



MEMORANDUM IN SUPPORT
BEACH Protection Act of 2007

H.R. 2537 Pallone

S. 1506 Lautenburg

An Act to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes.

BACKGROUND

Communities throughout New York and Connecticut are blessed with access to hundreds of ocean, estuarine, and Great Lakes coastline beaches. Beaches provide important economic benefits, as well as valued recreational opportunities and irreplaceable family experiences.

Unfortunately, degraded water quality at many of our beaches severely limits access, and threatens public health. Polluted runoff from over-development and sewage pollution from dilapidated infrastructure fouls beaches with bacteria and pathogens that make swimming unsafe. In 2006, there were 665 beach closings or advisories in New York, and 224 closings or advisories in Connecticut.

JUSTIFICATION

The BEACH Act of 2000 was an important step in providing funding to state and local partners to conduct beach water testing and notification programs. Reauthorization of the legislation provides an excellent opportunity to make important improvements to protect public health at our nation's beaches. The BEACH Act of 2007 must be adopted to ensure:

- **Adequate warnings of beach water contamination.** Water quality testing at our beaches can take between 24-28 hours. This lag time between when pathogen contaminated waters are sampled and when the public is notified creates a dangerous window during which swimmers can be infected. The reauthorized legislation will require development and implementation of a rapid testing method, which will provide water quality results within two hours.
- **Public notification must be timely and consistent.** Public notification programs need to be consistent among states and provide beachgoers with prompt and complete information. Reauthorized legislation will require publicly accessible database to include comprehensive information on beach closures and advisories within 24 hours of the information becoming available.
- **Identify sources of beach water contamination.** The best place to control pollution is at the source. While we do know that bacterial contamination is the primary cause of beach closures, in most cases the source of bacterial contamination is unknown. Better coordination between all involved local, state, and federal agencies would help with identification and remediation of the sources of pollution. Reauthorized legislation will requires prompt coordination with all environmental agencies of the state with authority to prevent or treat sources of beach water pollution.

Over→

The *Beach Protection Act of 2007* is needed to reauthorize and increase the funding to provide rapid testing and notification, studies to determine and stop the source of pollution, and better coordination among all involved agencies. *Public access to safe water at our beaches is a public health right and critical to our tourism-dependent local coastal economies.*

SUMMARY OF PROVISIONS

- 1) Require monitoring, public notification, source tracking, sanitary surveys, and prevention efforts to address the identified sources of beach water pollution.
- 2) Authorize appropriations of \$60 million per fiscal year, from 2007 to 2012.
- 3) Requires prompt coordination with all environmental agencies of the State with authority to prevent or treat sources of beach water pollution.
- 4) Requires that a rapid testing method, which provides results on water quality within two hours, be developed. Once the EPA administrator approves the rapid testing method, rapid testing shall then be implemented within one year.
- 5) Requires state and local partners to:
 - a) Develop and implement a beach water pollution source identification and tracking program for the coastal recreation waters that are not meeting applicable water quality standards for pathogens.
 - b) Provide a publicly accessible and searchable global information system database with information updated within 24 hours of the availability of the information, organized by beach and with defined standards, sampling plan, monitoring protocols, sampling results, and number and cause of beach closing and advisory days; and
 - c) Ensure that closures or advisories are made or issued within 24 hours after the State government determines that any coastal recreation waters in the State that are not meeting or are not expected to meet applicable water quality standards for pathogens.
- 6) Directs the EPA Administrator to ensure compliance of grants made to state and local partners.
- 7) Directs the Comptroller General of the United States to submit a review of the program to Congress within three years of enactment.

Citizens Campaign for the Environment is an 80,000 member, non-profit, non-partisan advocacy organization working to protect public health and the natural environment in New York State and Connecticut.

**CITIZENS CAMPAIGN FOR THE ENVIROMENT STONGLY SUPPORTS THE
ADOPTION OF THE *BEACH PROTECTION ACT OF 2007*
(H.R. 2537 PALLONE / S. 1506 LAUTENBURG)**