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# *Public Meeting*

of

## NEW JERSEY LAKE RESTORATION AND MANAGEMENT ADVISORY TASK FORCE

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**LOCATION:** Borough Hall  
Mt. Arlington, New Jersey

**DATE:** September 27, 2001  
11:00 a.m.

**MEMBERS OF TASK FORCE PRESENT:**

Senator Anthony R. Bucco (Vice-Chairman)  
Assemblyman Reed Gusciora  
Carmen Armenti  
Matthew Garamone  
Dirk C. Hofman  
John Hutchison III  
James E. Mumman  
Frances Smith  
Mark Smith  
John Terry



**ALSO PRESENT:**

James Requa  
(representing Martin Bierbaum)

Zina M. Gamuzza  
*Director of Communications*

*Hearing Recorded and Transcribed by*  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

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*for Assemblyman Corodemus*

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**SENATOR ANTHONY R. BUCCO (VICE-CHAIRMAN):** Good morning. I'd like to call this meeting to order, the Lake Task Force second meeting, and I'd like to thank Mt. Arlington's officials, and especially Mayor LoPonte, for giving us the availability of this beautiful municipal building and have our meeting here. Before we start though, I'd like everyone to stand and do The Pledge of Allegiance, please.

(Participants recite The Pledge of Allegiance)

There is a sign-up sheet that Zina, from Assemblyman Corodemus' office, has for anyone that would like to testify. Please sign in so that we could call you up and get your name, and you can testify as to your interest in this meeting.

Basically, what this meeting is all about is really a fact- finding mission for us as a Task Force. The Governor, last year, established this Task Force, because we found that throughout the years that many of our colleagues throughout the State were putting in appropriations for moneys to help clean up lake problems in their districts, and it seemed that we're spending a lot of money, and it was like a Band-Aid effect, really. They would keep coming back year after year. So we decided that we would establish a Task Force to try and pinpoint and identify what the problems are, and if it's a common problem throughout the State on our lakes, and what we could do about keeping them into the pristine lake area that we all expect it to be.

We have with us, on this Task Force, members that were selected by the Senate President, myself being Vice-Chair -- I have to apologize for Assemblyman Corodemus; he could not make it today; he is the Chair of the Committee, and he asked me to take over -- through the Senate President to the

Assembly Speaker, from the Governor's Office, and different -- and I'm going to ask the Task Force if they would identify themselves, introduce themselves, and where they're from.

John why don't we start with you, please.

MR. TERRY: Fine.

Thank you, Senator. My name is Jack Terry -- John Terry. I'm the Town Manager in Moorestown, New Jersey which is in Burlington County. And Moorestown has been involved in a ten-year, \$6 million lake restoration project. It's nearing completion at this point, so we kind of learned the tough parts of the road and have done the best to manage them. Prior to that, I was the manager in West Milford Township, in Passaic County, for 11 years, and we were involved with the Greenwood Lake project in the early stages.

SENATOR BUCCO: Thank you, Jack.

MR. GARAMONE: My name is Matthew Garamone. I'm presently an environmental attorney with Pfizer. Formerly, I was an attorney with U.S. EPA Region 2 in their water program. And prior to that, I was an environmental scientist with EPA Region 2.

SENATOR BUCCO: Thank you.

Fran.

MS. SMITH: I'm Fran Smith. I'm President of the Coalition of Lakes in Northern New Jersey. We're a Coalition that does a lot of educating of people on their lakes, and we also get involved in politics.

SENATOR BUCCO: Thank you.

John.

MR. HUTCHISON: Good morning. My name is John Hutchison, and I'm presently the Assistant Executive Director of the New Jersey Senate Majority Staff in Trenton, and, for a number of years, I was aide to the Senate Environment Committee.

SENATOR BUCCO: Thank you, John.

Dirk.

MR. HOFMAN: My name is Dirk Hofman. I'm one of the ex officio members of this committee. I serve as the Executive Director of the New Jersey Environmental Infrastructure Trust, and we're in the process of financing environmental infrastructure projects, which would include lake restoration for municipally owned lakes.

SENATOR BUCCO: Thank you, Dirk.

Carmen

MR. ARMENTI: Good morning, I'm Carmen Armenti. I'm an Assistant State Treasurer with the Department of Treasury in Trenton. I'm representing the Acting State Treasurer on this Task Force, Peter Lawrance. Treasury's role on the Task Force is primarily to assist the members in identifying resources that may help with the cleanup of the lakes. So, I'm happy to be here.

SENATOR BUCCO: Thank you, Carmen.

MR. REQUA: Good morning, everyone. I'm James Requa, representing Commissioner Jane Kenny, from the Department of Community Affairs. Part of what we do is involved with the State development and redevelopment plans. We've worked closely with DEP and other agencies on some of these issues. It's a pleasure to be here in beautiful Mt. Arlington.

SENATOR BUCCO: Thank you.

Mark.

MR. SMITH: I'm Mark Smith, with a firm called Issues Management -- it's a consulting firm in Princeton -- formerly, Chief of Staff for about six-plus-years with the Department of Environmental Protection.

SENATOR BUCCO: Thank you.

Jim.

MR. MUMMAN: My name is Jim Mumman. I'm with the New Jersey Department of Environmental Protection. I'm here representing Commissioner Shinn. I've been with the Department about 30 years. I've worked in many aspects of water resources. Presently, the Lakes Management Program is one of the programs under my -- I'm not going to say control, but -- under my group.

With me today, I'd like to introduce -- have Bud Cann stand up. Bud is the Supervisor of the Lakes Program. He's going to give the presentation today on -- a little bit about the history of the lakes, lake management in New Jersey and where we are.

SENATOR BUCCO: Okay. Thank you, Jim.

As I've stated before, this is a fact-finding mission to find out what our common problems are with the lakes, and we know one of the problems is money, and it's going to be very, very expensive, I'm sure. So that's why we're also here to try to find a source of steady funding that we can identify and making sure that it's in our budgets from year to year -- Assemblyman Gusciora (acknowledging Assemblyman Gusciora's arrival) -- that we can identify the



sources of funding because we know, municipalities, it's very difficult to be putting money into your budget to help with the lake situation.

The counties, and even the private lake communities themselves, do not have the kind of financing to correct some of the problems that have occurred over the years. So, we'll be looking for Federal funds, wherever we can, and State moneys to try to correct our problems.

We have the presentation that Bud and Jim are going to put together, and I'd appreciate it if you do that now, Bud and Jim.

MR. CANN (Mr. Mumman's Staff): Okay.

MR. MUMMAN: (speaking from audience) Can I ask, Chair? If I just have everybody to turn around --

SENATOR BUCCO: Has to turn around a little bit, so they can see that screen there.

(PowerPoint presentation begins)

MR. CANN: The name of the presentation is PROXIMA -- where is it -- I have a joke. Okay, the New Jersey Lakes Management Program -- that's a little fuzzy, Jim.

The Program began with the Clean Water Act, the Federal Clean Water Act, 1977. It's commonly referred to as Section 314. That's actually one of the paragraph numbers in that Clean Water Act.

One of our first projects in New Jersey was Allentown Lake, in Monmouth County, and it's 20-some years ago. One of the other objectives of the program at that time, they'd develop an inventory of lakes, you know, in the State of New Jersey. We found that we had approximately 1200 lakes in the State, 400 of them public, 800 private. Of those 1200, we estimate that 60 of

the lakes are natural lakes, which were basically formed by various geological processes over time.

What is eutrophication? I'm sure everyone in here has some understanding of it, but, basically it's generally referring to a nutrient enrichment of lakes. If you think of adding fertilizer to your lawn, it makes it turn greener; if you add fertilizer to your lake, it's going to turn greener. It can occur naturally, or it can be, you know, increased tremendously just by living around the watershed. That's commonly referred as cultural eutrophication.

This is just a brief chart. Like I said, it's a natural process and it -- under natural conditions, it will proceed in hundreds and thousands of years, where a lake will go from a oligotrophic state to a eutrophic or hypereutrophic. What happens when we have a lot more activity in the watershed, we accelerate that process, and basically, talking in tens of years.

Our original inventory is 1980. We're currently working on a GIS-based inventory of lakes, and we're up to approximately 1066 named lakes, where we've combed various sources to try to come up with a name. I'm sure everybody has aliases for a number of lakes, but this is an ongoing project, and right now, this would be the best coverage that is available anywhere. It's based on aerial photography so it's a -- it's something that is compatible with a GIS system.

The way the program works is we start off with a phase 1 project, determine the current condition of the lake, determine the sources of the problems, and what's causing the lake to be in that condition, and then develop a detailed management restoration plan, generally referred to as a phase 2 implementation plan.

Phase 2 can have a whole number of different activities, and the thing is, it's always -- the prioritization is always developed at the local level by the owner of the lake. So, the phase 2 would be implementing the recommended actions of the phase 1 project.

