1 STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES CEIV 2 3 AUG 2 5 2009 4 PUBLIC SCOPING HEARING FOR A DAVID K. RICHTER ASSISTANT GENERAL PROPERTY COMMSEN NEW JERSEY GREEN ACRES PROGRAM 5 MAJOR DIVERSION OF PARKLAND MAHLON DICKERSON RESERVATION 6. JUDITH SCHLEICHER, PRESIDENT BEFORE: 8 DAVID D. HELMER, EXECUTIVE DIRECTOR JOHN M. SUMINSKI, PARK COUNSEL 9 GLENN ROE, TREASURER JOHN R. SETTE, VICE PRESIDENT 10 JULIE C. BARON, COMMISSIONER JACK KELLY, COMMISSIONER 11 TIM TWEED, COMMISSIONER RICHARD SEABURY III, COMMISSIONER 12 DAVID R. STIVERS, COMMISSIONER 13 TRANSCRIPT of the stenographic notes of the 14 proceedings in the above-entitled matter, as taken by 15 and before Lorin Thompson, a Shorthand Reporter and 16 Notary Public of the State of New Jersey, held at the 17 Camp Jefferson Lodge, 81 Weldon Road, Lake Hopatcong, 18 New Jersey, on July 27, 2009, commencing at 6:00 p.m. 19 20 21 22 23 J.H. BUEHRER & ASSOCIATES 2295 BIG ENOUGH WAY 24 TOMS RIVER, NJ 08755 (732) 557-4755 25

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		Page 2		Page 4
1	APPEARANCES:		1	PRESIDENT SCHLEICHER: This meeting is
2	PUBLIC SERVICES CORPORATION		2	called to order. It is a public scoping hearing.
l	BY: DAVID K. RICHTER,		3	Could we have the reading of the meeting
3	ASSISTANT GENERAL PROPERTY COUNSEL		4	notice?
1	AND KAREN DILLON		5	MR. HELMER: Pursuant to N.J.S.A. 10:4-6 et
4	Office of Environmental Counsel		6	seq. and the provisions of N.J.S.A. 7:36-26.8 et seq.,
_	80 Park Plaza, T5C		7	the Morris County Park Commission notified the public in
5	Newark, New Jersey 07102 Attorneys for PSE&G		8	legal notices published in the Daily Record and the
6	Allomeys for Faced		9	Star-Ledger on June 26, 2009, that a public scoping
7			10	hearing on the proposed major diversion of parkland at
8				Mahlon Dickerson Reservation in Jefferson Township,
9			11	County of Morris, New Jersey, is being convened at
10			12	6:00 p.m. prevailing time on Monday, July 27, 2009, in
11			13	the Community Lodge at Camp Jefferson, 81 Weldon Road,
12			14	the Community Louge at Camp Series Mentile New Jersey
13			15	Township of Jefferson, County of Morris, New Jersey.
14			16	Notice of the public scoping hearing was
15			17	also provided by posting public hearing signs on Mahlon
16 17		•	18	Dickerson Reservation as pursuant to N.J.A.C. 7:36-25
18			19	and 26, and also published on the Park Commission's
19			20	website, www.morrisparks.net, reviewed at the Park
20			21	Commission Public Workshop on Tuesday, July 14, 2009.
21			22	Written notification was also given to the
22	•		23	New Jersey Green Acres Program, Jefferson Township
23			24	governing body, Jefferson Township Planning Board,
24			25	Jefferson Township Environmental Committee, Jefferson
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meeting minutes. Before speaking, please state your name and address clearly at the podium. All comments 2 should be relevant to the proposed major diversion. 3 Each speaker has 5 minutes to present their comments. 4. Please try and refrain from repetitive comments from 5 previous speakers. And if you're part of a group or an 6 organization, it would be appreciated if a single 7 representative presented comments on behalf of the 8 organization. If you're going to submit an exhibit, 9 please make sure the document has the name, the name of 10 the person or entity that created the document, and date 11 submitted. Exhibits and documents will also become part 12 13 of the record.

Written comments can also be mailed to my attention to Morris County Park Commission, PO Box 1295, Morristown, New Jersey or by telefax at (973) 644-2726 or by e-mail to info@MorrisParks.net by Monday August 10, 2009. Submitted written comments will also become part of the record.

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The commission will not be responding to comments tonight until after public comment period ends on August 10, 2009. Responses to comments will be made available and will become part of the record of Morris Park's Commission, Tuesday, September 29, 2009, Park Commission meeting.

