles), and consists of over 19,000 square miles of Atlantic Ocean; and

**WHEREAS**, the physical, hydrodynamic, and biological characteristics of the NY/NJ Bight are unique in the world as more than 300 species of fish, over 400 species of birds, 7 species of sea turtles, and many marine mammals such as 10 species of whales and several species of seals and porpoises frequent this region. The NY/NJ Bight also serves as an essential migratory pathway for these species; and

**WHEREAS**, this ecological richness depends on protecting the quality of the environment; and

**WHEREAS**, the NY/NJ Bight also sustains the economy of the region through its bounty of natural resources and intrinsic values for millions of people through tourism, as well as being host to the nation's largest east coast global port and its thousands of related industries; and

**WHEREAS**, recreational and commercial fisheries provide enormous economic benefits both in food production and recreational activities, the continued use of these renewable natural resources in accordance with existing laws must be supported and enhanced; and

**WHEREAS**, our waters were known as the "Ocean Dumping Capitol of the World" due to eight ocean dumpsites, including an area called the "dead sea" (a 20-mile area created by excessive sewage and toxic muck dumping); had beaches littered with garbage, medical waste, and sludge balls; and suffered from water quality so poor that it was unsafe for swimming. These activities all caused an ecological and economic crisis; and

**WHEREAS**, organizations, businesses, and citizens rallying to defend these precious resources and working to improve and protect the waters of the NY/NJ Bight, resulted in an end to ocean dumping and dramatically improved water quality, proving that citizens can make a difference to assure their quality of life; and

**WHEREAS**, the NY/NJ Bight is downstream of, and receives pollution from, the most densely populated, industrialized, and urbanized area in the country which spews millions of gallons of contaminated wastewater and toxic sediments into the ecosystem

each year and threatens the vast ecological richness of the Bight, and public health through beach closures and fish consumption advisories; and

**WHEREAS**, currently, the NY/NJ Bight continues to be vulnerable to sources of pollution and threats to habitat on a permit-by-permit basis, which is often risky, unproductive, and not sustainable. These destructive activities undermine the ecological and economic potentialities to sustain living marine resources in the NY/NJ Bight and must be prohibited; and

**WHEREAS**, current laws and regulations are insufficient to protect the vast value of this ocean region and its living marine resources from polluting and habitat destructive activities, elected officials must strive harder to protect the NY/NJ Bight; and

**WHEREAS**, it is time to lock-in the tremendous path of progress which has led to far-reaching improvements in our ocean water quality and lock-out environmentally harmful activities, thereby ensuring the continued protection of the ocean today and for future generations; and

**WHEREAS**, a logical and essential next step is to use federal and state regulatory and legislative opportunities to enact the "New Jersey/New York Clean Ocean Zone" bill, which will:

#### **REDUCE POLLUTION:**

1. Prohibit new ocean dumpsites.
2. Mandate capping of the Historic Area Remediation Site (HARS) -- formerly the Mud Dump Site -- with progressively cleaner sediment to ensure the remediation of the HARS and to protect against adverse ecological effects.
3. Prohibit new point sources of pollution and increases of discharge capacity (e.g., wastewater discharge outfalls, industrial discharges).
4. Reduce pollution from stormwater and sediments. (This will be accomplished through state initiatives.)

#### **PROTECT MARINE ECOSYSTEMS:**

5. Prohibit the permanent extraction (e.g. strip-mining) of natural non-renewable resources, including sand and gravel.
6. Prohibit industrial and non-renewable energy facilities and infrastructure, including oil and gas exploration and development.
7. Require the development of responsible regulations for renewable energy sources. (This will be achieved by requiring determinations by two federal agencies that a lease, easement or right-of-way to establish a renewable energy facility will not unreasonably degrade or endanger human health or the marine environment.)

**SUPPORT MARINE RESOURCES:**

8. Support recreational and commercial fishing by acknowledging that federal and state laws for fisheries exist. Prohibit the COZ legislation from being used to adopt or enact fisheries management actions. The COZ legislation shall not be used to restrict or limit recreational or commercial fishing.
9. Support federal and state approved artificial reefs, and allow underwater research and exploration, but not projects that will adversely affect the ecosystem.
10. Support, celebrate, and sustain maritime activities that depend on a healthy and clean ocean, such as: boating, underwater diving, fishing, surfing, swimming, and the enjoyment of the sea. The COZ legislation will not be used to restrict or limit these activities.

**THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Highlands hereby supports H.R. 2854 -- "The New Jersey/New York Clean Ocean Zone" bill that would permanently protect the waters of the New York/New Jersey Bight from the aforementioned polluting and habitat-destructive activities, thereby safeguarding the waters in this region for present and future generations.

Seconded by Mr. Francy and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Nolan, Mr. Francy, Ms. Kane  
**NAYES:** None  
**ABSENT:** Mr. O'Neil, Mayor Little  
**ABSTAIN:** None

**DATE:** April 21, 2010

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**CAROLYN CUMMINS, BOROUGH CLERK**

I hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on April 21, 2010.

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**Borough Clerk/Deputy Clerk**

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