

ORAL TESTIMONY PRESENTED BEFORE  
THE  
SUBCOMMITTEE ON FISHERIES CONSERVATION WILDLIFE AND  
OCEANS  
AND THE  
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION  
ON

**S. 362**  
**THE MARINE DEBRIS RESEARCH, PREVENTION AND REDUCTION ACT**

**JOINT LEGISLATIVE HEARING**  
**LONGWORTH HOUSE OFFICE BUILDING**  
**SEPTEMBER 29, 2005**

ON BEHALF OF  
**CLEAN OCEAN ACTION**

**INTRODUCTION**

Thank you, Chairman Gilchrest and Chairman LoBiondo for this opportunity to testify at this Joint Legislative Hearing on the Marine Debris Research, Prevention and Reduction Act, S.362.

My name is Dr. Jennifer Samson, Principle Scientist for Clean Ocean Action. I am here with my colleague, Nicole Simmons, Water Policy Analyst and Staff Attorney for Clean Ocean Action. We are a broad-based coalition of groups dedicated to improve the degraded water quality of the marine waters off the New Jersey/New York coast. We identify sources of pollution and mount attacks on each source by using research, public education, and citizen action to convince our public officials to enact and enforce measures that will clean up and protect our ocean.<sup>1</sup>

Marine debris is an issue of utmost concern for Clean Ocean Action due to its negative impacts on water quality, marine life, public health, navigation, and shore economies.

Like many coastal states, New York and New Jersey's environment, and thus its economy, is dependent upon clean water and beaches. New Jersey is particularly qualified to speak to the harm caused by marine debris due to the distinctive events of the Summers of '87 and '88, during which vast slicks of garbage, including medical wastes, washed ashore. Consequently, "New Jersey lost an estimated \$2 billion in revenue."<sup>2</sup>

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<sup>1</sup> Visit <http://www.cleanoceanaction.org> for more information.

<sup>2</sup> NOAA, "Perspective on Marine Environmental Quality." In *Year of the Ocean Discussion Papers*, Washington, D.C., 1998.

Members of these Subcommittees including Mr. Pallone, Mr. Saxton and Mr. LoBiondo are all veterans of these grime events and thankfully worked to address marine debris.

## **MARINE DEBRIS IS A HAZARD**

Marine debris is a harmful and serious problem of national and international significance. The vast amount of debris collected in cleanup programs around the world is organized by the Ocean Conservancy and NOAA. The sheer numbers from the data collected provide evidence that current laws are insufficient in controlling marine debris. **It is essential to stop marine debris *before* it enters the global ocean system.** Once in the open ocean, it becomes a more difficult and expensive recovery operation.

As I mentioned earlier, marine debris impacts water quality, marine life, public health, navigation, and shore economies.

The most often discussed adverse affects of marine debris include those on water quality and marine life. Water quality impacts are caused by the long-life of plastic and the toxic effect of persistent pollutants that bind to plastics. Marine life is negatively affected by ingestion of and entanglement with debris. We've all seen the heart-wrenching photos.

Less often cited is the broad economic impact caused by marine debris. The wash-up of marine debris in the summers of '87 and '88, not only tarnished the image of area beaches, but also had a dramatic economic impact on the local and state economies. One estimate, that included direct and indirect costs of the events of '88, put losses between \$820 million and \$3 billion.<sup>3</sup> These losses include tourism related dollars<sup>4</sup> and significant impacts to both the recreational and commercial fishing industries.<sup>5</sup>

In addition, debris poses a significant navigational hazard because it entangles rudders and propellers and clogs vessel intakes, resulting in engine failure. The Army Corps estimated that floating debris in the New York/New Jersey Harbor in '87 damaged almost 18,000 vessels, resulting in \$48 million dollars in damage.<sup>6</sup> Currently, the Corps estimates that the removal of drift and floatables each year results in the avoidance of

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<sup>3</sup> Ofiara, Douglas D. and Bernard Brown, "Marine Pollution Events of 1988 and Their Effect on Travel, Tourism, and Regional Activities in New Jersey," referenced as an "Invited Paper presented at the Conference on Floatable Wastes in the Ocean: Social Economic and Public Health Implications. March 21-22, 1989 at SUNY- Stony Brook."

<sup>4</sup> Coast Alliance, "State of the Coasts: A State-by-State Analysis of the Vital Link between Healthy Coasts and a Healthy Economy," p.109, June 1995.