Company and the PSE&G right-of-way was acquired on July 26th, 1929. 2

The other block -- the other lot, Block 335, Lot 4 also located in Jefferson Township. The lot size is 11 acres, southeast boundary of Mahlon Dickerson Reservation in the area of the former Weldon and Lower 6 Weldon Mines, formerly owned by Consumers Coal and Ice Company. PSE&G acquired the right-of-way for that lot on April 1st, 1930.

As a brief bit of history, both lots are part of land originally bequeathed by the Estate of Richard Fasath (phonetic) and the Morris County Park Commission on May 12th, 1983. The estate donated a total of 673 acres and expanded Mahlon Dickerson Reservation to its current size which is 3,337 acres in

The total acreage by the diversion to be affected will be determined by the number of additional lines, the height, length, and diameter of wires. The project is a major diversion application for a portion of the overhead electric transmission lines for the Roseland, the Susquehanna overhead electric transmission project.

PSE&G is proposing the new line to comply with the directive of PJM interconnection in order to

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As part of the Green Acres Program rules for scoping hearings, a few areas will be reviewed prior to the opening of the public hearing. I'll explain a couple of items real quick related to the project and where the project is to happen and then we have representatives from PSE&G to also review certain specific needs for this project.

I also want to remind you all that this hearing is about the major diversion on county parkland. The diversion will not include any structures to be placed on parkland. Both lots affected will be affected by aerial diversions, pose new transmission lines that will be in the air space above the property within the existing right-of-way.

Even though the power lines are in the 16 existing right-of-way, the original landowners crafted language in the right-of-way documents to account for any future changes to the power lines changes.

The properties to be affected, two 20 properties to be affected. The first is Block 320, Lot 9, Jefferson Township. The lot size is 5.53. It's 21 22 located on the southwest boundary of Mahlon Dickerson Reservation, located between Weldon Road and State 23 24 Highway 15, closer to the Weldon Road side. It was formerly the Ogden Mine branch of the Central Railroad

ensure continued compliance with regional electric transmission reliability.

And now I'll introduce PSE&G's representative, Assistant General Property Counsel David Richter, who will be reviewing a number of the following areas, including compelling public need that the project would fulfill, public benefits that project would reveal, review past and ongoing efforts to identify alternatives to the proposed diversion, why alternatives were rejected, and process to identify compensation conversion.

Mr. Richter.

MR. RICHTER: Yes. Good evening and thank you very much.

Again, my name is David Richter. I'm an attorney with PSEG Services Corporation and I'm representing the applicant, Public Service Electric & Gas Company.

Quickly, I would just like to give a short description of the project itself. PSE&G is proposing to upgrade an existing 230 kV transmission line by constructing a 230 and 500 kV circuits within the existing right-of-way.

The project has been mandated by what is called Pennsylvania/Jersey/Maryland Regional

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Transmission Organization. They're a FERC-approved independent organization who operates the electric grid in 13 states, one of which is New Jersey.

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They have identified 23 reliability criteria violations which will take place beginning in the year 2012, absent putting this line in place. Many of those reliability criteria violations are located in Morris and Sussex County, New Jersey.

The project actually runs from Roseland, New Jersey, to Berwick, Pennsylvania. It's approximately 150 miles. Forty-four of those miles are located in New Jersey from Roseland to the Delaware River. The project really involves four main activities. One will be upgrading the existing 230 kV transmission structures so we can install a structure that can withhold a 230 and a 500 kV circuit, construction of access roads, the construction of two switching stations, and finally we'll move the existing 230 kV transmission line structures.

I mentioned previously that there are what's called reliability criteria violations. These violations are on existing transmission lines in, again, the Eastern Pennsylvania and Northern New Jersey area, including Morris County and Sussex County. Without upgrading this line, these violations could cause

new lines at this time.

PSE&G looked at many alternatives to avoid a major diversion on Morris County Park's property. One of those was a Millville (phonetic) alternative. PSE&G obviously rejected that alternative for several reasons. One, it would not resolve the criteria violations that will occur in 2012. Two, this project has been mandated by a federally approved organization, PJM. Without putting this line into -- this new transmission line into service, we are risking reliability issues to Northwest New Jersey area.

A second alternative to the major diversion was to create an entirely new line, keep the existing 230 line and route a 500 kV line in a different location. The reason why this was rejected by PSE&G is because this would increase the impacts to the environment.

PSE&G looked at different routes when it chose the existing right-of-way and it determined that the existing right-of-way presented the least impact to the environment. By creating a new transmission line would require a complete removal of new trees on a new existing line which PSE&G felt that would be a greater impact to the environment, therefore, rejected that alternative.

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reliability issues within this area.

