

Hackensack Riverkeeper, Inc.

**Re: New York – New Jersey Harbor Estuary Program
2005 Mini Grant Final Report**

Summary

The 2005 Passaic River Patrol was made possible by \$5000 received from the New York - New Jersey Harbor Estuary Program mini-grant matched by the Neu Foundation's support of \$25,000. As you know, the Hackensack and Passaic Rivers each flow into Newark Bay. This confluence has created a "natural partnership" between Hackensack Riverkeeper and New York / New Jersey Baykeeper who share a responsibility for protecting this part of the Newark Bay complex. In addition, we have continued our partnership with the Rutgers Environmental Law Clinic which provides legal policy and advocacy counsel.

During the 2005 & 2006 seasons, the Passaic River Patrol scheduled 21 trips aboard our pontoon boats *Edward Abbey* and *Robert H. Boyle* with Captains Bill Sheehan and Hugh Carola at the helm. Baykeeper Andrew J. Willner and other Baykeeper staff also assisted. Each boat holds 15 passengers, offering a total of 315 participants to see first-hand the current state of the river, learn its history, and engage in a discussion of causes and current thinking about the future plans for remediation and other actions. Reference materials designed and produced specifically for these cruises were used to identify landmarks and wildlife; and to identify key areas for future action.

Goals Reached

Passaic River Patrols were initiated with the goal of reaching local and state decision makers and responsible parties as well as concerned citizens who would promote and demand action on behalf of the river's remediation and protection. In addition, students from local schools and community groups were included because of their stake in the future of the river.

Public officials who participated included staff from the New Jersey Department of Environmental Protection (NJDEP) Water Compliance and Enforcement division and Coastal Management Office; representatives from New Jersey Governors Richard Codey and Jon S. Corzine; and local municipal officials such as Mayor Albert Santos of Kearny, NJ. Student groups included the classes from Discovery Charter School, Barringer High School and Excel Academy in Newark, Montclair State University's Passaic River Institute, New Jersey City University and Toronto University. Concerned citizens represented the Sierra Club, Greater Newark Conservancy, NJ Conservation Foundation, Hoffman LaRoche's Chapter of Sigma Xi (a national scientific organization), as well as local grassroots groups and individuals not affiliated with any established organizations who also availed themselves of our patrols.

In addition to patrols, Passaic River issues were presented and discussed with the Lakeland Unitarian Fellowship, Wayne; the Woman's Club of Paramus, Paramus; Masonic Lodge, Lyndhurst; the Bergen Highlands Methodist Church, Upper Saddle River; Master Gardeners of Monmouth County, Freehold; the NJ Environmental Federation, Montclair; the Friends of Park Ridge Library, Park Ridge; Women Gardeners of Ridgewood, Ridgewood; Oritani Power Squadron, Dumont; Riverview Garden Club, Wayne; and the NJ Historical Society, Newark.

Major events where Passaic River issues were publicized include the NJ Conservation Foundation Land Conservation Rally, the Ridgefield Park and Paramus Earth Day Celebrations, and the Metropolitan Waterfront Alliance Conference in New York City. Passaic River initiatives were presented by Hugh Carola on two occasions during lectures to Environmental Technology students at New Jersey Institute of Technology in Newark.

The Passaic River Patrol and our efforts were publicized in Hackensack Riverkeeper's quarterly newsletter, Tidelines, in the attached Spring 2005 issue. We also have created a resource for public awareness on Passaic River issues by including information and updates on our website, www.HackensackRiverkeeper.org.

Highlights

A direct result of the public awareness and advocacy promoted by the Passaic River Patrol was the announcement in December 2005 that the State of New Jersey initiated a suit against Occidental Chemical Corporation, Maxus Energy Corporation and Tierra Solutions, Inc. for the intentional discharge of dioxins and other contaminants into the Passaic River. New Jersey also directed the three companies to pay the state \$2.3 million to develop a plan to dredge contaminated sediments to reduce contamination levels.

Problems

A hindrance to patrolling the river has been the lack of adequate public access. This inadequacy was addressed by seeking and being granted the ability to launch and dock tours from the Passaic Valley Sewage Commission at the mouth of the Passaic River. Future plans should include the creation of new public access points in Newark, Nutley and Lyndhurst, NJ for the general public as well as the Passaic River Patrol.

