

**South Jersey Flood Protection Problems and Opportunities  
Cumberland County Cooperative Extension Center  
November 9, 2005  
Attendance**

Name	Affiliation
Michael Kerbowski	South Jersey RC&D Council
Richard Dilks	Greenwich Twp, Cumberland County Emerg Mgt.
George Garrison	Mayor, Commercial Township
Robert Drummond	Committeeman, Lower Alloways Creek Township
Jeff Taylor	Gloucester County Planning
Rick Westergaard	Gloucester County Planning
Len Clark	Gloucester County Emergency Mgt.
Rod Groff	Gloucester County Mosquito Comm.
Wayne S. Waugh	Gloucester County Mosquito Comm.
Dennis J. Mahoney	Superintendent, Salem County Mosquito Comm.
Larry Erdner	Manager, Thorofare (Silver Lake) Meadow Bank Company
Brian Mulvenna	U.S. Army Corps of Engineers
John Moyle	NJDEP
Kenneth A. DiMuzio	Solicitor, Greenwich Twp, Gloucester County
Garry E. Timberman	Manager, Cumberland-Salem Soil Conservation District
Mike Bonham	Cumberland-Salem Soil Conservation District
George Gallenthin	GRD, Inc.
Chuck MacIntosh	U.S. Army Corps of Engineers
Kathy Stuart	Senator Sweeney
Lewis M. Fogg	Public Works, Lower Alloways Creek Twp, Salem County
Jack Fisher	County Administrator, Gloucester County
Thomas H. Gant	Salem City
Douglas Akin	Salem County Engineering
Don Wilkinson	NJDEP Division of Fish and Wildlife
C. Wallis Goodwin	Mayor, Greenwich Township, Cumberland County
Carl Granier	Congressman LoBiondo
Jan Pine	Administrator, Logan Township, Gloucester County
Dave McCormick	Public Works Supt., Logan Township, Gloucester County
Ted Kiefer	Greenwich Township
Ken Taaffe	Coordinator, South Jersey RC&D Council
KP Kirkpatrick	Navigator, South Jersey RC&D Council
Mona Peterson	USDA NRCS
Mary Beth Sorrentino	USDA NRCS
Greg Westfall	USDA NRCS

## **Welcome and Introductions**

**Ken Taaffe**, Coordinator, South Jersey Resource Conservation and Development Council opened the meeting and asked that each person introduce themselves.

## **Purposes of Meeting**

Ken identified the purposes of the meeting<sup>1</sup> as follows:

- Review the problems and needs of sponsors of dikes and levees.
- Discuss potential solutions, get feedback from the group.
- Determine the level of interest in forming an on-going regional or state-wide watershed coalition to address these needs.

Some South Jersey flood protection facts he reviewed include:

- Levees, tidegates, and associated works of improvement exist in over 20 municipalities in five counties
- Levees have many benefits, in addition to flood protection, such as protection of domestic and agricultural irrigation water supply, mosquito control, salt hay production, and muskrat trapping.

He noted that many of those present at the meeting had identified some of the problems associated with the flood protection infrastructure as follows:

- Legal entity under which flood protection was built is often no longer viable
- A number of structures are not adequately maintained
- No national or state levee inventory
- No funding readily available to sponsors for structure maintenance

He identified major RC&D projects and briefly discussed RISE, a system of twenty weather stations in South Jersey. He noted that this system could predict flood conditions through upgrades to real time.

Lastly, Ken stated that RC&D could sponsor a multi County group such as this, as it consist of the eleven southern NJ counties.

## **Repaupo Creek – A Case Study in Problems Associated with Flood Infrastructure**

Kenneth DiMuzio, Township Attorney in Greenwich Township in Gloucester County, gave a brief history of Meadow Companies (MCs), with particular

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<sup>1</sup> See also Ken and Greg's powerpoint presentation

reference to the Repaupo Meadow Bank Company evolution and legal responsibilities – they go back to the 1700s and King George III, and had rights to survey, tax landowners and make improvements. He then explained that a 2001 letter from DEP Commissioner Shinn said that MC's are responsible, therefore DEP is not responsible. Among other things, that means MC's must compete nationally for available funding. Ken further explained that the original economic base for MC's has been destroyed. Failing structures impact on infrastructure for South Jersey as a whole including chemical burial sites – potential water quality problems. Salt hay was originally sold to pay for improvements, then industry moved in and paid for some improvements and maintenance. Changes in environmental regulations, like stream encroachment and CAFRA, have diminished the economic engine that supported levee and tidegate maintenance and decreased fair market value of the formerly agricultural lands. Currently there are regional implications to levees and tide gates because of railroads, interstates and chemical companies.

Ken proposed that there needs to be state action to create a legal successor to MC's, for instance a Flood Control Authority or a Flood Control Commission. Flood control commissions cannot have tax authority. Meadow Co.'s have not legally disappeared – still need to consider existence for repairs and property owners are interdependent on structures – cannot allow Meadow Co. to bale out. Supreme Court invalidated a law to allow this. Both have inherent problems such as “who draws the boundary lines?” and the pros and cons of having taxing authority. He suggested superfund for flood control improvements.