Some of the examples are stormwater management, erosion control, institutional arrangements, zoning review, ordinance, septic management -- that's one of the newer processes we've seen -- dredging, weed harvesting, biological controls -- we're seeing a little bit more of that now -- aeration systems.

Some of the sources of funding over the years: U.S. EPA that's -- they started it in 1979, so they were the original source. We would always coordinate our funding with them. They haven't funded that program since 1994. New Jersey used to come up with matching funds that would be -- we used to augment the EPA funds, and we haven't had any annual appropriations since 1988, in a typical program. The local agencies would have to come up with some type of matching share for that project, and they generally made it out of cash and incoming services. After this, we had the 1996 Bond Act. It was -- a large portion of that money was for dredging New York Harbor, Delaware River, so on and so forth. But there was \$5 million allocated for lake restoration activities in New Jersey.

These are some of the projects we've had before the .96 Bond Act. We've had 48 projects that received funding: 15 of them were phase 1 projects, 25 were phase 2 projects, and there were 8 special appropriation projects that had come through our office for administrative process. With some of the funding -- phase 1 projects, the 15 projects -- we spent approximately \$1.06

million; phase 2's 25 projects, \$11 million; and special appropriations projects, the 8 projects, were a little over \$1 million also.

This is the funding by agencies: EPA, approximately \$6 million; New Jersey, \$4 million; and the local agencies, this is the cash and in kind, slightly over \$3 million.

This map is a little bit messed up because of the -- it's a long story, but anyway -- just this distribution of some of the areas where the lakes -- that awards have been made throughout the State.

And then the 1996 Bond Act, that's \$5 million at one shot. Remember, previously, we had, I think, \$4 million for an approximately 15-year period, so we had \$5 million at one shot.

The definition of eligible activities are a little bit broader. The eligible lakes is also a little bit broader. It included public lakes, which it always had. The definition of public is a little bit broader, again, but it also included State owned lakes and privately owned lakes, for loans.

And this is -- we've followed a format identical to the existing, or previous program, where we're looking for either phase 1 or phase 2 projects. It's up for definition of eligible recipients. Once again, it included broader definition for public, and it included the State owned.

This is just a map showing the distribution of some of the awards for the .96 Bond Act.

We've been working for a number of years to summarize our data on New Jersey. In 1997, we went out and looked at all of our old reports, and tried to just pull everything together in one nice, neat little file. We had data for

approximately 116 public lakes. Of the 116, 113 were considered eutrophic. This is a map showing the location of the -- that analysis that we made.

For additional information, this is one of the books that I think is an excellent source for anyone who is trying to figure out what makes a lake work, what types of activities might help you down this process. It's an EPA manual, *Lake and Reservoir Restoration Guidance Manual*. The bad news is it's out-of-print; the good news, we've got -- Rutgers Library has a service that they provide. It's called the New Jersey Environmental Digital Library, and if you go to any search engine on the Internet and search for NJEDL, it will bring you to the Rutgers Environmental Library -- we're also putting a link up on our page -- and then just do a search for -- put the next page up there, Jim -- search for NJEDL. It will take you to Rutgers Environmental Library. Search for number 1510, and that will take you to that exact document. It's an excellent source of information for anyone that wants to go about this in a systematic method, best thing that I could recommend. And I think that was it.

SENATOR BUCCO: Okay. Thank you, Bud; thank you, Jim.

MR. MUMMAN: (speaking from audience) One of the things, Senator, I'd like to say is that the -- we've talked a lot -- if you look at the money, now, maybe it looked like it was a lot, but I think it was about \$10 million total --

HEARING REPORTER: Excuse me, Mister Chair.

SENATOR BUCCO: I'm sorry.

MR. MUMMAN: (speaking from audience) I'm sorry.

SENATOR BUCCO: Can you come over to the microphone? And anyone that would like to speak, you have to come up to the microphone so that we can pick it up. This meeting is being recorded.

MR. MUMMAN: Okay, thank you, Senator. I'd just comment, if you looked at the amount of money -- \$10 million, I think, was about total, over the last 10 years or so -- and as the Senator said earlier, the money was one of the issues. Some of the lakes that we had applications for -- the dredging for that one lake was as much as \$5 million. So, I think a lot of you folks in the room have dealt with those dredging issues, and you can see the amount of money needed when you look at the number of lakes in New Jersey.

Lakes, as Bud just said, are natural things. They continue to fill in, and that's the way lakes go. There's a hole that the glaciers made on natural lakes, or man dug out, and they are continually filling in, so some maintenance programs, something of that nature, I think. I was talking to a few people outside, and they're well aware of that, but the amount of money was very small for the amount of applications we get. And when we had the Bond Act, it was \$5 million. We had, I think, something around \$22 million to \$26 million in applications from you folks.

SENATOR BUCCO: Thank you, Jim.

There is a sign-up sheet.

Is it still going around, Zina? (no response) Okay, anyone that would like to testify.

I would like to introduce Assemblyman Reed Gusciora, from Mercer County. He came up all the way from South Jersey as a member of this Task Force.

Reed, would you like to make a statement?

ASSEMBLYMAN GUSCIORA: No, I'm interested in getting to the business. It's a pleasure to be here, Senator. This has been a great experience for me, so far, and I know we're going to have hearings down in Mercer County, and we're going to be all over the State, and I think that just the testimony prior to here, that there's over 1000 lakes in New Jersey, and there was only \$5 million of funding a couple of years ago. It looks like there is going to be a major prioritization that we're going to have to make, where the money is going to go in the future.

SENATOR BUCCO: Thank you, Assemblyman.

I know that the Chairman of the Lake Hopatcong Commission is here, and I know he had wanted to speak.

Anthony Albanese, did you want to come up and say anything here, as far as --

**ANTHONY ALBANESE:** (speaking from audience) I'll submit the testimony, if that's fine.

SENATOR BUCCO: Okay.

Do we have the first person on that sign-up sheet, because I'd like to keep it in order of how they're signing in. We have that?

MS. GAMUZZA: (Assemblyman Corodemus' staff) Arthur Crane.

SENATOR BUCCO: Who is it?

MS. GAMUZZA: Arthur Crane.

SENATOR BUCCO: Arthur, welcome, have a seat, and speak loudly enough so everyone can hear you in the back of the room, too, Arthur. Appreciate it.

**ARTHUR CRANE:** Yes.

First let me introduce myself. My name is Arthur Crane. I live in Rockaway Township. I'm here representing Hibernia Fire Company. I'm not too sure of the format of this particular meeting; however, I would like this committee to be aware that many of the lakes in the rural areas are being used as a water source for fire fighting purposes, okay, and particularly, I'm aware of Lake Telemark, which is used in that entire community and the northern end of Rockaway Township as a water source for fire fighting purposes.

We have a standpipe there now. It's in a state of disrepair. We have a problem of who is going to fix this thing, because it is a private lake, and a municipality cannot get involved with improvements in a private lake community for these particular purposes. Now, if you're looking to find sources for grant money, perhaps you may look at different agencies where fire fighting or emergency situations come into effect, you know, other than the DEP. I'm sure there are emergency funds available in the State for fire fighting purposes.

SENATOR BUCCO: I know that -- living in this area, being my district -- I know what you're saying is absolutely true, and I'm sure it's also down in South Jersey, where a lot of the volunteer fire departments are using lakes for fighting fires, drawing off of the lakes. Do you know who put that standpipe in originally?

MR. CRANE: Well, that standpipe was put in in the 1950s by the community of Lake Telemark. It is a private lake. It is a private standpipe



facility, or water source connection for us, okay. Being in a state of disrepair, and not being sure what it's going to take to fix it, the Telemark community is -- cannot commit itself to an amount of dollars, okay, to repair.

SENATOR BUCCO: The Lake Telemark community, are you familiar -- are they an association?

MR. CRANE: Yes, they are.

SENATOR BUCCO: And they have a membership?

MR. CRANE: Yes, they do. It's a voluntary membership. They have about a third of that community are members of the lake, okay. Their biggest problem, recently, has been what the Dam Restoration Program is -- what the State has required for them to do. And they're constantly trying to play catch-up to meet whatever the State requirements are for improvements of the dam and spillway area.

SENATOR BUCCO: The association, do they pay a yearly dues to belong to that association?

MR. CRANE: Yes, they do.

MR. CRANE: They do. And all of the members -- and everyone on the lake is a member of that?

MR. CRANE: Not everyone, because it's a voluntary thing. I would say, perhaps, two-thirds of the people that live immediately on the lake -- and of course that community spreads out away from the lake -- but about two-thirds of the residents that live right on the lake are members of that lake. And, of course, the other ones take advantage of the lake facility without paying any dues, but we don't have a mandatory membership, as some of the communities

do. We've looked into it as quite an impossible task to implement that, now that the community is established.