Results of Evaluation

Creating awareness of past wrongs and creating a bond between the public and the outcome of future positive action are strategies that Hackensack Riverkeeper has used with great success to preserve, protect and restore the Hackensack River watershed and the Meadowlands. The Passaic River Patrol is a first attempt to duplicate this strategy and concentrate public focus on the negative impacts to wildlife, water quality, human health and general quality of life in the lower Passaic River watershed. The resulting legal initiatives by the New Jersey Department of Environmental Protection and our attorneys prove that people are listening. Our next steps are to monitor the current legal actions and to continue broadening the river's constituency to influence any future developments.

Did HEP staff participate in the project?

No, HEP participated in the funding only.

Passaic River Patrol Is On The Move

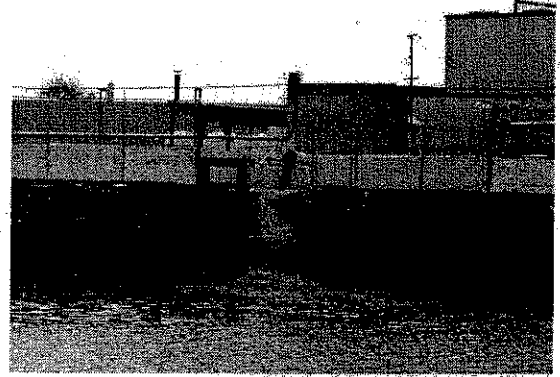
Second Season Brings More People Onto The River, Sees Continued Legal Action

Last year, Hackensack Riverkeeper and our colleagues at NY/NJ Baykeeper and the Rutgers Environmental Law Clinic collaborated to create the Passaic River Patrol as a means to focus attention to the problems facing the recovery of that great urban river. In 2004, we brought nearly 300 people - from schoolchildren to elected officials to soccer moms to local businesspeople - onto the Passaic aboard our pontoon boats thanks to our friends at the Passaic Valley Sewerage Commission who graciously offer us the use of their docking facilities.

We also began a series of legal actions, the goal of which is to force the cleanup of some of the most contaminated places in America - most notably the site of the former Diamond Shamrock plant in

Newark. Without a doubt, the lower Passaic River is the poster child for environmental justice. Dr. Martin Luther King said that "Justice delayed is justice denied." We work to finally end the delay and the denial(s).

Beginning in May, we once again took to the Passaic in order to continue the fight and, right from the start, we witnessed firsthand the disregard that persists regarding the river. On a trip with students from Newark's Discovery Charter School, we witnessed a discharge coming from the Benjamin Moore paint factory located right next to the Diamond Shamrock site. As soon as the plant personnel saw us



The Passaic River Patrol spotted a discharge into the river from the Benjamin Moore plant in Newark. The NJ Department of Environmental Protection is investigating.

taking pictures and using our cell-phones (to report the incident to the NJDEP), the discharge stopped. The DEP is investigating.

Needless to say, we have our work cut out for us.

WATERSHED WATCH:

Hackensack Riverkeeper Reports Gasoline Poured Down Stormdrain

By **Hugh M. Carola**

I still can't believe it but here's what happened to me on Tuesday, May 31.

I was driving up Cedar Lane in Teaneck on my way to the bank. When I slowed down at the intersection of Cedar and River Road (not far from our old offices at Fairleigh Dickinson University) I saw a man apparently pouring liquid from a red plastic can into the stormdrain in front of the Getty service station. We all know what red plastic cans are for.

"No way," I thought. "There's no way he just put gasoline down the stormdrain!" But once I pulled over and got out of my car, that unmistakable odor hit me.

"What did you put down the

stormdrain?" I asked rather forcefully. "Did you dump gas down the stormdrain?!"

Rather than the denial or curses I expected to hear, what I got instead was, "It was just a little bit" along with the alleged perpetrator gesturing with his thumb and forefinger about two inches apart.

**Report Suspected
Pollution Sources to
Watershed Watch
Hotline
1-877-CPT-BILL**

For the record, two inches worth of gasoline in a 2.5 gallon can is about one pint. Vapors produced from just one tablespoon's worth of gas are enough to cause an explosion in a confined space such as a boat's bilge, a steel shed or a dry stormdrain pipe - especially when you consider the number of cigarette butts that get tossed out of car windows at intersections.

When I looked in the drain, I saw a puddle of gas just two feet below street level.

As the alleged perpetrator moved toward his car, I reached for the environmentalist's best friend - my cell phone - and contacted the Teaneck Police Department to report the crime. As he drove away, I gave

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