The line will provide a compelling public benefit by continuing to provide safe, reliable, and effective power to the region. Again, the location of many of those violations which will be resolved by this project are -- as I said, 23 criteria violations, many of whom -- up to 19 are in Morris and Sussex Counties.

The new line will be placed -- and this really is an important part -- the new line will be placed within PSE&G's existing right-of-way. So the area that we're proposing to divert has actually already been diverted by the existing transmission lines. We're just looking to change the configuration of the diversion.

Currently there's a 230 kV line within the right-of-way. It's in a horizontal construction, meaning there are three lines in a horizontal configuration. We're going to be revising that by building a new structure with two circuits on it, a 230 kV in a vertical configuration and a 500 kV in a vertical configuration.

This existing right-of-way was built approximately eighty years ago, beginning in 1927 through 1930, the line was constructed so there is certainly a benefit to constructing the new towers and Page 13

The third alternative that was looked and rejected was routing the new line outside of the Morris County Park property. The problem with this 3 alternative, if you take a look at the maps of the area 4 where the diversion is requested, the areas surrounding it are also encumbered by Green Acres so by relocating the lines, by shifting the lines slightly off the 7 property of the Morris County Parks we would be impacting preserved areas on other open space and 9 recreational property. 10

By doing this, there would also be an increase to the environmental impact. The current line is existing and there's already an impact. By moving them to a new location, you'd be creating an entirely new impact on an additional property. Therefore, PSE&G felt that this alternative was not the best solution.

Finally, the next alternative that PSE&G looked at was alternative solutions to the reliability criteria violations. What else could we do that would give us the same safe, reliable electric service in the year 2012. We looked at distribution resolutions, upgrading the distribution system in the area to see if that would resolve the issues.

We also looked at alternative energy sources such as solar and wind. The problem with these

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alternatives, they were not enough to resolve all the criteria violations. Some violations could be resolved by some distribution upgrades, but that would not resolve all 23.

This transmission line will resolve all 23 criteria violations. So this was decided to be the best alternative for this project. Those all the alternatives that we looked through.

Again, the compelling public need is the reliable electric service to the northern New Jersey area.

Thank you very much.

PRESIDENT SCHLEICHER: I would like to move 13 now to open the public hearing. 14

COMMISSIONER BARON: So moved. 15

PRESIDENT SCHLEICHER: Do we have a second?

COMMISSIONER KELLY: Second. 17

PRESIDENT SCHLEICHER: All in favor? 18

(Commission voted aye in favor of moving to

open the public hearing.) 20

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PRESIDENT SCHLEICHER: Opposed. 21

(No one opposed the motion.) 22

PRESIDENT SCHLEICHER: We will accept 23

comments now on the alternative site suggested, 24

alternative methods, stating the objectives without

fact sheet because they are not there. There are some 1 even in Eastern Pennsylvania and quite a few in southern 2 3 New Jersey.

The power that's being run through the 230-kilovolt lines now, very little of it benefits the Northern New Jersey, Northwestern New Jersey region at all. Most of it goes to the northeastern region of New Jersey -- Bergen, Passaic, Essex, and Hudson Counties. Those counties are having a net decrease in electricity use actually.

With more economical powers use, more conservation, better appliances that are being built, the power is not needed. They are looking to bring in over seven times the amount of electricity over these, quote, unquote, upgraded lines. The lines aren't being upgraded. This is a brand new construction project. There will be no part of the existing structures, no part of the existing wires remaining if this project goes through as planned.

I urge you to use any power you can to not allow this. The lands that you are charged with protecting under Green Acres are the -- basically the property of Morris County residents. You are the representatives who are looking to protect those lands. People who are unaware of this are going to show up in

Page 15

diversion. That is really the scope of what we should be talking about here. And I think we have a list coming.

Tom Hill.

MR. HILL: Tom Hill, 223 Willows Road, Fredon, New Jersey, and I represent Stop the Lines, grassroots organization opposed to the PSE&G project.

Thank you for having public comment, Commissioners. Appreciate that.

The acceptance of comments on alternative sites suggested by the public seems a bit silly as an acceptance. We are not experts on where to site lines. We are -- and your scope isn't to find another spot to site the lines should they be needed.

My organization feels that the lines are not needed and that is where my comments are coming from today.

PSE&G cites PJM, an organization made up mainly of transmission and generation companies and they 20 have very little oversight to them. They are just saying this needs to be done. The 23 violations the gentleman from PSE&G cited, saying 19 of them are in 22 Morris County and Sussex County is an incorrect fact. 24 You should make sure you look at their map siting those

25 on their PSE&G reliability website. It's noted in the

Page 17 the park and go what the heck happened if this line is built as planned.