SENATOR BUCCO: And so there's nothing in your deed saying that you have to pay a --

MR. CRANE: That's correct.

SENATOR BUCCO: -- maintenance fee to an association or join an association?

MR. CRANE: That's correct.

SENATOR BUCCO: And that has been a problem, I know, throughout many of the lakes here in North Jersey where they were summer recreational lakes years ago, and developed as summer bungalows, and then became full-time residence.

MR. CRANE: Well, that's how Telemark originally developed. It was a summer respite for many of the seaman from Norway. I believe that's an original Norwegian community. However, over the years now, 99 percent of the homes up there are year-round homes, okay. And we're trying to encourage more and more people to be involved in the lake community because they derive benefits from living there. But it's very, very difficult when we don't have an enforcement to require them to be members.

SENATOR BUCCO: Well, I think you should make some of those nonmembers aware that their fire protection is in jeopardy, also.

MR. CRANE: Well, we have. I mean, this has just come to light recently, with the fire department, okay. Hibernia Fire Company asked me to come and be a representative to explain this aspect of what these lakes really mean in the rural areas of New Jersey. They're more than just recreational. I

mean, they're critical sources for fire departments to function, okay. With no water, you know, we're dead ducks, so to speak.

SENATOR BUCCO: I hear what you're saying, and we will take that into consideration.

MR. CRANE: Okay.

SENATOR BUCCO: Arthur, thank you for coming.

MR. CRANE: You know, I'm just hoping maybe you could come up with another source of revenues, other than the DEP, okay, if you enlighten some people to the fact that these are critical areas for emergency purposes.

SENATOR BUCCO: Well, as I stated, that's what this Task Force is all about in looking at the problems that we're facing with our lakes, and this is one of the problems that we are facing. I'm sure you're not -- Lake Telemark is not the only lake that --

MR. CRANE: Yes, I'm hoping this will set up a little flag to other communities to say, yes, I mean, we haven't even considered that, but it is a real situation that, you know, the need is there.

SENATOR BUCCO: Okay, thank you very much.

MR. CRANE: Okay, thank you.

SENATOR BUCCO: Next.

MS. GAMUZZA: Anthony Albanese.

SENATOR BUCCO: Anthony.

State your name for the record, and who you represent.

MR. ALBANESE: Thank you, good morning.

Yes, Anthony Albanese, I'm Chairman of the Lake Hopatcong Commission. I want to thank you for having the opportunity up here for folks

from this region to address this Task Force to tell a little about what's going on up here at Lake Hopatcong.

In the audience today, I would like to recognize them, our three other Commissioners of the Lake Hopatcong Commission: Sam Hoagland, who is a governor's appointee, who hails from the municipality of Hopatcong; Rich Zuschak, who is a municipal appointee from the Township of Roxbury; and Ken Klipstein, who is sitting right behind me, is a representative from the Department of Environmental Protection.

The Lake Hopatcong Commission was established in the waning days of Governor Whitman's time in office, before she left to become the Administrator of the Environmental Protection Agency. Our first meeting was in May. The legislation that created the commission is -- Senator Bucco well knows -- was sponsored by Senator Bucco in Senate Bill No. 1383, created this Commission. And many groups from around this area realized was in need. After 20 years of a volunteer Lake Hopatcong Regional Planning Board running the lake -- that was volunteer, and had no stable source of funding and relied on grant money.

Our Commission here was established with 11 members in total: 3 gubernatorial appointees; representative of the DCA and DEP; a representative of each of the 4 municipalities that surround Lake Hopatcong -- Roxbury, Jefferson, Mount Arlington, and Hopatcong; and the 2 counties that surround Lake Hopatcong, which are Morris County and Sussex County. In that legislation and now law, our Commission received a start-up amount of \$3 million. It seemed like a lot of money at the time, I got to tell you. I can tell you, as we've now done our work since May, we've been -- beginning with the

process of setting up houses that were setting up shop, but working towards a lake management plan for Lake Hopatcong, the State's largest lake.

I think one of the major components that we're going to need to restore Lake Hopatcong isn't in our jurisdiction, to an extent. As it was stated in the PowerPoint presentation, sewers are a critical component to keeping the lake clean, as it were, keeping nitrogen phosphorus out of the lake. Two of the municipalities that surround Lake Hopatcong have moved forward or sewerred. Hopatcong is starting very slowly, after the referendum going down a number of times, to do that. And doing the components, in Jefferson, I think is beginning the process as well. That's a major, major component here. When you're dealing with Lake Hopatcong, it has a very rich history that it was used in the .20s as a major hot spot, as it were, for vacationers, for celebrities. In fact, there weren't that many cottages up here, and they weren't year-round residents either, so you have septic tanks that are not adequate for homes that are now used full-time, that if they have lasted a certain amount of time -- they're too close to the lake. You're getting run off into the lake. So, sewers would definitely be, I think, would solve 90 percent of our problem here in Hopatcong.

On an issue that I wanted to bring up today, which always seems to be a gray area, and I don't know how far the Task Force is delving into it, is the issue of chemical treatment of lakes, one that can strike some fear in the public. Private citizens do use chemicals like Sonar and Reward to eliminate plants like *Eurasian milfoil* from around their personal property. I've been told that these chemicals cannot be paid for with State dollars, though in some respects I've heard that they have been used. I think better information has to

be given by the Department on what these products do, what their uses should be, and really, I think it has to be sized up on the State level if this is a reasonable and responsible response to help controlling “weeds” in lakes.

We walked in, in May, using machinery that was passed on to us by our predecessor that is not adequate. I think we have three harvesters for a lake that’s about 2600-acres large. We’re looking at a capital program now in purchasing equipment that would probably bring that number -- placing the ones that we have, to six. I honestly don’t believe that’ll be enough to manage a lake of this magnitude and size, so I think that’s an issue that has to be looked into because, realistically, I don’t know if we can do that. We’re going to give it our best shot. We’re going to have a full-time staff, etc., to manage. Maybe we’ll be surprised, but it seems to me, it’s a large, large program.

An issue that, again, I don’t know if it’s under your direction, but I think it is a component of lake management, is our State Police. State Police on this lake do an excellent job of enforcement; however, the amount of State Police on this lake has dwindled. I believe now -- and my fellow commissioners can correct if I’m wrong -- I believe there are four assigned to Lake Hopatcong, but they’re shared with the Newark Bay area, as well.

UNIDENTIFIED SPEAKER: (speaking from audience) They have vast responsibilities as an organization --

MR. ALBANESE: Right. It’s all encompassing, it’s all encompassing.

In order to enforce environmental laws on this lake, you’re going to need somewhat of a State Police presence. And even if you were to have two on the lake at the same time, with the large area that it is, that’s not nearly

adequate enough. So I think in order to help manage a lake, you really do need more of that presence, that watchful eye as it were, watching the public and making sure that we're treating the lake in an environmentally responsible manner.

My last comment I'd like to bring forward is one that was, I think mentioned by the Chair of this meeting today, as regards to dollars. As I indicated before, we're looking now about spending \$1.3 million, potentially, on building a public works department to manage this lake: harvesters, barges, shore conveyors to take weeds out of the lake, take this biomass out of the lake. That's nearly half of the budget in the initial appropriation that was given to us. That's just for start-up.

In addition, we have to put in a facility here to actually store our materials. In order to do a lake management plan, we're going to be spending some dollars in order to hire a proper staff. We're spending some dollars -- that money, as some of us realized early on, was going to go, and it did go very quickly, and we really need -- I know it's a component in our State philosophy here of taking care of our beaches, where we would replenish every year and bring sand back to where it washed away, but these lakes are here, too, and they need some valuable dollars in order to manage them properly.

As an example, I'm told that the State Park at Lake Hopatcong has 200,000 visitors each year. Those folks who enjoy this natural resource deserve the same consideration as those who enjoy our beaches down at the New Jersey shore.

I thank you, Mr. Chairman. If you have any questions about our Lake Hopatcong region? If members have any?

SENATOR BUCCO: Anyone from the board?

Yes.

MR. HOFMAN: What is your source of revenue?

MR. ALBANESE: We are predominately -- now that we are in a commission form, predominately State funding. We are looking for grants. We would continue in that effort to look for grants for specific projects.

MR. HOFMAN: Are you considered a State agency?

MR. ALBANESE: We are in, but not of, the State Department of Environmental Protection.

MR. HOFMAN: Okay, but you have no regular source of income?

MR. ALBANESE: No steady, no. It's going to be a year-to-year, going before the Legislature for an appropriation.

MR. HOFMAN: Okay.

SENATOR BUCCO: Anyone else? (no response) No.

Mr. Albanese, thank you.

MR. ALBANESE: Thank you very much.

SENATOR BUCCO: Okay. Next speaker.

