

Presented to Borough of Tenafly Mayor and Council by Tenafly Nature Center 9/29/15

If the sediment tests find contamination, the Borough will NOT be liable to remove the contaminated sediment.

According to conversations with:

Mark C. Davis, Acting Supervisor - NJDEP-Office of Dredging and Sediment Technology

Nancy Hamill, Ecological/Sediment Criteria - NJDEP-Site Remediation Program

Unless the site is a known "Area of Concern" there is not anything that mandates the pond to be dredged (or other remediation activities) if contaminants are found unless they are a result of a discharge by responsible party. If it is just sediment from a pond and the pond is dredged then the material must be managed at an acceptable site based on the sampling results.

"Area of concern" or "AOC" means any existing or former location where hazardous substances, hazardous wastes, or pollutants are or were known or suspected to have been discharged, generated, manufactured, refined, transported, stored, handled, treated, disposed, or where hazardous substances, hazardous wastes, or pollutants have or may have migrated" (N.J.A.C. 7:26E-1.8)

Why Weed Harvesting cannot be used in lieu of dredging.

Definitions:

Dredging: Removal of sediments under wet or dry conditions.

Hydroraking: Plants, roots systems, and surrounding sediment and debris disturbed with a mechanical rake; part of material usually collected and removed from lake.

Harvesting, Pulling, or cutting: Reduction of plant growths by mechanical means with or without removal from lake. (TNC has been doing this since the 1960's.)

Disadvantages of Hydroraking & Weed Harvesting:

- Does not significantly change the depth of the pond. This leaves sediment in the "photic zone" where plants will recolonize readily.
- Leaves plant fragments which re-root and spread infestation. (Closter Nature Center hydroraked Ruckman pond and was told it would last 5-10 years. The conditions returned to prior condition within two years.)
- Large areas where woody button bush (which covers over 1/3 of the pond) cannot be harvested with hydroraking. These areas are very close to no longer being considered open water - once this happens it becomes much more difficult to dredge (permissions and permits change and become more onerous) and these area will revert to swamp forest. – dredging will remove buttonbush and sediment.
- This is not a "root cause" solution as it treats only the symptom (plant growth).
- Although cost is less than dredging it may eventually add up to the same amount or more without the benefits.

There should be a business plan to see where the finances are coming from.

We agree and propose that an Ad Hoc Committee be formed to work out the details of such a plan. We suggest that the Pfister's Pond Business Plan Ad Hoc Committee could consist of:

- Daniel Park – Borough of Tenafly Councilman and Liaison to the Tenafly Nature Center
- An additional Borough Council member, such as Mark Zinna who recently toured Pfister's Pond.
- Borough Administrator Jewel Thompson-Chin (Ex Officio)
- Tony Martin - Tenafly Nature Center Board of Trustees and Board President
- Douglas Murray – Tenafly Nature Center Board of Trustees and Buildings & Ground Committee Chair
- Peter Punzi – Tenafly Nature Center Executive Director

The Committee would come to a consensus on a proposal which can be approved by both the Mayor and Council as well as the Tenafly Nature Center Trustees.

Peter Punzi – Executive Director – Tenafly Nature Center