Please do not allow this diversion of land. Mr. Saffin (phonetic) would not have wanted the lands that he donated to the park to be used as such. I'm sure he would be up in arms if he were able to comment on this project.

Thank you very much for your time. I appreciate it.

PRESIDENT SCHLEICHER: Chris Pierson. MR, PIERSON: My name is Chris Pierson. I

live at 140 Espanong Road right here in Jefferson. I'm 14 years old and going to be freshman in high school.

All my life I've been using Mahlon Dickerson to hike, bike, and camp. In fact, I've been using it since I was younger than one-year-old. When I was at that age, my dad used to carry me around in a baby backpack while he hiked.

My parents always voted for Green Acres which increased their taxes. They did that because they thought that the Green Acres program would help preserve that land forever from people who wanted to build on it. They wanted me to have a nice open space to go to forever. My parents did their part to preserve that park and now you will just allow power lines to be built

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I have asthma which is mostly triggered by air pollution. I like to spend time in the park because the air is fresh and clean. The primary source of air pollution is power plants. This power line draws power from the coal-burning regions in Pennsylvania. These power lines will not be moving clean power but power produced by coal. This would be just supporting the coal-burning industry.

There's a much better way. I learned in school that there are other cleaner ways to produce 12 power and this power line is not helping with any of that. New Jersey has contracted to build wind turbines off the coast. Wind turbines are the solution, not power lines in parks.

This is just a start of a major attack on 17 our park. Allowing them to build a power line in the park just opens up the door to development. Eventually, the park will be overdeveloped and I'll have no place to camp with my future family.

I'm the next generation and I'm too young to vote, but I'm the one who has to live with the power 22 lines and your decision. Please vote no to the application. Thank you.

PRESIDENT SCHLEICHER: Linda Pierson.

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misleading in this case.
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MR. HELMER: I understand.

MS. AUGUSTYN: That was my question.

Thank you.

PRESIDENT SCHLEICHER: Robert Moss.

MR. MOSS: My name is Robert Moss. I live in Bloomfield. I just drove up from Bloomfield. I'd like to also, as the first speaker did, Tom Hill, address the issues of scoping. To me scoping has always

9 been determining what issues or what topics would be 10 included in such things as environmental impact 11 statements. 12

Now, I do apologize for not coming earlier. I thought this was at 8:00 and 4:45 I looked at the e-mail. So I had to come up in the traffic.

However, I heard the remarks about scoping and about the alternate locations. I'm not clear what the topic was, but I did notice the public service speaker did not limit himself to alternate routes or alternate parcels.

So I do want to make some general remarks. We all know what the opposition generally is, I'm not going to dwell on that. I do want to reiterate one remark I made at the BPU hearing that Public Service, as I recall, the Public Service speaker there said they

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MRS. PIERSON: Oh, no, I'm not speaking. PRESIDENT SCHLEICHER: I'm sorry.

Ann Augustyn.

MS. AUGUSTYN: Ann Augustyn, 41 Paterasky (phonetic) Road in Oak Ridge.

I support the sentiments of this young man. I think he's wonderful to have come up here. I'm not sure where we stand because I have a question where it says next steps on the bottom of the PSE&G.

It says: At the conclusion of the public comment period on August 10, the Morris County Park Commission will submit the pre-application package PSE&G has prepared to DEP in support of a major diversion of parkland.

Is that the park commission already supports the diversion?

MR. HELMER: No. What I'll do is at the end of the public portion under my report, I will give you the extensive list of the next steps to take.

MS. AUGUSTYN: That makes it sound as if 21 it's a done deal and we're just making comments.

MR. HELMER: No, it's not a done deal. We have to submit a resolution whether we're in favor of or not in favor of. There's about ten Items.

MS. AUGUSTYN: So the "in support of" is

Page 21

determined in 2007 that there was going to be these 1 violations in 2012 which seemed a little bit late to me. Energy consumption has been increasing since Edison invented the light bulb, not since 2007. So we have a 4 rushed project now. 5

The other general remark I'd like to make -and I think it is relevant -- it's been very difficult through this whole process to get information. I went to a -- I guess it's called an information hearing in I think it's Fredon. Again, I apologize for not having time to get my notes in order. It was last year sometime I believe.

We were told the impact is minimal because it's an existing right-of-way and all they're going to do is put bigger towers. Such things as access roads were not addressed. I don't know if to this day any access roads proposed from Mahlon Dickerson. It's true they are temporary, but we don't know what kind of roads these are, what kind of terrain is going to be smoothed off which would not be temporary if they level hills and cut through hills and fill in low spots. I don't know. We don't have the information.

