

## United States Senate

WASHINGTON, DC 20510-3802  
specter.senate.gov

October 12, 2007

The Honorable Carlos M. Gutierrez  
Secretary  
United States Department of Commerce  
U.S. Department of Commerce  
1401 Constitution Ave., NW  
Washington, DC 20230

Dear Secretary <sup>Carlos</sup> Gutierrez:

I write regarding a petition submitted by the State of New Jersey that is currently pending before the National Oceanic and Atmospheric Association (NOAA). It is my understanding that this petition would give the State of New Jersey expanded authority over critical dredging projects on the Delaware River.

I am informed that the authority for which New Jersey is petitioning would allow the New Jersey Department of Environmental Protection (NJDEP) to prevent dredging projects in Pennsylvania under the Coastal Zone Management (CZM) Act. According to Pennsylvania State officials, the petition would provide the NJDEP sole jurisdiction over decisions that traditionally have been made in concert with all affected states. Currently, the Delaware River Basin Commission (DRBC), an alliance of all the states that share the waters of the Delaware Basin, has authority over such matters that affect the shared waters. New Jersey's proposal would needlessly transfer power from the DRBC to the NJDEP.

I am concerned with the prospect of the NJDEP having excessive authority over key dredging projects occurring in Pennsylvania. I have consistently supported dredging efforts on the Delaware River as a vital component for sustaining the economic vitality of industries and communities along the River and throughout the Commonwealth of Pennsylvania. In addition to allowing for modern shipping to occur on the Delaware River, dredging produces materials which can be useful in environmental restoration projects.

Accordingly, as the petition submitted by the NJDEP would unnecessarily and unfairly give the State of New Jersey excessive authority over the fate of important dredging projects in Pennsylvania, I urge you to reject this petition.

Sincerely,



Arlen Specter

Mr Secretary: This is a very important matter for my state. New Jersey is out of line on what they are asking for.