

**Delaware Estuary Levee Organization (DELO)
Minutes
May 11, 2006**

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Welcome and Introductions

Meeting began at 10:10 a.m. Ken Taaffe, Coordinator, South Jersey RC&D Council, welcomed attendees and asked each of them to introduce themselves and their affiliation.

Report on DELO April 12th Steering Committee Meeting Delaware Estuary Levee Organization (DELO) Webpage

Ken reported that the Steering Committee will work on structural/organizational items. He noted that the South Jersey RC&D Council is a non-profit organization. This group could eventually seek non-profit status.

It was noted that the opinions and concerns of all affected by levees/dikes throughout the four county area would be needed. The agricultural landowners are especially important to do outreach to. Ken DiMuzio stated that we have discovered that there is a concern at all levels regarding the integrity of levee systems in the aftermath of Hurricane Katrina. FEMA is changing their National Flood Insurance Program regulations and requiring a responsible party system, namely, who does the operation and maintenance, does the community have an operation and maintenance plan, does the community have an emergency response plan. We've discovered that meadow companies have created flood infrastructure – who is responsible for the above-named issues and the fact that the responsible parties are often in financial need.

Ken reported that Greg and he would be working on modifications to the November Power Point presentation so that it can be presented to the County Freeholders in one meeting or several.

DELO Website

Ken reported that KP is developing the site (www.sjrccd.org) . You click on DELO and there is a contact area reported KP. He stated that there is a brief history, links to minutes from the November and January meetings. The most recent meeting minutes will be posted in the next couple of weeks. Also there are several articles on the site including one by South Jersey RC&D Publicist Lance Lindstrom.

Meadow Company Research

Ken Taaffe indicated that there has been very little written regarding meadow companies. KP Kirkpatrick reported that he had been to numerous sources of information including four county historical societies, six public libraries, NJ State Historical Society, University of Pennsylvania, Pennsylvania Historical Society, and the New Jersey State Archives. He noted that the best source of information was the NJ State Archives. He has information on 62 meadow companies and he noted that there were 71 active meadow companies in Salem County alone in 1883. Another Earth Team member is working on this and a student intern is being sought. Bob Brewer asked whether a property with a levee/dike necessarily mean that there is a meadow

company there. KP noted that this is true in some cases. Bob Brewer asked whether KP was interested in those situations where there is one family involved and KP said yes. Bob Brewer indicated that he has an aerial inventory of these structures. Brian Mulvanna noted that the Corps of Engineers is hoping to fund a national inventory.

PSEG Wetland Mitigation , Meadow Company Outreach and Ecological Restoration

Brenda Evans, PSEG Estuary Enhancement Program, gave a Power Point presentation on the PSEG Estuary Enhancement Program. She is the Senior Scientist with the Program having been there for 12 years. A copy of this Power Point presentation is to be posted at www.sjrkd.org under Delaware Estuary Levee Organization.

Brenda discussed the many feet of inland perimeter dike constructed to protect high value property including homes, businesses and roads. Greg Westfall asked about the operation and maintenance for these structures over the long term. Brenda noted that PSEG (and any successor company) has an agreement with each municipality with an escrow account. PSEG also has a PILOT (Payment in Lieu of Taxes) program for these areas. Ken DiMuzio asked whether PSEG had maintained the list of 80+ sites inventoried. Brian Mulvanna asked what materials were used for the dikes. Brenda stated that structural fill (upland fill), fabric (tyflex) were used. Ken Taaffe asked about the cost for ecological restoration. Brenda responded that it costs approximately \$10,000 per acre for the purchase, design, building of the structures and long term monitoring of these areas. She noted that these structures (dikes/levees and water control structures) are monitoring following storm events and annually. Ken DiMuzio asked whether alternative means had been used (besides the restoration of saltwater flows) of controlling Phragmites. Brenda noted that the PSEG EEP had taken an extensive look at the human/environmental effects (toxicology) while using glyphosate (Rodeo) with L1-700. They have looked at many alternatives including the use of goats.