I am supposing at the moment that these will perhaps be allowed to fall into this use, but they're not going to put it back the way it was. Or maybe the

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access roads are just follow the con -- we just don't know. Follow the contour as I was about to say. We just don't know. We just don't have information about this project. The same with switching stations. Now, I know that's not here, but we weren't told about that at the Fredon hearing.

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As far as this hearing, I see these two aerials here. I'm not quite clear. I know Mahlon Dickerson fairly well. I used to be the chair of the Highlands Trail Committee. The Highlands Trail goes from Mahlon Dickerson. After that, I was a New Jersey supervisor and I still work with current Highlands Trail Brenda Holzinger and her assistant Gien. And I worked with Ai Kent and the other fellow -- what's his name -in some of the sections of the Highlands Trails that do not follow existing woods roads in the park. I have camped here. I enjoy this place. It's a great public facility, great public asset.

But my main thing is we just don't know what's going to happen. I don't know what Public Service is proposing in exchange for these parcels and since it's an existing power line I'm not clear why these parcels are being impacted.

But I would like to remind the Commission and Public Service that under the New Jersey case law but I did have about a dozen summers at Cozy Lake with the kids. It was wonderful. We don't get here often enough.

The lad was right, just say no. You don't have to fall into the trap of following their rationale. If you think this is the wrong thing to do, just say no.

And there are an awful lot of reasons to recognize that it's the wrong thing to do. For one thing, Public Service Electric & Gas admitted that their lines do damage. How did they admit it? They admitted it to the Highlands. They said to mitigate against the damage that we're going to do, we're going to give you \$18 million. Now nobody puts \$18 million on the table for nothing. So they know they're going to do damage and they're going to do damage to you. What price will you exact from them? Nothing today obviously, Perhaps that ought to be looked at.

Tripling the lines is not updating anything. I would love to update my salary by tripling it. Wouldn't you? So, please, let's use the right words. And a 1930 right-of-way didn't have the scientific knowledge to put 730,000 watts in the air. We didn't know about it so you're relying on that. Fortunately, they acknowledge they are going to need rights-of-way. 24 Don't give it to them.

Page 23

Bond Acts have the same force -- Bond Acts approved by the voters have the same force as New Jersey Constitution. So you can't have legislative solutions to removing land from Green Acres. There has to be a very substantial equivalent in replacing the land.

Current law is a little bit loose. If we start losing valuable parcels, we will find ourselves in court challenges to the diversion of Green Acres land if the diversions don't come up with substantially equivalent land. And we know in 2009 as it is now, there's not a lot of substantially equivalent land.

Again, it's not clear here. It looks like some holes are being taken out of Mahlon Dickerson. How they're going to be replaced, I don't know. The whole project is, quite frankly, a mystery, not just to me, but also people like Stop the Lines who are working on it day and night. And they are having to make demands for information that should be just offered to the public.

So I hope the Commission takes this into account and I actually hope the commission recommends that the project be held in abeyance at minimum until more information is forthcoming. Thank you.

> PRESIDENT SCHLEICHER: Bill Crivelli. MR. CRIVELLI: I'm from Boonton Township,

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And the other thing, why didn't they say what we all read in the newspapers: That there was another proposal, Route 80. Route 80 goes straight from where they are to Roseland, 80 and 280. Why didn't they use that? Didn't mention that in his opening statement.

Not fair, not right, David.

And what about the final alternative, under the ground for goodness' sake. When was the last time we went into the city. They don't have any towers in New York City or Philadelphia or for that matter any other major city. Why should we suffer a century old technology and just leave that on the backs of our children and grandchildren. We don't have to, just say no. That's what we ask you to do.

And finally on a personal note -- one other thing -- two more points. It is coal fed. We're getting the gas. It's coming here. It's going to hurt that kid. It's going to hurt a lot of kids. Why should we do that? Just say no.

And this business about where is it going, there's a lot of innuendo, a lot of discussion in the newspapers about the fact that this electricity is going to be sold to New York. How about a pledge: We will not sell 1 kilowatt of this electricity to New York for twenty years. Okay. Like to hear that.

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And since we're putting up \$18 million for mitigation, how about \$200 million for the mitigation for the potential for cancer risks. You know, I went to one of these things one night and there were people from East Hanover, you've got to hear the horror stories. I don't care about the fact that science cannot prove that it does damage to kids and other people. The fact is that where there is a concentration of these forces, there's a concentration of cancer cases.

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Now that's enough for me to say no. I hope it's enough for you to say no. That's all you have to do. Thank you so much.