MS. GAMUZZA: Ken Klipstein.

SENATOR BUCCO: Hi.

**KENNETH H. KLIPSTEIN:** Good morning.

SENATOR BUCCO: Good morning, Ken, how are you?

MR. KLIPSTEIN: My name is Ken Klipstein. I'm the Bureau Chief of the Division of Watershed Management, and I'm responsible for developing watershed management plans for the northwest portion of the State, which includes all of Sussex County, all of Warren County, part of Hunterdon



County, a little bit of Morris County, and a little bit of Monmouth County. I'm not speaking as a Commissioner of the Lake Hopatcong, except I want to bring up a couple of points, building on what Mr. Albanese mentioned.

The sewerage of Hopatcong was a controversial item amongst the residents, and voting it down a couple of times, and it was really cost related. And the cost is going to exceed \$80 million for a collection system, not even a treatment plant. This is collecting and moving what has been discharging in the septic systems and running into the lake, moving that over to the Musconetcong Treatment Plant. So, that's one point, and a lot of these lake communities are already built and had this issue, and there's an awful lot of money that needs to be set aside for that purpose.

Also, I wanted to commend the Senator and the sponsors and everybody that voted on the creation of the Commission, in recognizing that it's not just the lake, it's the lake and its watershed. And in Lake Hopatcong's case, it extends well into Sparta Township in Sussex County. And it's not just the communities that border the lake. There is an awful a lot of runoff, things that happen upstream of the lake that affect the lake.

And the last point, I guess, and this will go into my watershed management side, is a lot of money can go towards treating symptoms: dredging, other weed harvesting, a lot of money goes into weed harvesting, chemical treatment, but if we don't get at the sources, and that's what watershed management is about, stormwater management, agricultural best management practices, septic management, lawn and fertilizer reduction, and, probably most importantly, although in lake communities the land use planning it's -- a lot of

the lakes are built out, but there still are lakes that have the potential to have infilled development, and that needs to be carefully planned.

And that is what the Watershed Management Protection Act of .97 looked to do. It dedicated dollars, a portion of the corporate business tax, to developing watershed management plans. The State's been divided into 20 watershed management areas, and we've set aside \$600,000 per watershed management area over the next four -- well, we're going into our second year of a four-year planning process to develop watershed management plans for each of the 20 watershed management areas.

Within those should be detailed lake plans. We've had good participation in this portion of the State where there are a lot of lake communities, and there are a lot of well-organized lake associations, and Fran Smith and the Lake Mohawk group have been very instrumental in teaching us about lakes and what's going on and how to do a good plan. Equally, Lake Hopatcong, going back to the creation of the planning board and a lot of good planning that happened in the early .80's, developed a good watershed management plan.

Implementation is where it comes apart, and it's a concern of mine. As I develop and work in these community processes, I develop a plan that may sit on a shelf. So, the action items: the who, the how much it's going to cost, where that money is going to come from, and what we do is critical to the success of our effort. Otherwise, we spend money on planning and we'll be in the same spot we are today.

So, that's really -- and one last thing, I guess, the Federal dollars. We also implement the 319h Grant Program, which brings about \$3 million a

year to New Jersey, Federal dollars, to do nonpoint source implementation. It can't go towards dredging. It can't go towards the symptoms. It has to go towards the contributors, to nonpoint source problems. So, we just closed on September 17th, around, accepting applications for that and a number of those are lakes, and we've been funding lakes' nonpoint source stormwater management plans. It's a priority to do regional stormwater management planning for lake communities, and it still -- there will still be dollars left after this round, so I encourage all folks involved in lakes to get applications together to deal with stormwater and other nonpoint source issues going into lakes.

SENATOR BUCCO: How much money have we lost there, Ken?

MR. KLIPSTEIN: Well, we'll see -- we're looking at which ones of these applications we just got in are viable and totaling that up, and then seeing how the pot works out. The \$3 million is the EPA 319 dollars. We also have CBT dollars set aside, the corporate business tax dollars, and will total somewhere around \$5 million to \$8 million, total, going into action now, type nonpoint source projects. So, we'll probably have a good handle on how much additional dollars will be left and do another round in the spring.

SENATOR BUCCO: I see a lot of people writing, so they're hearing what you're saying.

MR. KLIPSTEIN: Yes, and we have a great Web site --

SENATOR BUCCO: And yet when you mention dollars, everybody pays attention.

MR. KLIPSTEIN: -- that has the guidelines on how to do those. And Lake Hopatcong has taken advantage of this, and a lot of the other lakes:

Swartswood Lake, Lake Mohawk, and I think we had an application from Mountain Lake, and Highland Lake in this round.

SENATOR BUCCO: Very good.

UNIDENTIFIED SPEAKER: What is the Web site?

MR. KLIPSTEIN: It's [www.state.nj.us/dep/watershedmgt](http://www.state.nj.us/dep/watershedmgt).

SENATOR BUCCO: Okay.

Any questions from the board?

MR. TERRY: Senator.

SENATOR BUCCO: Yes, Mark. (*sic*)

MR. TERRY: To just agree with Ken, in our project in Morris County, we used the 319h program to supplement some of the funding, and it helped in trying to cobble together the grant moneys that are available. It became an important component. Ours was primarily a dredging project, but those funds could not be used for, but we did use the money for shoreline stabilization and elimination of point sources and redirecting into sedimentation basins and wetlands areas.

SENATOR BUCCO: Okay. Anyone else? (no response)

Ken, let me ask you a question. And it seems not only with these types of grants, but all types of grants, I noticed that in our office we get many calls from different individuals with other problems that arise, and there's grant money out there and available. Do you think the State of New Jersey is really advertising it enough?

MR. KLIPSTEIN: I think we advertise it fairly well. I don't think we have, maybe, enough outreach to help people develop the grants. I think it's not an easy thing. It's one thing to have an idea to do something. It's another

thing to get all of the scientific basis and put a whole program together, and write a grant that's viable, and that's what I think we're sort of lacking. I think people know that the program is out there, but the requirements are difficult, and on any government moneys, the requirements are pretty stringent.

SENATOR BUCCO: Right.

MR. KLIPSTEIN: So, you lead them to the trough, but then they can't drink, and it's really tough.

SENATOR BUCCO: All right, very good. I want to thank you -- anyone else before Ken? (no response)

Thank you, Ken.

MR. KLIPSTEIN: Thank you.

SENATOR BUCCO: Next.

MS. GAMUZZA: Peter Rand.

**PETER RAND:** My name is Peter Rand. I am the Lake's Chairman for Lake Arrowhead Club, and Lake Arrowhead in Denville, New Jersey. I'm really only here to speak as to our perspective, which is one of the smaller lakes. We have four lakes, but our total acreage of water is maybe around 35 acres. And our membership, which is a voluntary membership, geographically based, of a little over 100 members a year, 100 families that live on the lakes or near the lakes. So our financial capabilities are limited, and when we're faced with vegetation removal or other long-term, which would be capital items, we have very limited resources.

So anything that the State has available or is thinking of making available, be it grants or loans or something, that we are interested in knowing about, and just mentioning that it is a concern of ours, and we're trying to save

our own money to forward an effort in a couple of years from now. But as you can see -- and I know it's a difficult process for small lakes to sometimes go into the grant programs and understand how best to do that.

Number two is -- relating to that is, aside from leaves and other sorts of vegetation which cause fill-in of our lake, there are two lakes that are affected by stormwater runoff, and those are directly from Route 46. And those are stormdrains, which for some reason are not going into where all the other stormdrains would go on Route 46, but they go directly into our lake. And most recently, last Thursday, there was a diesel fuel leak from construction across the highway, and our lake was contaminated by diesel fuel. Denville has not responded, and I believe that DEP is involved now, but obviously it's not a good situation. I'm not quite sure how to proceed as to get the stormwater redirected and set, such that it won't happen in the future.

So, those are just a couple of basic points.

SENATOR BUCCO: Okay.

Mr. Rand, with the Lake Arrowhead and the other lakes around the area of Denville -- I asked the gentleman from Lake Telemark -- you're an association?

MR. RAND: We're an association. There is no -- we've never had any provisions, when the area was developed in the late '20s, to put it into the deeds that you must join.

SENATOR BUCCO: So it's a little more or less, again, on a voluntary basis if they want to join the association.

MR. RAND: Voluntary basis, yes, it's -- we have very good participation. We're a very close-knit community, but about half of our

geographic boundary is -- let's say a little less than half of that is actually the Mountain Lakes, the Township of Mountain Lakes, and those individuals don't necessarily have to join us, because by paying their normal town taxes, they are privileged to use the Mountain Lakes' facilities.

SENATOR BUCCO: I see. Okay.

Anyone from the Task Force?

Yes, sir. Dirk.

MR. HOFMAN: What is your relationship with Mountain Lakes, as far as activities on the lake are concerned?