Kathy Stuart asked what the maintenance costs have been. Brenda responded that it has cost approximately \$200,000 to bring up the elevation (1-1 ½ ft) of a dike of several thousand feet and that approximately \$10,000 has spent on ditch maintenance during the last 8 years.

Ecological Restoration and Dike Restoration at Greenwich

Don Wilkinson discussed the Delaware Bay Initiative Program (which actually extends all the way upstream to the NYS border) with specific reference to the Gum Tree Corner Restoration Project. In the early 1990s the Greenwich Meadow Company dike failed. A \$2.9 million ecological restoration project (which includes the dike restoration with an anadromous fish ladder) involving the Corps of Engineers and a \$1 million NAWQA grant will begin in the fall of 2006. There will be no local funding for the project.

Cumberland County is currently installing a water control structure under Bacons Neck Road.

Greg Westfall asked about future maintenance of the structures. Don responded that the NJ Division of Fish and Wildlife will do the maintenance of the dike and the Gum

Tree Corner water control structure. They are currently working on the development of emergency plans.

Ken DiMuzio asked where there would be legal documents for this project. Don said there are no legal documents. Ken whether he could get a copy of the agreements. Don will provide Ken with this information.

Ken Taaffe asked Joe Ruggeri about the legal aspects of levee/dike maintenance. Joe responded that the State has no rules or regulations specifically related to levees/dikes. He noted that Land Use Regulation permits would need to be maintained.

Ken DiMuzio expressed his concern regarding whether the state has a list of meadow companies. He noted that there is a void of responsibility here. He noted that FEMA will be changing the rules for these levees (requiring an O&M responsible party, O&M agreement, Emergency Plans, etc) or the municipality may lose its flood insurance coverage by the National Flood Insurance Program. He noted that if you reside in an area that is mapped as a flood zone and you can not obtain flood insurance you will not be able to obtain a mortgage.

Kathy Stuart asked about the inspection of Repaupo Creek and Brian Mulvanna stated that there will hopefully be a National Levee Safety Program (S.1832) but that for right now the Corps would be using its emergency funds. Ken Taaffe asked when the Corps would know whether it could conduct a comprehensive inventory of all South Jersey levees/dikes. Brian responded that there is non-federal flood information and that, hopefully, the PSEG data would help.

Ken DiMuzio referred to Pat Griggs (FEMA) comments at the March 8, 2006 meeting as follows:

Ken DiMuzio asked whether the digitized (and current) maps show the location of the levees throughout southern New Jersey. Pat showed the Group the Logan Township Flood Insurance Rate Map (FIRM) and noted that the location of the levee is shown. She stated that if the levee is certified by another Federal agency (Corps or Natural Resources Conservation Service) then the people who live behind and are protected by the levee can purchase flood insurance at a lower premium rate. She noted that homeowners insurance does not cover flooding. She noted that, as a result of the New Orleans disaster, FEMA will allow a flood insurance rate map to show a levee giving protection if the following conditions are met:

- Protection from a 100 year flood event
- Operation and maintenance plan certified by a Professional Engineer

She noted that whoever has a levee in their municipality will have an issue on this. She stated that the modernized maps will incorporated a new storm surge model for the Cape May, Cumberland, Gloucester and Salem County area.

Kathy Stuart asked whose standards are used to determine whether a levee meets these conditions. Pat responded that it would probably be the Army Corps of Engineers standards (Freeboard, embankment slopes, etc.)

Joe Ruggeri noted that there will be scoping meetings for the FEMA FIRM map modernization effort and he indicated that is likely that the first meeting may be later this year. Ken DiMuzio suggested that DELO find out what the Federal responsibility is here and then the localities will know how to respond.

It was suggested that Pat Griggs be invited to the Steering Committee meeting on June 8th for further clarification of these issues.

Next Meetings

June 8th – DELO Steering Committee, Gloucester County Planning
July 12th – DELO, Cumberland County Cooperative Extension
September 13th – DELO, Cumberland County Cooperative Extension
November 8th – DELO, Cumberland County Cooperative Extension