PRESIDENT SCHLEICHER: Marion Harris. MS. HARRIS: I'm Marion, M-a-r-i-o-n, Harris, 14 Rowe (phonetic) Street, Morristown, and I'm the chairman of the Morris County Trust for Historic Preservation.

Let me give you the bottom line of our 18 position first. We don't believe that the taxpayers 19 have put their money in the Green Acres program for the 20 land to be used for the benefit of any profit making 21 project, even if that's incidental to a particular 22 beneficial use. We think that that's not an appropriate 23 thing to do with Green Acres land. But also because I 24 know that your resolution is going to the Statehouse 25

been so much mining and so few records have been kept that we don't know now where the mine shafts are, where 2 the land is going to subside next, it's going to be all 3 over in the area of this project. And we're not at all 4 happy with the width of the scope that they have given 5 themselves to look and find historic resources so we have no idea whether and they have no idea whether they are going to find more mine shafts to sink into. That is only one kind of resource that may might impact. 9

We don't know where those things are and we have raised this issue but, no, they don't have to consider that when they're doing a federal review because the federal review considers only things that are already listed on the register. Well, federal register resources probably comprise, certainly to be generous, less than 10 percent of the existing resources.

So what else have we got out here that has not been found with this project. And the report that 19 the project turned which has not had very wide 20 circulation was prepared by a consultant is not at all 21 thorough. This is only one of the things that we 22 present, but it applies specifically to one of these 23 lots that you are talking about. You don't know what 24 else is on the site that might be destroyed. I think

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Commission and it is finally their decision, I want to emphasize to you and I hope you will emphasize to them 2 that the decision about this particular area that you're 3 concerned with cannot be made without considering the 4 context of the entire project that's going through here 5 and the effect that it's going to have on the entire 6 area. I wish we could say the entire area of the 7 project is of the state but apparently our jurisdiction 8 extends only to the state borders so that's ail right. 9

And having said that about the larger question of the way this project will have an impact on our area of New Jersey, I would like to zero in on the acres that you are actually looking at and tell you that when in the Highlands Coalition when we were getting ready to prepare our comments in detail about the effect on the cultural resources that are within this project, one of the resources at risk jumped out at us right away was the Weldon Mine. The reason it jumped out was that there was going to be building of some or other, unspecified sort, very close to that mine, if not on top of it.

But it's not just the Weldon Mine, it's all through this area of New Jersey there are unfound resources. This is true all over the country, but particularly in Northwest New Jersey where there has 25

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that's enough for now. PRESIDENT SCHLEICHER: Thank you.

Marie Springer.

MS, SPRINGER: I'm Marie Springer, 161 Owen Station Road, Sussex, New Jersey. I am Vice Chair of the Northwest Group of Sierra Club.

PSE&G has proposed to widen the right-of-way to upgrade their power lines. In order to do this they will have to do a diversion in Mahlon Dickerson Reservation. Sierra Club opposes diversion because this power line will cause irreparable harm to the reservation.

Under the diversion rules, you can get land of greater or equal value. You cannot mitigate for this taking because what you are destroying cannot be replaced. In addition, the secondary effects on runoff and view shed will not be ameliorated by purchasing land elsewhere. The land was bought in public trust. Mahlon Dickerson is one of the largest reservations in New Jersey.

It is a fantastic recreational resource providing cabins and lean-to's to the public. Allowing for power lines to permit the creation of new access roads in drilling and blasting, the intrusion of power lines will undermine the feeling of being in a wild

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PRESIDENT SCHLEICHER: Lance Mills.

MR. MILLS: It's already been covered what I would say. I wanted to find out more information, what was going on. That's why I came.

PRESIDENT SCHLEICHER: Thank you very much, Mr. Mills.

The next speaker is Elliot Ruga.

MR. RUGA: I'm with the New Jersey Highlands Coalition, 508 Main Street in Boonton.

Thank you for having us here for this meetina.

The New Jersey Highlands Coalition has been a force in the preservation of the water and other 14 natural and historical resources of New Jersey Highlands 15 region since 1988. We are deeply concerned by the 16 lasting and ruinous impacts this project will have on 17 the Highlands overall, on Morris County, and on Mahlon 18 Dickerson Reservation in particular. 19

How about those 180-foot power lines coming up as you drive up Route 15.

