

# **Committee on Resources**

## **Subcommittee on Fisheries Conservation, Wildlife and Oceans**

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### **Statement**

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**Testimony of James Lovgren, commercial fisherman,  
Before the House Subcommittee on Fisheries Conservation,  
Wildlife, and Oceans**

**February 22, 2000**

Good morning. I would first like to thank Congressman Saxton for not only holding this Subcommittee hearing, but for holding it here, at our home, the Jersey shore.

My name is James Lovgren, and I am a third generation commercial fisherman, fishing out of the Fisherman's Dock Co-op of Point Pleasant . I have been fishing over twenty five years and

have experienced first hand the economic damage that can result from the uncontrolled abuse of our ocean. I can remember years ago Fluke fishing on the Cholera banks about ten miles east of Long Branch when a barge came and dumped its load of acid wastes into the nearby waters. The surrounding waters became yellow, and our fishing, which was quite good at the time, dropped off to nothing within the hour. We had to go home, and the fishing grounds were spoiled for the rest of that season.

Our favorite fishing grounds the "Mud Hole" were also the favorite dumping grounds

for sewerage sludge from New Jersey and New York. This sludge, although mostly water, also

consisted of human hair and Kotex fibers, which fouled our nets and cost the commercial

fishermen of our region millions of dollars of lost productivity. It also caused the massive 'dead sea' fish kill of 1976, which finally brought to the public's attention the ecological devastation

of ocean dumping. Then there were the days spent mending our ruined nets because a burning barge was overfilled and dropped it's unburnt cargo into the Mud Hole. 40 foot long timbers

ripped our fine mesh nets to shreds, leaving us to go home and mend them in the cold of winter.

These dumping practices I just mentioned all have a few things in common. One;

they have been outlawed.[ Usually over the kicking and screaming bodies of the dumpers.]

Two ; the only reason this stuff was dumped in the ocean was because it was cheaper.

And three; these practices all cost shore area businesses millions, even billions of dollars.

Guess what ? The H.A.R.S. Shares all of these traits. One ,the dumping of contaminated dredge spoils at the H.A.R.S. Has been outlawed, over the Kicking and screaming bodies of the dumpers. Two, the only reason this material was dumped in the ocean was because it was cheaper. And three, this practice cost shore area businesses millions of dollars.

In 1996, with the help of Vice President Al Gore, the old "Mud Dump site was closed

by his historic agreement that created the Historic Area Remediation Site. The only problem was, he forgot to dot the I's and cross the T's, Leaving a gray area in the document that allows

dredge spoils for capping that are more contaminated then much of the material already at the site.. Dan Quayle needed help to spell potato, Al Gore needs help to dot these I's and cross these T's. And that is what we must do. We must redefine what is suitable dredge material for

remediation sites. We must define allowable limits of certain harmful contaminants so that no

bioaccumulation occurs to marine organisms from these materials. We must invest more money into decontamination, and upland disposal sites, and we must stop contaminating our ecosystem

with toxic chemicals to save a few dollars.

I think it should be obvious to anyone following this issue that the general public is outraged about the specter of more ocean dumping, these people have come forward by attending the Castle Astoria, and Brooklyn Marine Terminal hearings, by writing letters, and signing petitions. These people are concerned because they have first hand experience with

the cancers and other diseases that can be caused by environmental pollution. Here in Toms River there is a cancer cluster caused by the careless disposal of toxic chemicals by companies trying to save money. Well, all the money in the world has not yet found a cure for cancer or

will it buy back the lives of those who have met a premature death. When these contaminants enter the food chain they remain there for generations. The P.C.B. Contamination of Striped

Bass occurred mostly from dumping in the Hudson river in the 1950's and 60's. There is still a

health advisory issued limiting the consumption of this fish, because this contaminant remains

present in measurable levels, impacting both the commercial and recreational fisheries. Bluefish, also have a health advisory issued limiting their consumption because of P.C.B.'s

And Bluefish love the Mud Dump site. It has always been a great fishing area for them.

Lobsters, are caught in and around the Mud Dump area, and surprise, they have a warning advisory for dioxin contamination in their Tomaly. Is this a coincidence ? I think not. And that

is why the Mud Dump was supposed to be closed to the dumping of contaminated sediments.

I don't want to eat contaminated fish, and I don't want to inadvertently be selling slow death to innocent consumers.

A lot of money is spent, both by government agencies and private business to promote the health benefits of a diet rich in seafood products, unfortunately that money is wasted because

all it takes is one five minute news clip on "Sixty Minutes" to destroy years of promotional work. If a person asks me if the fish are safe to eat, I can tell them that 99 per cent of the fish they eat are safe, there are only a few with warning advisories, and they're probably safer than the anti-biotic ,hormone injected poultry and livestock they eat everyday without any thought. But is this good enough ? Should a person have to wonder if the food he eats, or sells, is harmful? I don't think so. And that is why we must not play Russian Roulette with our environment , and our health. We must now err on the side of caution because we have already erred on the side of irresponsibility. Spend the extra money and dispose of these spoils properly.

I will repeat a proposal from Congressman's Pallone's hearing in Long Branch. We spread some mud from the Brooklyn Marine Terminal over a one acre plot in the harbor. We then plant little neck clam seedlings in the mud. After a year we harvest the clams, and a group of five E.P.A. Scientists will eat the clams for the next month. A control group of five scientists will eat clams from clean water. When the month is up we will perform tissue samples of each scientist to see if they have bioaccumulated any toxins. If they haven't, you can dump the mud in Cindy's backyard.

Thank you, once again Congressman Saxton for allowing me to testify here today. Also included with my testimony is my proposal for a national solution to the disposal of contaminated dredge spoils.

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