

February 13, 2023

New Jersey Department of Environmental Protection
Division of Land Use Regulation
P.O. Box 420, Code 501-02A
Trenton, NJ 08625

Attn: Section Chief for the County of Passaic

Re: Flood Hazard Area Individual Permit w/ Hardship Exception
Laurelwood Arboretum Deer Fence Project
NJDEP File No. 1614-12-0010.1

To Whom It May Concern:

I **FULLY SUPPORT** the application of Friends of Laurelwood Arboretum for permission to install a deer fence.

The environment crisis facing us all in Passaic County due to the overabundance of deer is dire. Hundreds of conservation, stewardship and environmental experts, including those who work at the DEP, agree. I refer you to the following materials that were prepared by Friends of Laurelwood Arboretum and uploaded to the DEP portal on November 23, 2022 in support of its application:

1. March 2022 Proposal for the Installation of a Deer Fence in Laurelwood Arboretum, which includes the conclusion of a study done by Michael Van Clef, Ph.D, former Program Director of the New Jersey Invasive Strike Team, that **the forest in the Arboretum is extremely unhealthy, native wildflowers have been virtually eliminated, and native trees cannot grow from seed to replace any trees that fall. Eventually there will be no forest, just a scrubland of invasive shrubs that deer do not eat and that can't be utilized by native wildlife.**
2. Laurelwood Arboretum Restoration Plan with timeline;
3. Actions Taken by Friends of Laurelwood Arboretum in Response to Objections to the Deer Fence; and
4. Impact of the Proposed Deer Fence on Other Wildlife in Laurelwood Arboretum.

Deer browsing is destroying the forest floor and undergrowth which is crucial to the beneficial functions of a healthy riparian zone. As a result, water quality is negatively impacted and surface water runoff through the area is much greater than if a healthy forest floor and vegetation were in place. The deer fencing will reduce the destruction of the vegetation which reduces flooding and improves surface water quality.

The fence is designed to have no effect on the base flow of the stream through the corridor and does not come in contact with the watercourse under normal conditions.

The Arboretum is proposing a wire strand fence within the floodway, which is an activity permissible under a Permit-by-Rule #20 from the NJDEP Flood Hazard Area Control Act (N.J.A.C. 7:13-7.20) since it provides sufficiently large openings so as to not catch debris during a flood and thereby obstruct floodwaters. An activity that meets the requirements of a permit-by-rule may be conducted without prior Department approval. A hardship exception for the fence is being filed since the fence crosses Jones Brook. It is recognized that high flows may adversely impact the wire strand fence and it may require repair in the aftermath of a 100-year storm event, which Laurelwood has committed to do.

Please allow Friends of Laurelwood Arboretum to install this desperately needed deer fence to restore the treasure that is Laurelwood Arboretum for the benefit of the whole community and future generations.

Name: _____ Address: _____