<sup>5</sup> Ofiara, Douglas D. and Bernard Brown, "Marine Pollution Events of 1988 and Their Effect on Travel, Tourism, and Regional Activities in New Jersey," referenced as an "Invited Paper presented at the Conference on Floatable Wastes in the Ocean: Social Economic and Public Health Implications. March 21-22, 1989 at SUNY- Stony Brook."

<sup>6</sup> Final Comprehensive Conservation and Management Plan for the New York-New Jersey Harbor Estuary Program including the Bight Restoration Plan, March 1996. Management of Floatable Debris. Pgs 181-196.

CLEAN OCEAN ACTION

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Page 2 of 4

approximately \$23 million dollars of damage to vessels using the NY/NJ Harbor.<sup>7</sup> Keeping the Harbor waters safe and navigable is of utmost importance considering “[t]he Port of New York and New Jersey is the largest container port on the east coast of the United States. The port generates more than 228,000 direct and indirect jobs and \$30 billion in regional economic activity.”<sup>8</sup>

Fortunately, marine debris is both manageable and preventable, but requires a coordinated, interagency effort to keep debris off beaches, out of harbors, and out of the marine environment.

## **CONTROLLING MARINE DEBRIS ON A REGIONAL LEVEL**

The good news is that as a result of the pollution events in New Jersey and New York, a regional initiative called the Floatables Action Plan, or “FAP,” was implemented. The FAP has shown that regional, interagency marine debris control programs can be successful. The success of the FAP is the result of coordination between the Army Corps, EPA, the Coast Guard, New Jersey Department of Environmental Protection, New York State Department of Environmental Conservation, New York City Department of Sanitation, New York City Department of Environmental Protection, and the Interstate Environmental Commission.

The FAP uses innovative and intensive multi-agency approaches that include activities ranging from an expanded and enhanced Army Corps Drift Removal Program to inmates collecting trash off beaches to planes and helicopters reporting garbage slicks. Millions of items have been collected from the inner waterways and beaches, thus preventing it from entering the global ocean. [A detailed discussion of the FAP is included in the written testimony.]

Unfortunately, some of the FAP’s vigilance was lost over the years. As a result, a 7-mile slick of debris, including medical waste, washed up on several northern beaches in New Jersey over the July 4<sup>th</sup>, 2004 weekend, prompting lifeguards to close the beaches in those areas. An investigation revealed that apathy had crept into the FAP program and the slick was overlooked. Fortunately, the vigilance has been restored. But without a federal mandate, the program is vulnerable to similar problems.

## **CONTROLLING MARINE DEBRIS ON A NATIONAL LEVEL**

As I mentioned, marine debris is a costly national and international hazard. **It is essential to stop marine debris *before* it enters the global ocean system.** Once in the open ocean, it becomes a more difficult and expensive recovery operation.

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<sup>7</sup> New York Harbor, NY & NJ Drift Removal, Operations and Maintenance Phase, Drift and Floatables Collection and Removal Vessels, US Army Corp of Engineers, New York District, August 2005.

<sup>8</sup> New Jersey Department of Environmental Protection, Division of Fish and Wildlife, Reef News (2002).

CLEAN OCEAN ACTION

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Page 3 of 4

Clean Ocean Action has reviewed S.362 and finds that the Marine Debris Research, Prevention, and Reduction Act would be a significant, and important, improvement to the existing national and international framework of legislative and regulatory rules. It will enhance efforts to prevent and control marine debris, thus reducing adverse impacts. As a federal mandate, the implementation of this Bill will help to sustain the vigilance necessary to prevent and control marine debris, both nationally and internationally. The Bill also provides measures to work through the conflicts and issues that inevitably arise with interagency cooperation. These agencies must work together to identify inconsistencies in agency mandates, policies, regulations, practices, or funding that could jeopardize the success of the program.

Importantly, the success of this Bill will depend on *adequate and sustained funding*.

## **CONCLUSION**

In closing, the world's oceans and waterways are all connected and what leaves the NY/NJ Harbor, the Mississippi River, or the San Francisco Bay, and every river and tributary, impacts the global marine system. Indeed, it is hard to imagine the vast amounts of marine debris, including the coagulation of millions of gallons of oil, plastics, animals, trees, and lumber, that has entered into the Gulf of Mexico as a result of the recent hurricanes. Where will it all wind up? No one knows for certain. It may make its way to our coastal waters and beaches, or perhaps the world's oceans.

This Bill will provide a much-needed mechanism to prevent and control marine debris on a national and international level.

Again, Clean Ocean Action thanks you for the opportunity to testify on this important legislation.