



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF THE COMMISSIONER

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**SHAWN M. LATOURETTE**

*Commissioner*

December 17, 2021

Senator Holly Schepisi  
287 Kinderkamack Road  
Westwood, NJ 07675

Dear Senator Schepisi:

The Department of Environmental Protection (DEP) is grateful for your attention to flooding risks within your district. The Murphy Administration takes seriously the flooding and other climate risks our residents are facing and is committed to working with communities across New Jersey to better assess and manage these risks.

DEP has evaluated concerns raised this fall about whether and to what extent the maintenance of drinking water reservoirs in the Hackensack River Basin may contribute to flood risk in their host communities, and whether forecast-based lowering of these reservoirs would be appropriate to mitigate the potential for localized flooding. While my DEP colleagues and I would welcome the opportunity to work more closely with communities in your district on stormwater management and flood risk reduction measures, based upon our review at this time, DEP cannot recommend reservoir lowering as a means of potential flood mitigation.

First, it is important to note that the subject reservoirs have been designed and constructed for water supply purposes and not flood risk reduction purposes. Use of these reservoirs as a surrogate flood risk measure could adversely impact safe drinking water or other water use needs, potentially diminishing the ability to meet water supply demands. In other words, were DEP to rely upon presently uncertain forecast-based methodologies in authorizing reservoir lowering to reduce flood risk, the variability of actual precipitation could result in water supply reductions without corollary replenishment, placing the region's water supply at risk of not meeting our residents' water needs.

Second, based upon DEP's assessments to date, reservoir volume reduction in itself is not considered an effective preventative measure in responding to flood risk. Furthermore, it does not appear that the Hackensack River Basin reservoirs are effectively positioned within the basin to provide for truly significant flood mitigation downstream of the reservoirs. Their location and design, along with their inability to release water reliably ahead of a storm event, makes the reservoirs poor candidates for use as surrogate flood mitigation projects. DEP therefore does not recommend or require the lowering of water levels in impoundments prior to, during, or immediately following a storm event unless the integrity of the dam is in question. Notably, and notwithstanding executive actions to the contrary in 2012, the Passaic River Basin Flood Advisory Commission created by Executive Order 23 (Christie, 2010) agreed with this policy in its 2011 report.

Third, and importantly, were we to lower reservoirs that promise limited risk reduction, we could inadvertently sow a false sense of safety and undermine public appreciation of actual flood risk. As we observed when New Jersey suffered the remnants of Tropical Storm Ida, risk communication such as flood warnings can be under-appreciated with tragic results. There is credible concern that managing water supply reservoirs as surrogates for proactive flood risk reduction measures undermines public risk appreciation by providing residents a false sense of security while offering only a perceived benefit to potential downstream flood victims.

While DEP cannot support reservoir lowering as a flood risk reduction measure in the absence of detailed feasibility study and any resulting engineering changes, DEP can and will help your office and the communities in your district in addressing flood risk. We would be happy to discuss in more detail the various DEP resources available to your district and all of the communities we serve. Some of the Murphy Administration initiatives that would be valuable to our communities in the work ahead include:

- [Resilient NJ: Local Planning for Climate Change Toolkit](#), which provides valuable resources for developing community-specific, science-based strategies and actions that will protect homes, businesses, critical infrastructure, and natural resources
- [Clean Stormwater and Flood Reduction Act Guidance](#), which provides support for communities that wish to establish stormwater utilities capable of generating investment necessary to enhance and deploy infrastructure intended to reduce flood risk and improve water quality.
- [New Jersey Water Bank](#), a partnership between DEP and the state's Infrastructure Bank, which provides low-interest loans for the construction of a variety of water quality protection measures, including stormwater and nonpoint source management facilities.
- [Watershed Planning and Restoration Grants](#), which aid local governments and other organizations in improving the management and restoration of watersheds impaired by the non-point source pollution associated with runoff from development areas that similarly increases flood risk potential.
- [Blue Acres](#), which facilitates state acquisition of properties that have been damaged or may be prone damage from flooding or lands that may buffer or protect other properties from such damage.

Lastly, please note that DEP has been advised by SUEZ that it will be hosting an information session at its Paramus campus on Wednesday, November 10 at 10:00 a.m. for municipal representatives with concerns about recent storms to learn more about its reservoir system.

Should you wish to discuss any of foregoing or other available opportunities to collaborate in addressing flood risk, please do not hesitate to contact Bryana De Veaux, Director of DEP's Office of Legislative Affairs at (609) 633-0708. Thank you for your continued advocacy on behalf of the residents of New Jersey.

Sincerely,



Shawn M. LaTourette  
Commissioner

