

## Participating Organizations

Alliance for a Living Ocean  
American Littoral Society  
Arthur Kill Coalition  
Asbury Park Fishing Club  
Bayberry Garden Club  
Bayside Saltwater Flyrodders  
Belford Seafood Co-op  
Belmar Fishing Club  
Beneath The Sea  
Bergen Save the Watershed Action Network  
Berkeley Shores Homeowners Civic Association  
Cape May Environmental Commission  
Central Jersey Anglers  
Citizens Conservation Council of Ocean County  
Clean Air Campaign  
Coalition Against Toxics  
Coalition for Peace & Justice  
Coastal Jersey Parrot Head Club  
Coast Alliance  
Communication Workers of America, Local 1034  
Concerned Businesses of COA  
Concerned Citizens of Bensonhurst  
Concerned Citizens of COA  
Concerned Citizens of Montauk  
Dossil's Sea Roamers  
Eastern Monmouth Chamber of Commerce  
Environmental Response Network  
Explorers Dive Club  
Fisheries Defense Fund  
Fishermen's Dock Cooperative  
Fisher's Island Conservancy  
Friends of Island Beach State Park  
Friends of Liberty State Park  
Friends of Long Island Sound  
Friends of the Boardwalk  
Garden Club of Englewood  
Garden Club of Fair Haven  
Garden Club of Long Beach Island  
Garden Club of Morristown  
Garden Club of Navesink  
Garden Club of New Jersey  
Garden Club of New Vernon  
Garden Club of Oceanport  
Garden Club of Princeton  
Garden Club of Ridgewood  
Garden Club of Rumson  
Garden Club of Short Hills  
Garden Club of Shrewsbury  
Garden Club of Spring Lake  
Garden Club of Washington Valley  
Great Egg Harbor Watershed Association  
Highlands Business Partnership  
Highlands Chamber of Commerce  
Hudson River Fishermen's Association/NJ  
Interact Clubs of Rotary International  
Jersey Coast Shark Anglers  
Jersey Shore Audubon Society  
Jersey Shore Captains Association  
Jersey Shore Running Club  
Junior League of Monmouth County  
Junior League of Summit  
Kiwans Club of Manasquan  
Kiwans Club of Shadow Lake Village  
Leonardo Party & Pleasure Boat Association  
Leonardo Tax Payers Association  
Main Street Wildwood  
Marine Trades Association of NJ  
Monmouth Conservation Foundation  
Monmouth County Association of Realtors  
Monmouth County Audubon Society  
Monmouth County Friends of Clearwater  
Montauk Fisherman's Emergency Fund  
National Coalition for Marine Conservation  
Natural Resources Protective Association  
Navesink River Municipalities Committee  
Newcomers Club of Monmouth County  
NJ Beach Buggy Association  
NJ Commercial Fishermen's Association  
NJ Council of Dive Clubs  
NJ Environmental Federation  
NJ Environmental Lobby  
NJ Marine Educators Association  
NJ PIRG Citizen Lobby  
NJ Sierra Club  
NJ Windsurfing Association  
Nottingham Hunting & Fishing Club  
NYC Sea Gypsies  
NY/NJ Baykeeper  
NY Marine Educators Association  
Ocean Advocates  
Ocean Conservancy  
Ocean County Citizens for Clean Water  
Ocean Divers  
Ocean Wreck Divers  
Outreach/First Presbyterian Church of Rumson  
Piscataway Saltwater Sportsmen Club  
Raritan Riverkeeper  
Riverside Drive Association  
Rotary Club of Long Branch  
Saint George's by the River Church, Rumson  
Saltwater Anglers of Bergen County  
Sandy Hook Bay Catamaran Club  
Save Barnegat Bay  
Save the Bay  
SEAS Monmouth  
Seaweeders Garden Club  
Shark River Cleanup Coalition  
Shark River Surf Anglers  
Sheepshead Bay Fishing Fleet Association  
Shore Adventure Club  
Shore Surf Club  
Sierra Club, Shore Chapter  
Soroptimist Club of Cape May County  
South Monmouth Board of Realtors  
Staten Island Friends of Clearwater  
Strathmere Fishing & Environmental Club  
Surfers' Environmental Alliance  
Surfrider Foundation, Jersey Shore Chapter  
TACK 1  
Terra Nova Garden Club  
Unitarian Universalist Congregation of Mon. County  
United Boatmen of NY/NJ  
United Bowhunters of NJ  
Volunteer Friends of Boaters  
Waterspirit  
Women's Club of Brick Township  
Women's Club of Keyport  
Women's Club of Long Branch  
Women's Club of Merchantville  
Zen Society

# Clean Ocean Action

www.CleanOceanAction.org



Ocean Advocacy  
Since 1984

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LTJG David Major,  
US Coast Guard  
Environmental Standards Division