MR. RAND: We are both members -- well, our lakes are Denville, so, Mountain Lakes -- the Township of Mountain Lakes, we really don't have any official relationship with the town. We participate in Hub Lakes, which is an association of lakes in that area, in sporting and other sources of activities, but --

MR. HOFMAN: But the town doesn't give you any assistance in maintaining the lake?

MR. RAND: No. No. Most of our body of water is actually Denville, almost all of it --

MR. HOFMAN: It's in Denville.

MR. RAND: -- except for one part of a third lake.

MR. HOFMAN: Okay. And you have no relationship with them insofar as activities on the lake?

MR. RAND: Mountain Lakes, you're saying?

MR. HOFMAN: I'm sorry. Your lake is in a municipality?

MR. RAND: That's right, the Township of Denville.

MR. HOFMAN: Township of Denville.

MR. RAND: With a small part of it in Mountain Lakes.

MR. HOFMAN: Okay. I misspoke. I thought it was Mountain Lakes.

MR. RAND: No. No, sir.

MR. HOFMAN: Denville.

MR. RAND: Yes.

MR. HOFMAN: What is your relationship with Denville, vis-à-vis the activities on the lake?

MR. RAND: Our lake is a private lake community, like many of the ones in Denville.

MR. HOFMAN: Okay.

MR. RAND: So we don't have any specific relationship with the Township of Denville. We pay taxes, obviously, but that's the extent of it.

MR. HOFMAN: None of those taxes go to do any improvement on the lake or maintain the lake?

MR. RAND: Not that I am aware of. No, not directly, as such.

MR. HOFMAN: Okay.

MR. RAND: They go to the General Fund, and I don't believe Denville has any specific programs to maintain lakes.

MR. HOFMAN: Okay, thank you.

MR. RAND: Sure.

SENATOR BUCCO: Anyone else? Yes, Mark.

MR. TERRY: Just to kind of tie in what I said before, our 319h grant --



MR. RAND: Right.

MR. TERRY: -- collected -- took runoff from State Highway 38. We had the same problem with direct connections from State 38 into our lake system, and through that program we were able to intercept those drains and put them into special catch basins that could be maintained by our public works department. I know we have a private association, and probably not the same resources, but we addressed that problem and, I think, improved the water quality tremendously as a result of that.

MR. RAND: Yes, I --

SENATOR BUCCO: Through 319?

MR. TERRY: Yes, was part of our proposal to --

MR. RAND: I'll make note of that. I will mention that when we -- the town put in sewers in our area about nine years ago or so, water qualities -- tremendous --

SENATOR BUCCO: Improvement.

MR. RAND: It's improved dramatically. We have freshwater jellyfish on rare occasions, and you name it. The lake water is clean, so that is a big benefit when that does happen in communities.

SENATOR BUCCO: Okay.

MR. RAND: Thank you.

SENATOR BUCCO: Thank you, sir.

Next.

MS. GAMUZZA: Charles Weldon.

**C H A R L E S   W E L D O N:** Good morning, everyone. I'm Charlie Weldon, from Indian Lake, in Denville. It's a small private lake. It's

approximately 99 acres, and it's a private community. Mandatory membership is not there unfortunately, so we have a limited membership of about 550 families.

SENATOR BUCCO: What's the total population around the lake?

MR. WELDON: Around 1200 or so. That's an approximate number. And we have tried to maintain our lake on a volunteer basis, and we have, obviously, limited funds. What we do is we -- every year we put aside approximately \$5000 of our membership money towards a dredging fund, and every three years we lower our lake for wall and dock repair because of ice damage, and we try to, on a limited basis, do some kind of dredging in areas such as the swim lanes or in the beach areas.

I was wondering if there was some way that the State, county, could provide areas, in our particular case or possibly other lakes, too -- one of the big expenses is the removal of the dirt, or the carting away of the dirt. You have to store it somewhere till it dries out, and then a lot is used for topsoil or fill. Now, the State has the lands in the -- property in different areas of Morris County. If they could make them available for this dirt to be either used or stored in these areas, this would help us tremendously when we do these digging projects.

Our lake is a holding basin for the Jersey City Reservoir. Our lake goes into Denbrook, Rockaway River, down to Jersey City Reservoir, in Boonton. Maybe that would enable the State to adjust laws, whatever, because we do hold water, drinking water, for Jersey City. So, maybe that would help these things become available to us.

So, thank you for your time. Any questions?

SENATOR BUCCO: Anyone on the Task Force want -- questions?

(no response)

MR. WELDON: Thank you for your time.

SENATOR BUCCO: Thank you, Mr. Weldon.

MS. GAMUZZA: Bob Caldo.

**R O B E R T C A L D O:** Good morning. My name is Bob Caldo. I represent Cozy Lake Association. We're a private lake association. Our lake is approximately 24-acres. Our problem, I guess, is the same as I've heard some other people mention. We have approximately 300 families live within our community, of which only 95 have chosen to join the lake association, which limits our funds. We have started a preliminary investigation into a dredging project, which at this point in time seems to be about \$160,000 to \$200,000.

I guess what I really want to know and say is that I am urging the Senator, who sponsored a bill, New Jersey Uniform Common Interest Ownership Act in the Senate, to really try to push this bill forward. This would help alleviate a lot of our problems. It would give us the authority to assess people that live within the lake community, so we can raise funds to do these projects. And basically, that's all I have to say.

SENATOR BUCCO: Okay, Mr. Caldo, for the Task Force, here. I guess it was last year, after we had the heavy rainstorm up in this area, Senator Littell and I had called a meeting up in Jefferson Municipal Building because of the breaching of some dams in Sussex County, and the damage that was done in Jefferson. And we had heard, basically, a lot of these complaints from the local, private lake communities of what you are hearing today, that their membership is not mandatory, and that they really depend on the good people

of the lake community that do want to join, and assessing them a fee each year. But unfortunately, not all the members or not all the families around these lakes feel that they have an obligation to join because it is not in their deed.

We put a bill through, Senator Littell and I, and that is a way -- we're trying to get that through -- which would allow the private lake communities to assess, if they so chose, to assess their families within the lake community, because it would be a tremendous help to all of you. So we did realize that, and we did put that bill through. Unfortunately, it hasn't come all the way through, but we are working on it, Mr. Caldo.

MR. CALDO: I appreciate that.

SENATOR BUCCO: Okay.

MR. CALDO: Thank you.

SENATOR BUCCO: Thank you.

Anyone from the Task Force have a question? (no response)

Thank you.

MR. CALDO: Thank you.

SENATOR BUCCO: Next speaker.

MS. GAMUZZA: Cliff Lundin.

**CLIFFORD R. LUNDIN, ESQ.:** Good morning.

SENATOR BUCCO: Good morning, Cliff.

MR. LUNDIN: My name is Cliff Lundin. I'm a former Mayor of Hopatcong, and a former 29-year member of the Lake Hopatcong Regional Planning Board. And I'm also now President of the newly reactivated Lake Hopatcong Protective Association. In my private practice, I've represented some lake communities and lake associations.

And let me just echo some of the things that have been said here today. New Jersey's lakes are of critical importance to all of New Jersey. Here in Lake Hopatcong, we're probably one of the most intensively used recreational lakes in the United States, and the calm, placid waters that you see out there on this weekday are quite different on a weekend in the summer.

Let me also start by commending Governor Whitman, as well as the New Jersey Legislature, for establishing this Task Force. It was probably long overdue, and it's a critical problem. And let me also commend to you Jim Mumman and Bud Cann and Ken Klipstein. On Lake Hopatcong, we've had close to a 20-year relationship with Jim Mumman and Bud Cann, and they have been extremely helpful in promoting volunteer efforts. So you not only -- you don't often hear praises of DEP, but, in fact, these two men have been very helpful in assisting us here on Lake Hopatcong and getting us the funding to do a lot of our work.

Some general observations: One, I think, when you get into the problem, you'll find that most of the lakes in New Jersey suffer from nonpoint source pollution, which is by far the hardest sources of pollution to control. On Lake Hopatcong here, our primary sources were septic tank runoff and stormwater runoff, both of which are extremely difficult to address. And as Ken indicated -- Mr. Klipstein indicated, it can only be approached on a watershed basis, because everything that happens in the watershed, in fact, can impact that lake downhill. And that also makes it very difficult, because a lot of times either the communities or the lake associations don't control all of the watershed. And a lot of the times, a big part of the problem is public education.

People don't realize that what they do two miles away from the lake into that stormdrain could impact that lake or impact two or three lakes downstream.

One of the primary concerns that we have experienced, and problems we've experienced in the past, is the lack of stable funding, and I know that the Legislature has addressed that for Lake Hopatcong. And I know that the past bond issue did address the private lakes, because the first rounds from EPA, in the state, did not address the private lakes. And I know -- Frank can tell you that the private lakes themselves have a very difficult time coming up with the guarantees to help pay back the loans or to come up with the local matching share.