### **Governor's Flood Mitigation Task Force Recommendations**

John Moyle, State Dam Safety and Flood Control official, NJDEP, hoped to have the draft report from the newly formed Governor's Flood Mitigation Task Force, but it's not available yet. The task force was formed after the last 2 flooding events (September 2004 and April 2005) on the non-tidal portion of the Delaware River in the past year. The report will be available at [www.njflood.org](http://www.njflood.org) Problems mentioned were no inventory of levees and no way to inspect levees and require repair. Governors Flood Mitigation Task Force initiated in April 2005 as result of nontidal flooding in North Jersey. Final report to be released to public in a few weeks will include recommendations related to:

- Work with the newly-formed Floodplain Management Association of New Jersey.
- Better standards, new maps, improvements to flood studies
- Need for inventory/legal authorities for levees
- Need for Hazard Mitigation Plans for all communities and that they get FEMA approval to utilize FEMA funds
- Update State Flood Master Plan
- Info to communities on flood preparation, emergency procedures, and aftermath; Education
- Realtor Disclosure Policy

He stressed there is no state regulatory authority for levees and tide gates. He mentioned that Vermont Senator Jeffords had introduced Senate Bill 1836 (S-1836) in October to establish a National Levee Safety Program with responsible agency, U.S. Army Corps of Engineers.

There was discussion regarding the FEMA buyout program. Property owners have to sign up (may not work). Funding mechanism is needed to help municipalities get 25%. Len Clark, Gloucester County Emergency Management Coordinator, noted that his office had been getting conflicting signals as to whether or not they had completed an all hazards plan for the county. He noted that they had worked with each of the county municipalities. One of the programs permits getting FEMA funding if there is a Federal disaster declaration. John noted that another recommendation of the Flood Mitigation Task Force was to provide a regular funding source to help municipalities with the 25% portion.

### **PL83-566 Projects and Local Sponsors' Organization Concept**

**Greg Westfall**, Water Resource Planner at USDA NRCS, discussed the PL83-566 Program. He noted that this program is commonly known as the Small Watersheds Program and provides technical and financial assistance to solve land and water problems on a watershed basis.

A total of six dike, tide gate, or channel improvements were built in the sixties in South Jersey. All these projects will reach their service life in the next ten years.

Greg discussed the concept of a regional/state watershed coalition which the group may want to consider because of the following advantages:

- Permit the rural and urban areas dependent on existing flood infrastructure to communicate their needs to others as a group with a single voice
- Improve funding availability for the operation, maintenance and rehabilitation of existing flood infrastructure
- Represent the sponsors of PL-566 Small Watershed Program projects

### **How the South Jersey RC&D Council Can Help**

**Ken Taaffe** noted that the South Jersey RC&D Council could help such a group as follows:

- Assist with facilitation of meetings for the formation of a regional/state watershed coalition
- Work with local leaders to assist the development of meeting agendas, minutes and communications
- Develop and maintain a page(s) on the RC&D Council's website for communication
- Identify and apply for funding and grants
- Coordinate with State and Federal agencies that plan and implement flood mitigation programs

## **Infrastructure Sponsors**

After the formal presentations, there was an open discussion. Points discussed include:

- A checklist or owner database for meadow companies throughout South Jersey. County Historic Societies have information on the meadow bank companies - Richard Dilks, Emergency Management Coordinator for Greenwich Township, Cumberland County and George Gallenthin
- Identify watersheds, municipalities, and utilities impacted by levee and tidegate systems. For example, a railroad passes through the Repaupo Meadow on its way to Salem City in Salem County and impacts many municipalities along its route – Ken DiMuzio.
- State legislation is needed to allow the transition of the meadow bank company to some other entity. This legislation should be permissive rather than mandatory so that functioning meadow bank companies would be able to continue. This new entity could be a flood control commission approach (currently used in the 3 county, 13 municipality Green Brook Flood Control Commission Corps of Engineers project in Middlesex, Somerset and Union Counties). This legislation should clarify what defines a meadow bank company - Ken DiMuzio.
- Private companies, such as DuPont, Hercules and Mobil have major interests in maintenance of levee systems. Other business interests may be available to meet these maintenance needs without involving public dollars, so a public/private partnership should be investigated - Ken DiMuzio.
- Senate bill S.1836 which has been introduced by Vermont Senator Jeffords that would institute a national levee safety program to be administered by the Corps of Engineers – John Moyle.
- Money for levee maintenance is only there for crisis situations (emergencies) only - Larry Erdner, Thorofare Meadowbank Company.
- This group should find a template for a state or regional watershed coalition.
- Need for criteria for Counties and municipalities to determine which meadow companies they will work with – Doug Akin, Salem County Engineering
- There is no current state legislation on levees inventory and safety

As it was Lunchtime, **Ken Taaffe** summarized potential future actions of this group as:

- Formation of a watershed coalition.
- Develop an inventory of the existing levees including identification of beneficiaries
- Future meeting

Ken noted that the meeting minutes will be sent to all those attending with e-mails and that the attendees should get back with ideas on what should be the next action.

Meeting adjourned at 12:20 p.m.

Minutes compiled by Mary Beth Sorrentino, Mona Peterson, and Greg Westfall.  
Edits made by Greg Westfall, Ken Taaffe.