July 28, 2008

RE: Docket # USCG-2007-0164, Comments on Marine Debris Definition

VIA ONLINE SUBMITTAL USING E-DOCKET

Dear Dr. Bamford (NOAA) and LTJG Major (USCG):

Clean Ocean Action (COA) is a regional, broad-based coalition of 125 conservation, environmental, fishing, boating, diving, student, surfing, women's, business, service, and community groups with a mission to improve the degraded water quality of the marine waters of the New Jersey/New York coast. These comments are in response to the proposed definition of "Marine Debris" for Purposes of the Marine Debris Research, Prevention, and Pollution Act, published in the Federal Register on May 27, 2008 (Docket USCG-2007-0164). The proposed definition is:

*"For the purposes of the Marine Debris Research, Prevention, and Reduction Act (33 U.S.C. 1951-1958 (2006)) only, marine debris is defined as any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment or the Great Lakes."<sup>1</sup>*

COA is actively involved in efforts to reduce marine debris in the New Jersey/New York area. In 1985, COA started organizing volunteer beach cleanups, which now occur bi-annually at over 60 sites throughout New Jersey. Since 1985, over 73,000 volunteers have removed nearly 3.5 million pieces of debris from New Jersey's beaches and waterways. We also work closely with state and federal officials to monitor, reduce and eliminate marine debris in the New York/New Jersey Harbor through a multi-agency effort called the Floatables Action Plan (FAP). We have testified before the Subcommittee on Fisheries Conservation Wildlife and Oceans and the Subcommittee on Coast Guard and Maritime Transportation in support of the Marine Debris Research, Prevention and Reduction Act (H.R.3692/S.362)

<sup>1</sup> 73 Fed. Reg. 30323 (May 27, 2008)

We are writing out of concern that some of the terminology in the proposed definition may inadvertently exclude some harmful “*solid debris from both land-based and ocean-based sources*,”<sup>2</sup> and therefore will not provide the “*broadest possible range of marine debris projects for funding pursuant to the Act*.”<sup>3</sup> Below please find more detailed information regarding our concerns with the following phrases:

1. “*persistent solid material*,”
2. “*manufactured or processed*,” and
3. “*disposed of or abandoned into*”<sup>4</sup>

#### **1. “Manufactured or Processed”**

Natural debris, such as large logs and trees may not be “*manufactured or processed*,” and would therefore be excluded. These types of debris are deposited into marine waters by dumping, flooding or storm events and can pose a significant threat to navigation and fisheries operations, by damaging ships, fishing nets and lines. In addition, large organic debris can act to trap other floatables and should be removed from the marine environment. Therefore, COA recommends the definition be amended to replace “*manufactured or processed*” with the following language “*may be manufactured, processed or naturally occurring and may pose a threat to marine life and/or navigation*”.

#### **2. “Persistent Solid”**

Another marine debris item present in the NY/NJ Harbor complex and removed through the FAP are the “grease balls” or “sewer cakes” that come out of sewage treatment plants and combined sewer overflow (CSO) discharge pipes during periods of heavy rain. These materials are not specifically manufactured or processed, but are formed through inadvertent coagulation at a waste water treatment plant. They may not be considered manufactured/processed, nor are these materials necessarily “*persistently solid*” and therefore, may be excluded from a marine debris control program. Pursuant to the purpose of the Act, the definition should include the terms “*semi-solid, semi-persistent*”.

#### **3. “Disposed of or abandoned into”**

Debris accumulating in waterways as a result of natural forces like hurricanes or storms may not be considered “*disposed of or abandoned into*.” Large amounts of harmful debris may be potentially blown or carried into marine waters with runoff. Accordingly, the definition should include the phrase “*or otherwise transported into*,” immediately following “*disposed of, abandoned into*”

#### **4. Lack of Public Health Focus**

The Act lacks any language specific to public health risks associated with marine debris. Therefore, COA is concerned that medical waste items - such as syringes or used sample vials – may not be included in debris removal programs implemented through this Act.

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<sup>2</sup> *Id.* at 30324

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

While these materials are primarily thought of as public health risks, they also persist in marine habitats and can negatively impact marine organisms.

In sum, we trust that NOAA and/or the U.S. Coast Guard will amend the definition of marine debris to include the following terms: *“semi-solid, semi-persistent”*, *“or naturally occurring and may pose a threat to marine life and/or navigation”* and *“or otherwise transported into,”* as provided above. These amendments are necessary to ensure the inclusion of materials that are deleterious to navigation or ecological habitats, regardless of their origin or mechanisms of transportation to water. The definition must be broad enough to encompass debris that has been blown off the land, ejected from CSOs, storm drains, or transported from other terrestrial or marine-based sources by human forces or otherwise.

We thank you for the opportunity to submit these comments in furtherance of the aforementioned goals of this Act

Sincerely,



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Executive Director



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