The issue was raised before about herbicides. Herbicides have their place. There is no one solution to lake management. Herbicides have their place, and I'm not going to speak against herbicides. But there is a big problem in the State law as it's currently enforced, specifically having to deal with notice. When herbicides are introduced to a lake, all you have to do is put an ad in the paper and maybe put some postings up, okay. The Lake Hopatcong Regional Planning Board repeatedly requested DEP to notify -- to require the applicators to notify people within 200 feet and -- well, 500 feet from where the chemicals are being put in. There's no requirement for actual notice to homeowners. On Lake Hopatcong we estimated, from the regional planning board, that there may have been 300 to 400 people taking drinking water out of the lake that we don't know about. And even more people taking irrigation water, lawn water, out of the lake.

Private applicators: Your neighbor can go to a chemical applicator, pay them to put in chemicals, and you may not know it until after it's done.

And you could be watering your lawn with that. And we have had two instances on this lake where people's intakes were, in fact, contaminated with herbicides. So, in part, I think the notice provision in the State herbicide law really needs some attention, because you have conflicts between owners.

Another thing that could happen in the State, in the government, that is under your control, is some better coordination between your departments. Fish and Game, DEP, Marine Police, and Forests and Parks all have some jurisdictions over your lakes. All have various rules governing contamination of lakes. Park Service on Lake Hopatcong -- and Lake Hopatcong is a State Park -- has some very good rules dealing with boats on private lakes and activities on private lakes; however, they don't have a boat to enforce them. And Marine Police, in the past, have not been willing to enforce State Park rules and regulations. In part, a better communication between State Police, Park Service, Fish and Game would help.

Anyway, that is just some observations. I think you'll find that there is not one final approach -- there's not one perfect approach. You need a program with funding. You need a program with flexibility. You need a program to help the private lakes, and I commend you for getting off to a good start. You have some very good people here, with Jim and Bud and Ken, and I don't envy you the difficult task that lies before you.

SENATOR BUCCO: Okay, thank you.

MR. LUNDIN: Thanks.

SENATOR BUCCO: Just make -- Cliff -- does anyone on the -- have anything? (no response)

No.

Thank you, Cliff.

MS. GAMUZZA: John Inglesino.

**FREEHOLDER JOHN INGLESINO:** Senator, members of the Task Force.

My name is John Inglesino. I serve as a Morris County Freeholder and also as Mayor of Rockaway Township. After listening to Art Crane speak, I wanted to address, briefly, an issue concerning some of the rural lakes, and some of the problems that they are having with regard to antiquated and failing septic tanks and the inability of some of those communities to provide for sewers. There are a number of rural lakes in the State of New Jersey that are not even within a sewer service area. So it's not only a question of dollars, but it's also a question of not being in a sewer service area, so they can't get sewers -- it's not a viable option.

I don't know whether the State has, but as part of an overall program, you may want to consider low interest loans or grants to lake community owners who need some additional funding or some financial help to install state-of-the-art septic systems so that constant threat will abate to many of the lakes. I know some of the lakes are threatened by pollution from antiquated and failing septic systems, and this may be a way to help to deal with that problem. If we don't do it, the situation is going to get worse.

In other lake communities, as was alluded to earlier, there isn't even a consensus among the people who live in those communities that they want sewers, because some have invested in state-of-the-art septic systems, and they don't want sewers. Others can't afford state-of-the-art septic systems. And it seems to me that the State does have a responsibility. And I commend the State



of New Jersey and this Task Force for meeting that responsibility in helping some of those people, because there is a significant public health issue that, I think, is emerging and will continue to worsen overtime. I just wanted to make that point.

I thank you for your leadership, and, of course, the leadership of Senator Bucco.

SENATOR BUCCO: Thank you, Mr. Inglesino -- John.

Anyone from the Task Force have a question? (no response)

Thank you, John.

FREEHOLDER INGLESINO: Thank you.

MS. GAMUZZA: Joe Nametko.

**JOSEPH N A M E T K O:** My name's Joe Nametko. I'm with the Lake Musconetcong Regional Planning Board. First, Senator, thank you for the invitation.

I'd just like to give you a couple of facts about the lake that's part of the communities of Netcong, Roxbury, Stanhope, and also Byram. The lake is about 330 acres. In 1999, we weed harvested 100 of the acres. We took out 1.3 million wet pounds of weeds. That's an awful lot of weeds just for one-third of the lake.

Last year -- actually a year-and-a-half ago -- we were successful -- thanks to Senator Littell, we got a Christmas tree item of a weed harvester. This year, we weed harvested about 200 of the acres. We haven't even completed putting the numbers together, but they're astronomical, the number of the amount of the weeds in the lake.

Originally, Lake Musconetcong was an average 20-foot deep. Today, it's maybe five- or six-feet in the deepest spots. I personally was our weed harvester, and in the middle of the lake, we hung it up in about 18-inches of mud. The weeds, years ago, were treated with copper sulfate or some other chemical. They sank to the bottom, they fertilized, more weeds grew up. I think we've gotten a little bit smarter, and since then we've been doing weed harvesting. One of the problems is the depth of the water. It's warm, and there's a lot of nutrients going in.

What I didn't hear anybody talk about today was the goose problem in the watershed. We have, on average, any time of the day, 200 to 300 geese on Lake Musconetcong. Each goose drops eight pounds of fecal matter. That's 1600 to 2000 pounds of fecal matter either in the water, in our parks, which are basically not usable for our youngsters nowadays. If it doesn't end up directly in the lake after a storm, that's where it goes.

Our lake certainly needs dredging. With the Band-Aid of weed harvesting is hopefully -- you know, the lake looks great today, but we can't do anything with the geese. The State, I know they have a program to start working on it that I saw down at the League of Municipalities last year. But as part of the actual management of our watersheds, we have to seriously address that problem. It's to the point where -- we've had people at our rec meeting last night considering what the concerns are, you know, the kids running in the goose droppings, and we're right up against the lake.

SENATOR BUCCO: Okay.

MR. NAMETKO: That was it. Thank you.

SENATOR BUCCO: Anyone from the board?

MS. SMITH: I just have -- it was in reference to the geese. Do you have a program of adding the eggs? That's taking the eggs from a nest.

MR. NAMETKO: No. We -- personally around the lake, we don't.

MS. SMITH: It's a program that we've effected at Lake Mohawk, and we go to the nests every year, not personally, but we hire people to do that. Space Farms does it very effectively, and there is the Agriculture Department will do it. We have reduced the flock enormously -- we really have. We take about 150 eggs a year, and you know how they multiply if we're not taking them.

The program's in effect for about five, six years now, so just add those numbers up. It's a very effective program. It does take some funding, but you not only reduce the population in that year, but you also discourage the geese from nesting, so, it's two-fold. It's done in spring. They're saying now that they may have to come back again in summer to do it, because the geese are no longer transitional. They're here to stay, so they nest more than once a year. It's been very effective for the lakes we know of, and I think there's a brochure here with a Federal permit in it. It's well worth your while looking into. Eric Space, or Space Farms, does this work.

MR. NAMETKO: Okay, thank you, very much.

MS. SMITH: You're welcome.

SENATOR BUCCO: Anyone else? (no response)

Thank you.

MR. NAMETKO: Thank you.

MS. GAMUZZA: Ronald Gatti

**R O N A L D G A T T I:** Good morning, ladies and gentlemen. I'm Ron Gatti. I'm the Township Manager at Byram Township. Byram Township is the

Township of Lakes -- it's actually our Township motto. Within Byram Township, we have 13 lakes, among them are Cranberry Lake, which is a State owned lake and part of the Lake Hopatcong Regional Park Association -- sorry, the Lake Hopatcong State Park, rather; we have part of Lake Mohawk, within Byram Township; we have Lackawanna, part of Lake Musconetcong; Tomahawk Lake; Jefferson Lakes; Forest Lakes; several others. So that all of the comments that have been made today, and in parts, certainly, all apply to our interests in Byram Township.

We have a number of concerns that are shared concerns, and therefore my main thought, really, in coming to this meeting today was so that I too would learn what the Task Force is doing, and to certainly express our support for the work of the Task Force and all of the organizations that are working for the improvement of lake water quality in the State.

At Byram, we have participated in the past in phase 1 studies, and we've had some phase 2 implementation programs. We probably are one of the pioneers in the State of New Jersey in septic management, and I'm very pleased to report that lake water quality at Cranberry Lake is really very, very excellent. We're very pleased with that.

