

**MINUTES OF THE
NATURAL LANDS TRUST MEETING
March 23, 2012
12:00 PM**

Office of Natural Lands Management, Trenton, New Jersey

Chairman Catania called the meeting to order at 12:10 PM and roll was taken. A quorum of trustees was present. At least one of the trustees was a state governmental representative. The Open Public Meetings Act notice was read as follows: Notice of the date, time, location and agenda, to the extent known, was forwarded to three newspapers of general circulation, and provided to the Secretary of State in accordance with the Open Public Meetings Act.

In attendance were:

Michael Catania, Chairperson	Ed Mulvan, for Amy Cradic, for the Commissioner of DEP, Trustee
James Hall, Vice Chairperson	Judeth Yeany, Trustee
Theresa Lettman, Trustee/Secretary- Treasurer	Emile DeVito, Trustee
Adrienne Kreipke for the State Treasurer, Trustee	Maurice Griffin, DAG, Trust Counsel
Steve Eisenhauer, Trustee	Robert J. Cartica, Executive Director
Thomas Gilmore, Trustee	Martin Rapp, Trust Staff
	Cari Wild, Trust Staff

Absent were:

State House Commission representative (not appointed)
DEP Trustee (not appointed)

Guests

Amanda Dey, DEP Endangered and Nongame Species Program
Michael Gross, Esq.
Alexa Richman-La Londe, Esq.
Gary Fisher, Alcatel-Lucent

General Public Comment: None

Financial Report: Mr. Cartica outlined the Financial Statements for the quarters ending September 30 and December 31, 2011. Mr. Hall motioned to approve the Financial Statements for the Third and Fourth Quarters of 2011, Mr. Mulvan seconded the motion, and by a vote of 9 to 0, the Financial Statements were approved.

The **September 23, 2011 minutes** were reviewed. Mr. Mulvan motioned to approve the minutes. Mr. DeVito seconded the motion, and by a vote of 9 to 0, the minutes were approved.

Unfinished Business:

Ms. Wild provided an update as to the status of the **Black Meadows, Hanover Township, Morris County-Alcatel-Lucent Memorandum of Understanding (MOU)** matter. The MOU authorizes access for the work approved by Site Remediation under its Amended Conceptual Design Document, which requires removal of PCB-impacted sediment to the site specific sediment Preliminary Remediation Goal (“PRG”) of 1.4 ppm for PCBs. This level of remediation was deemed protective of ecological receptors at Black Meadows, and direct human contact related to future development is not a concern given that the Trust will record a Deed of Conservation Restriction that will preserve Black Meadows in a natural state in perpetuity. Under the MOU, Alcatel-Lucent will provide a monetary payment of \$10,000 as reimbursement for staff time and resources. And as compensation for the right of access, impact to the preserve and the recordation of the Deed of Conservation Restriction, the purchaser of the Alcatel-Lucent property, 67 Whippany Investors, LLC, will provide the Trust with a conservation easement on a minimum of 7.5 acres within the area of Block 5801, Lot 1.01 located between the Black Meadows Preserve and Hanover Township open space, which is commonly referred to as the “Tail Portion Property.” Mr. Hall motioned to approve the MOU with the inclusion of the \$10,000 payment and donation of 7.5-acre conservation easement. Mr. Gilmore seconded the motion, and by a vote of 8 to 1, with Ms. Lettman opposing, the MOU was approved and the chair authorized to execute it subject to its approval and revision by the AG’s Office.

New Business:

Ms. Dey presented the **Delaware Bay Migratory Shorebird Project 2012 Budget Request** for the Conserve Wildlife Foundation (CWF) and for the Endangered and Nongame Species Program (ENSP). Ms. Dey advised the Board that the annual amount the Trust provides is critical because it helps them obtain federal funding for staff positions related to the Delaware Bay shorebird work. Ms. Dey indicated that in 2011 Trust funding to ENSP and CWF in the amount of \$71,560 was matched by \$71,500 in federal funding and \$60,000 (2011 estimate) in in-kind volunteer work. Ms. Dey distributed 2011 data indicating that the stopover population of red knots on Delaware Bay declined slightly to 12,804, and ruddy turnstone abundance (14,740) remained similar to 2010. In 2011, horseshoe crab egg densities in New Jersey improved (5,000 eggs/sq. meter in 2010 to 8,110 eggs/sq. meter in 2011) while densities in Delaware declined significantly (33,000 eggs/sq. meter in 2010 to 3,882 eggs/sq. meter in 2011). The reduced egg densities are a reflection of a continued lack of improvement in number of spawning females and number of adult horseshoe crabs in coastal surveys. As a consequence, the proportion of red knots gaining threshold weight of 180 grams declined to 18% in 2011 (from 31% and 42% in 2009 and 2010, respectively). Preliminary counts in January 2012 of red knots on their main wintering area in Tierra del Feugo increased slightly to 13,000 (from 9,850 in 2010). In 2012, the Atlantic States Marine Fisheries Commission will implement the Adaptive Resource Management (ARM) Model to set harvest quotas for horseshoe crabs from now on. The model relies on data from Delaware Bay and will base harvest quotas on biological measures, not historic or political quotas.