In the public notice for this meeting as posted on the Park Commission's website, it states, quote, in constructing the proposed project PSE&G is strengthening it's regional power supply and ensuring

problems by importing more electricity are likely to 1 increase greenhouse gas emissions and other air 2 pollution challenges. Many of the out-of-state plans 3 lack advanced technology to control air pollution and the prevailing winds carry that poliution here to the detriment of our air quality and public health. 6

The prospect of increased greenhouse gas 7. emissions is only one reason to avoid increasing our lines on imports of out-of-state dirty electricity. The master plan continues. . . Just as importantly, hopes that these imports will bring us greater reliability and lower prices are likely to be dashed.

It is irresponsibility to stake our energy future on increased imports of out-of-state coal based electricity.

The BPU being part of the New Jersey Energy Plan's Task Force is well aware of the plans, findings, and goals. There should be no expectation by anyone 18 that the BPU will give a green light to this project.

Last week representatives of the Morris County Heritage Commission and the Morris County Tourism Board, agencies of the Morris County Board of Chosen Freeholders were participants in the committee that 23 announced the 2009, ten most endangered historic sights 24 in Morris County.

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continued power to consumers during partial system failures, unquote.

There is an implication here that the need for this project has been established by independent and credible sources. It has not. The sole authority for determining the need for this project rests with the New Jersey Board of Public Utilities. Just last month the BPU series of three well-attended public hearings concluded.

At this time expert legal, scientific, and engineering testimony challenging the need for this project is being heard by BPU at it's formal hearings. 12 13 It is not anticipated that that BPU will make an official determination any time soon. Until then, the consideration for PSE&G's application to intrude upon 16 Morris County public parkland which you hold in trust for us is premature.

The New Jersey Energy Master Plan states, 19 and I quote, PJM has included in its transmission 20 expansion plans several projects that will enable more imports of electricity from areas to the west and south. 21 These long transmission lines are costly to build, more 22 vulnerable to disruption than shorter lines linking local generation to local demand.

Attempts to solve New Jersey's reliability

Page 33

First on the list is the proposed 500-kilovolt power line due to the significant impacts the proposed projects will have on the scenic character of rural Morris County. If there were promises of mitigation funding made to the county on behalf of PSE&G, I'm only speculating as PSE&G has offered an environmentally questionable financial mitigation first payment recently to another government agency, there is still absolutely no reason to consider the merits of this project any further until its need has been established. If necessary, we can meet again. This issue, this question can be tabled, but it is likely we 12 may not need to meet again. 13 14

Thank you.

PRESIDENT SCHLEICHER: John Pierson. MR. PIERSON: I don't have any comments to add. Thank you.

PRESIDENT SCHLEICHER: Pat Barn.

MS. BARN: That would be me, but I was here 19 to listen. I just wanted to ask you if there is a plan 20 that's laid out where residents can go and see exactly 21 the route that you're taking. 22

Do any of you have copies of that? MR. HELMER: You can let PSE&G respond.

24 MR. RICHTER: I'm sorry. I missed that. 25

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MR. HELMER: Any location for the rule. MS. BARN: The exact location and exactly what you are doing and what residents you are affecting.

MR. RICHTER: All the plans for this project are on our website. It's www.PSE&G.com, look for the Susquehanna-Roseland project. And you'll have the entire maps are on there. Our proposed testimony that we presented to the Board of Public Utilities is on there. Our Highlands application is also on there.

MS. BARN: And everyone will know if it affects their home or the home next to them.

12 MR. RICHTER: The maps are pre-detailed. It goes through lot and block numbers on each property. It 14 might be hard to read. If you can print them out somewhere, it might be a little easier.

MS. BARN: Is it difficult to read?

MR. RICHTER: But if there's something specific that you're looking for, if you can leave your name and number with one of these ladies here, we'll be happy to get that information to you.

MS. BARN: Thank you.

PRESIDENT SCHLEICHER: Wilma Frev.

MS, FREY: Hello. My name is Wilma Frey and

24 25 I'm senior policy manager for New Jersey Conservation of this project if there has been a clear need determined and that is the responsibility of the Board of Public Utilities which will be looking at this issue in general, taking into account the state's energy needs, the trends in energy use, and most importantly perhaps the State's Energy Master Plan and how this project fits in with those things.

The BPU is not going to make a decision on this until at least December. So this commission really has no need to deal with this project at this time. The proposed 500 kV line is a massive industrial project. Its construction would clearly damage Mahlon Dickerson reservation with long-lasting, if not permanent, impacts.

The construction access routes for heavy machinery are proposed for current foot trails in the reservation and I have -- I'm not positive whether the current proposal -- there's an amended proposal. We have not been able to obtain the maps directly that show the access construction, access routes. I think they are the same as on the original application.

These are my photographs from Headley Overlook and along the Winona Trail which was and I think still is proposed as a construction access route.

So the doubled height towers would be more

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Foundation.