We have some concerns. The one concern, structurally and jurisdictionally at this point, is that -- deservedly, Lake Hopatcong, with the Lake Hopatcong Commission, is receiving a great deal of attention, and as I say, absolutely deservedly. Some time ago, I had suggested that to the extent that the jurisdiction issues are shared by many of the State agencies, and particularly with Hopatcong, the State parks and the Commission, that Byram has a concern in that the Commission is made up entirely of, basically, the townships

around Lake Hopatcong; however, the State Park does also have jurisdiction over Cranberry Lake. Yet we do not have any representation on the Commission. I think that that's an issue that needs to be looked at over time, just so that -- in fact, we certainly do not want to see Cranberry Lake become -- you know, be overlooked in the significance of the work that the Commission and the Task Force does.

That's really all that I came up to say. I primarily -- I do thank you for all of your work, and Byram Township is absolutely prepared to assist and support the work of the Task Force. And Fran Smith, who is -- I have the great fortune of being a Lake Mohawk resident, as well as Township Manager in Byram. So, I do thank you.

SENATOR BUCCO: Thank you.

Does anyone from the Task Force have a question to ask?

MR. HOFMAN: Yes.

SENATOR BUCCO: Dirk.

MR. HOFMAN: Does Byram own any of the lakes?

MR. GATTI: No. No, they are located within the township, but none of them are actual municipal facilities.

SENATOR BUCCO: Community lakes?

MR. GATTI: We have a number of community associations, such as the Lake Lackawanna and Forest Lakes. Both have community associations, and certainly Lake Mohawk.

MR. HOFMAN: How about the other lakes?

MR. GATTI: Cranberry Lake has a community association also, but that is a State owned lake. Now, it is wholly within Byram Township,

unlike Lake Hopatcong or Lake Musconetcong. The State Park, the Lake Hopatcong State Park, basically has jurisdiction over Lake Hopatcong, Lake Musconetcong, and Cranberry Lake now, where the other two lakes are regional and have regional planning bodies, with the Lake Musconetcong Regional Board and the Lake Hopatcong Commission. There is no regional planning body for Cranberry Lake, and yet that is a State lake, and that is, as I've said, one of the -- my concerns in that -- at the point that there are regional bodies whose specific concerns are those lakes. Cranberry Lake, which has some 600 to 700 families there, does not have representation on any of the regional bodies. Now, were the State Park Commission, were the Hopatcong State Park to -- that does have jurisdiction over Cranberry, Muconetcong, Hopatcong now. So there are some issues there that need to be looked at. There are no quick and easy answers of course, but what I'm suggesting, really, is that the scope of the Commission be expanded to include the jurisdiction of the park, because then you'd have a uniform jurisdiction, rather than the fractional situation that we have at present.

SENATOR BUCCO: Anything else? (no response)

Thank you, Mr. Gatti.

That's it? No one else signed up to testify? (no response)

Is there anyone out there that didn't sign-up and would like to testify?

Yes, sir, would you come up and give us your name and your affiliation.

**SCHUYLER MARTIN:** Good afternoon. I'm Schuyler Martin, President of the Swannanoa Sentinal Society, which is located in Jefferson

Township. I'm here today with two of my fellow board members representing Lake Swannanoa, which is a private lake in Jefferson Township, approximately 55 acres.

I want to just echo some of the sentiments passed by some of the other private lake associations, in that our lake is highly eutrophic and is in bad need of dredging and restoration. I just want to paint a picture as far as what we had done -- our lake association has done to the committed effort to doing the restoration work and a management plan. We started in 1998 with a restoration of -- our rehabilitation of two dams, and we also applied for a loan based on the 1996 Bond Act. And we were one of seven or nine lakes conditionally approved for a loan to do some dredging. Our portion of that money was approximately \$350,000.

We've been working with Bud Cann's office for the past several years, but to date we have not been able to take the loan. Our frustration has been with the DEP in trying to get the necessary permitting. We have been getting mixed signals from the regulatory departments, which would be Stream Encroachment and the Land Use Division of Water Resources, on what type of permitting we would need to be successful in our endeavor to take those loan moneys. And talking to some of the other lakes that have been a recipient of this loan, there seems to be a mixed signal as to whether it is a general permit or an IP permit. Our problem has been -- we have not been able to get a preliminary application meeting together with those departments down at the DEP to address our concerns so that we can move forward with the project.

We've also been working with Jefferson Township, the municipality, to address some stormwater runoff issues. There are nine outfalls

that drain into the lake off of municipally owned roads, and, you know, there's been some sediment over the years that's created a problem. Most recently, as many of you are aware, was the August storm of 2000, which left our area fairly devastated in terms of erosion and sediment.

I'd also like to say that Jefferson Township has been proactive in trying to control fertilizer, and about two years ago they enacted an ordinance banning phosphorous fertilizers. That's obviously of some importance to all of us that live within these watersheds. And I think the larger issue here is once you do have an ordinance, or townships and municipalities adopt this ordinance, that could be two-fold. There's the enforcement, which -- you know, who's going to enforce that? And I think the second leg of that is really public education. The more we educate the public as to the damage that's created by fertilizers and by, you know, washing machines and private septic systems that aren't maintained, then we can control the problem at its source, instead of trying to treat the symptoms.

As for our symptoms, we do have a weed control program that we have been -- we've established approximately two years after we did the dam rehabilitation. What that is is Sonar, which is an herbicide that basically treats the root system of the plant. We thought that that was the best method to go, rather than to go with the harvesting, because harvesting will fragment some of these evasive and exotic species, and they will continue to grow, so we thought it was best to try and kill the root of the plant. But the -- so we have a vested interest in that weed control program, but there still is the need for some dredging in some of these shallow cove areas, because depth of those coves, as I've said, is very shallow, and the light penetrates quick. So it's really like a



jungle out there, you know, and it's not only our lake, it's many lakes within the township.

And of course the biggest issue, as Tony has pointed out previously, is always money. You know, for ourselves, we're a small, private organization of 115 members, and we've shared a cost of a \$1 million dam rehabilitation project. That roughly works out to be about \$5000 to \$7000 per family, in a blue-collar area, you know. Now taking on another loan for dredging, and working with the township, in which they've put some bond moneys together, and we're hoping we can, you know, we can afford to do all of these little projects. And we are committed to restoring our lake, and bringing back some recreational depth out there for boating and swimming. We don't allow fossil fuels -- only electric motors on the lake.

And we try to watch out for private septic systems. The whole area is private septics, and most of the homes, which were originally just summer vacation homes, have now turned around to year-round housing, and most of the septic systems have been replaced. We do have a watchful eye for those that aren't, and we try and keep, you know, on top of that type of thing. And I'd just like to say thank you to the advisory board for giving the lakes time to give feedback and input to your board and, you know, planning for the future years to come.

SENATOR BUCCO: Thank you.

MR. MARTIN: Thank you.

SENATOR BUCCO: A question on your treatment of this. You said Sonar?

MR. MARTIN: Yes.

SENATOR BUCCO: Has that been successful?

MR. MARTIN: The first year we saw some sizable results. I think this year we had a problem as far as inflow of water, and we didn't see the results we wanted to see, and that was due to the fact that we had to keep the level of the lake down low because we did receive damage to one of the dams after the August storm. But Sonar -- we looked at it as a three-year program, over a three-year period of time, to try and really get a fix on the root systems of the plants. This year we saw a lot less growth initially in the springtime, and, you know, we're hoping that by next year we can get this thing down to a manageable level. It cost us approximately \$12,000 per year to treat that 50-plus acres of property, and again, there's even a trade off with that, as to, you know, if we should be spending money on further engineering for permitting to move forward with the dredging, because ultimately, you know, when a lot of these shallow areas -- it's just, you know, it's just maintenance. You know, you can't knock the weeds down unless you kill them by the root. If you're just cutting them, then they're going to continue to grow and to spread.

And, you know, long-term, what we would like to see is some dredging, which will create a decent depth for recreational value, and then the light -- plants won't be able to grow because the penetration of light won't be that much -- it would be that much deeper. And in working with the township, with the drainage, before we're able to address that problem and get the stormdrainage under control, then there shouldn't be -- we should be able to reduce the amount of sediment that comes into the lake so that we don't have to dredge, you know, every ten or twenty years.

SENATOR BUCCO: Okay.

MR. ARMENTI: Mr. Chairman.

SENATOR BUCCO: Yes.

MR. ARMENTI: You mentioned you had -- you engaged in some loans.

MR. MARTIN: Yes.

MR. ARMENTI: Are they regular commercial loans, or were these loans from State agencies or from --

MR. MARTIN: They're State loans. There was originally a bond act or, not a bond act, the Green Acres Program that went out to the public in 1992, I believe.

MR. ARMENTI: And were these the liabilities of the township or the association members?

MR. MARTIN: This is a liability of the lake association -- and of our private lake association, but I want to also say that first loan, which was for the rehabilitation, required the co-signature of the municipality to guarantee the loan, and Jefferson Township was the first to get involved with that and step up and guarantee that loan. It would be the same for the lake restoration loan from 1996. The municipality -- I guess the way the loan is set up, it would require the -- for a private lake association, it would require the guarantee of a municipality or a county to co-sign.