As with prior budgets, Mr. Catania suggested that the 2012 Budget be approved with a rider authorizing a reallocation of expenses between categories subject to a limitation of the total budgeted amount. He also noted CWF’s request for a \$35,000 upfront payment in order to fund Delaware shorebird work to be done in May and June 2012 with receipts for such work to be provided at a later time. Mr. DeVito motioned to approve the 2012 Budget with the reallocation

rider and upfront \$35,000 payment. Ms. Yeany seconded the motion, and by vote of 8 to 1, the 2012 Shorebird Budget was approved with Mr. Gilmore abstaining.

The Board considered the **Smithville/NJCF Conservation Easement Offer in Galloway Township, Atlantic County**. Mr. DeVito recused himself from the matter. Mr. Gilmore motioned to accept the Conservation Easement Offer subject to a \$10,000 stewardship endowment. Mr. Hall seconded the motion, and the offer was accepted by a vote of 8 to 0 with Mr. DeVito abstaining.

Mr. Gilmore presented the **Nominating Committee Recommendations for Chairperson, Vice Chairperson, Secretary/Treasurer Officers** and motioned their approval. Nominated for Chairperson was Michael Catania, Vice Chairperson was James Hall, and Secretary-Treasurer was Theresa Lettman. The motion was approved by a vote of 9 to 0.

Unfinished Business Continued:

The Board considered the Resolution that was circulated in December 2011 regarding the **Bay Head Preserve-Tyson Easement Donation Offer in Bay Head Borough, Ocean County**. Mr. Hall motioned to affirm the Bay Head Resolution, which passed as a phone poll by a vote of 7 to 0 with Ms. Yeany abstaining. Mr. Gilmore seconded the motion, and the offer was accepted by a vote of 8 to 0 with Ms. Yeany abstaining.

Mr. Catania provided the Board with a report on the status of activities at **Petty's Island, Pennsauken Township, Camden County**, including the implementation of the Board's award of the Educational Programming contract to the New Jersey Audubon Society. He reiterated that the William Penn Foundation may be willing to provide funding toward the feasibility study and design of the cultural and education center, as well as wayside exhibits and other interpretive applications. He also presented a map depicting a conceptual vision for future interpretive, recreational and restoration activities on Petty's Island, and expressed interest in holding another stakeholder meeting on the conceptual vision map. The Board also considered the impact of the Licensed Site Remediation Professional (LSRP) Program on site remediation activities at Petty's Island and the CCMUA parcel.

New Business Continued:

The **Calendar Year 2012 Budget** was discussed. Ms. Kreipke motioned to approve the Calendar Year 2012 Budget. Mr. DeVito seconded the motion, and by a vote of 9 to 0, the budget was approved.

The Board considered the **Draft 2011 Annual Report**. Ms. Wild requested that the Board provide any comments/changes on the draft report within the next thirty days. Mr. Hall motioned to approve the draft report subject to Board members and staff having flexibility to incorporate changes. Mr. Gilmore seconded the motion, and by a vote of 9 to 0, the 2011 Annual Report was approved.

The Board considered the **Bear Creek-Mattheou/GA Land Management Assignment Offer in Frelinghuysen, Warren County**. Ms. Yeany recused herself from the matter. Mr. DeVito motioned to accept the Land Management Assignment Offer and to authorize continued farming of existing agricultural fields. Mr. Gilmore seconded the motion, and the offer was accepted by a vote of 8 to 0 with Ms. Yeany abstaining.

The Board was advised of the **Moorestown-Garner/Moorestown Acquisition Fund** expenditure as required by the Board's March 6, 1992 resolution. Ms. Kreipke requested that the Board be advised on an annual basis regarding the status of the Trust's restricted and unrestricted subaccounts of this and other funds.

The following 2012 meeting dates were circulated to determine Board member availability and were approved: June 29, September 21 and December 7, 2012.

Mr. Mulvan motioned for the meeting to be adjourned. Mr. DeVito seconded the motion, and by a vote of 9 to 0 the meeting was adjourned at 1:40 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Theresa Lettman". The signature is written in black ink and is positioned above the printed name and title.

Theresa Lettman
Secretary/Treasurer