Good evening and we thank you for the opportunity to comment on this issue.

The Morris County Parks Commission is the guardian of the public trust. It's the guardian of these lands that were donated or purchased to be protected in perpetuity from future residential, commercial, or industrial development.

The Parks Commission is entrusted by the public with this awesome responsibility to guard the natural, the cultural, biological, recreational, historic, and scenic resources of its parks to the best of its ability. The county's protected public land are also regulated by the NJDEP Highlands rules where they 14 are identified as both important scenic and recreational resources. The Highlands Regional Master Plan as well includes Morris County Parks on its list of regional Highlands scenic resources.

Before the county makes any determination about allowing a diversion of these critical and important public lands that are held in trust for the public, there needs to be an analysis of the need for this project and an analysis of the impacts of this project on the parks.

The county should only allow consideration

visible -- it would be many more visible from Headley Overlook than currently and from other locations in the 2 reservation, as well as many other preserved lands. 3

So we ask you to not do anything, do not take any action this evening that would approve use of Morris County parkland in the proposed project. There has not been a determination of need at this point and it would be unnecessary for the commission to make that at this time.

Thank you very much.

PRESIDENT SCHLEICHER: Is there anyone else that would like to speak?

All right. Seeing none, as David mentioned earlier, we -- the public hearing process continues until August the 10th. You can write your comments. You can send them in. If other people have things that they would like to let us know, questions, comments, make sure that you get them to us. We will be making a decision as a board, not as individuals so we are really not voting tonight.

I turn it over.

I would like to move now to close the public hearing. No one that wishes to --

COMMISSIONER SETTE: So moved. COMMISSIONER BARON: Second.

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PRESIDENT SCHLEICHER: All in favor. (All commissioners voted in favor to adjourn public hearing.)

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PRESIDENT SCHLEICHER: Any opposed? So moved.

I would like to at this point thank all of you for your comments. They were quite on target, I've been to a lot of public hearings and I am clearly impressed.

We will certainly think about what you've said to us. I'd also like to thank the Mayor and administration in Jefferson Township and the recreation community that provided this wonderful facility.

So our public meeting will start in about a half hour. The next steps, as we promised, will be described.

MR. HELMER: Just so the public is aware of the process that will take place, you can also find this on New Jersey Green Acres website, Chapter 26 Rules and Regulations.

The Park Commission will be supplying a transcript of this scoping hearing for the New Jersey Green Acres Program. The written comments of the proposed major diversion will be received during the public comment period, as Commissioner Schleicher

that authorization. And at that point in time a public 1 hearing on the final application will be scheduled in 2 Jefferson Township to receive oral and written comments 3 on the application. 4

Hearings are to be scheduled 90 days prior to the Statehouse Commission hearing and 75 days prior to -- I'm sorry. The hearing is to be scheduled 90 days prior to the Statehouse Commission hearing. At that time the NJDEP commissioner will approve or disapprove the final application and then a Statehouse Commission 10 hearing to be scheduled if that application is approved. 11

So there will at least if the progress progresses be another point in time for the public to comment on this project. That meeting will also be held in Jefferson Township. I cannot promise if it will be at this site or another location. I plan on after the September 29th commission meeting, once the comments by the Park Commission and scoping hearing and written 18 comments are approved, those responses will also be available on our website or you can contact the park 20 21 commission for that information.

All of that information throughout this whole process will be given to New Jersey Green Acres 23 Program. You can also reach out to them directly if 25 you'd like any information pertaining to this diversion

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mentioned, Monday, August 10th, 2009, at that deadline.

A summary of the public comments made at this scoping hearing and comments provided in writing during public comment period and the Park Commission's response to the public comments will be provided in New Jersey Green Acres Program, Bureau of Legal Services and Stewardship.

The Park Commission's Tuesday, September 29th, 2009, public meeting -- it won't be held here, it will be held in the Park Commission's offices in Morris Township -- a resolution whether or not to support the submission of a Statehouse Commission pre-application to NJ Green Acres Program for major diversion be voted on and sent to the New Jersey Green Acres Program along with the pre-application for major diversion.

Responses to the scoping hearing and public comment period will also be made available and become part of the record.

New Jersey Green Acres Program will review 20 the pre-application. It usually takes 15 days and it 21 has to be handed in before the second Thursday of the month. If the pre-application is deemed sufficient by New Jersey Green Acres Program, the program will authorize the Park Commission to submit a final 24 25 application which has to be submitted within 180 days of process.

PRESIDENT SCHLEICHER: Thank you. And we will adjourn.

(Proceedings concluded at 6:52 p.m.)

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