MR. ARMENTI: Thank you.

SENATOR BUCCO: Okay. Anyone else have a -- yes.

MR. MUMMAN: I would just say, if you still continue to have problems getting those permits, if you call me or Bud, and we'll try to help facilitate meetings in the Department for you, okay.

MR. MARTIN: Okay. Well, we'd appreciate that.

MR. MUMMAN: We'd like to see that loan move forward into an implementation stage.

MR. MARTIN: Well, that's -- thanks. It's been a log jam for us for two to three years, and we're committed to the effort.

MR. MUMMAN: See me after the meeting, and we'll talk about that, okay.

MR. MARTIN: Okay. Thank you, Jim.

SENATOR BUCCO: Okay. Anyone else that had not signed up? If not -- yes.

While the gentleman's coming up, I'd just like to recognize that Senator Littell, from Sussex County, is here. Senator Littell, thank you for being here.

Yes, sir. Speak your name.

**F R E D S U L J I C:** Good day, my name is Fred Suljic. I'm the County Planning Director for Sussex County. I've been here since 1978. I just wanted to pass some information on to you.

As a result of our 208 Water Quality Management Program that we've had since about 1976, we have done documents on innovative and alternative technology on outside wastewater treatment. We've also done management and restoration guides for Sussex County lakes: the Cranberry Lake, Culvers Lake, Lake Mohawk had taken advantage of. We've also done growth management, a carrying capacity approach, that we've done. We're one of the six counties in New Jersey that created a 208 policy advisory council, which is an advisory to the Board of Freeholders.

We also did a septic -- maintaining a septic system in Sussex County as a folder, with information about the do's and don't's of your septic, and all of this relates to having better water quality in your lakes and ponds. We do have just under 200 lakes and ponds in Sussex County, so we feel that we were very innovative back in the early .80s, late .70s in doing this.

And I agree with everything that everyone has said before. I think we have to provide more incentives. Our 208 Water Quality Policy Advisory Program, we don't charge any fees. We review all the water quality plans, and since the mid .80s, the wastewater management plans, showing which areas would be sewerred, which areas would be under septic waste and disposal fields. But we never received, virtually, any money except for maybe the things that we've done with some grants with regard to the septic waste management districts, which we had some pilot demonstration programs. Ron Gatti referred to the one in Cranberry Lake.

And eventually these municipalities have gone on to doing mandatory ordinances for pump acts, every three to five years. Lake Mohawk is in that in the last few years, with Sparta Township. But there's not enough money to do implementation. In fact, in most cases, there's very little. And 319h program, we've been working with Bud Cann, with regard to Swartwood Lake, when two years ago they were not a 501(c)3, so they couldn't receive any of the Bond moneys directly. That now comes through the county to help them, but eventually they did become a 501(c)3. And I applaud the efforts of Swartwood Lake, because that was a State lake that there was a group of fishermen and other interested people who were very interested in doing something for that lake and improving it.

One concern I think we always have is the fact that the incentives aren't near -- they should be very low interest or no interest loans to private lake associations, because many of them do contribute to the water quality of the down gradient streams. Even if it's a private homeowners association, even if it's a headwaters of that water body, it's very important to help them. Even though they may not be able to get grants, maybe there should be something considered, even if a grant that was 50 percent grant and 50 percent low interest or no interest, because right now, except for the last 10 or 15 years, no one has really focused on the viability of lakes from a water supply point of view and water quality.

And I think with the watershed efforts that we were promoting back in the late .70s, early .80s that now is coming back, because now there's some dedicated funding for that. That certainly isn't enough money, I can tell you that, from what we've seen in the Wallkill and the Upper Delaware. But also, too, I think you can provide incentives for the counties and municipalities to work together. If you wanted to utilize a county, like a Sussex County, to augment and help to manage at what could be done with even the private lakes, I don't think anybody would argue against that. And that's something I think our Board of Freeholders would have to encourage.

So, not me staying here any longer, I think -- I would advise that the Task Force look at those different types of incentives, and we'll be glad in future correspondence -- I didn't realize that today was a public hearing, more of a public information meeting, but we'll sit down with our lakes -- with our lake associations through our 208. I'll advise them at our next meeting. We're

one of the few counties that have taken that and carried it on even when 208, basically, deceased, and everyone said well, no one is carrying forth.

There are some other counties, by the way, like Monmouth County, that created their environmental council. And I know Morris County was looking at the 208 program, and Warren County. And again, it's a matter of funding. Even if you provided very minimal funding to staff one person at the county level to coordinate these levels, you're talking a very minimum amount of money, \$30,000, \$40,000, \$50,000, maybe per county, at a bare minimum, to provide a dedicated staff person that could help work with the DEP and work with the local lake associations, be it private lake associations or a public water bodies that are administered and operated by the State. So, it's something I would encourage you to do. We do it right now. We don't charge any fees, but we're short of staff, and I know the \$600,000 for the watersheds is a great boost, but it does take additional staff's time. So anything that you could do -- and I'm sure the counties would have no problem with this. We discussed with the County Planner's Association and our respective Freeholder Boards. That would be one way to have better cooperation on a regional basis.

SENATOR BUCCO: Okay.

MR. SULJIC: Thank you.

SENATOR BUCCO: Thank you, very much.

Does anyone have anything? (no response)

Thank you, very much.

Senator Littell would you like to come up and make any statement?

**SENATOR ROBERT E. LITTELL:** (speaking from audience)

Thank you, Senator Bucco --

SENATOR BUCCO: Can you come up, Senator Littell, please? This is being recorded, otherwise it doesn't pick up your voice, there.

SENATOR LITTELL: I couldn't hear it in the back, anyway.

SENATOR BUCCO: Okay.

SENATOR LITTELL: Senator Bucco and members, I'm just here to support you.

Assemblyman Gusciora, it's good to see you.

As Chairman of the Senate Budget and Appropriations Committee, Senator Bucco serves on my committee, and I realize that the projects that you're talking cost money. The two of us have sponsored a bill for \$135 million, which has to be confirmed by the Senate on an Assembly amendment, this Thursday, the 4th or 5th of October. And I expect that will happen, and the Governor will sign it to provide \$135 million for dam repair, dredging, and desnagging of rivers, cleaning up our water bodies across the State. So, we have a lot of support in our Legislature for these issues, and they're important. And we need to fix them now for the next 100 years. Is that enough? (laughter)

SENATOR BUCCO: That's plenty, Senator. You took my thunder away. I wanted to tell them about the \$135 million.

SENATOR LITTELL: Well, we both worked on it.

SENATOR BUCCO: Absolutely. Senator Littell is the prime sponsor of that bill, and I was co-prime on it, and it's always a pleasure working with our distinguished Senator from Sussex County, who has really helped the whole region here over the years that he was there. And Bob, we've -- I know everyone in the room thanks you, because you've touched everyone here at one point in your political career.



SENATOR LITTELL: (speaking from audience) I've got to run along.

SENATOR BUCCO: Okay. As he stated, we did pass that bill in the Senate. It went over to the Assembly. They made an amendment to it, and it's coming back to us on, I believe, October 4th at our session meeting to be -- to concur with the Assembly, and that money -- hopefully, the Governor will sign -- and that money will be available for the -- that was due to, again, the storm that we had back in August of last year, August 12th of last year that caused a lot of problems with our dams up here and our lakes. So, hopefully that will be coming through and a lot of your communities will be able to take advantage of that. That is a grant for municipalities, it is a low interest loan for private lake communities, okay.

Anyone else on the panel have anything to add or state? (no response)

And there's no one else that wants to testify? (no response)

If not, I want to, again, thank Mt. Arlington officials and Mayor LoPonte for allowing us to have this meeting up here today.

Also, Zina and Simita, out of Assemblyman Corodemus' office, I want to thank both of you for coming up, and thank the Assemblyman for allowing you to be up here today to help us out.

And from my office, Barbara and Derek, who were also helping out.

I would like to mention, I see in the audience Mayor Feyl from Denville, Gene Feyle. Thank you for being here -- and also the administrator from Jefferson, Jimmy Leach.

Jim, thank you for being here.

Both of them have interest in the problems because of Denville. You heard from Lake Arrowhead and a lot of the different lakes around there, and also the administrator from Jefferson with the Lake Hopatcong, which sits -- a great portion of Lake Hopatcong sits in Jefferson. So, again, I want to thank you, very much.

The Task Force will be meeting again, I believe, in November, and we'll probably be meeting in Mercer County in Assemblyman Reed's -- and we have to shuffle back and forth, so. We don't want him traveling up here all the time. So, again, thank you, very much. Meeting's adjourned.

**(MEETING CONCLUDED)**