

**MINUTES OF THE
NATURAL LANDS TRUST MEETING**

March 3, 2017

12:00 PM

Office of Natural Lands Management, Trenton, New Jersey

Chairman Catania called the meeting to order at 12:03 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. It was also noted that such notice was provided on the Trust's website in compliance with the Act requiring State, regional, and local authorities, boards, and commissions to establish a website providing specific information in order to facilitate transparency in government.

In attendance were:

Michael Catania, Chairperson
James Hall, Vice Chairperson
Theresa Lettman, Trustee/Secretary-
Treasurer
Judeth Yeany, DEP Trustee
Larry Torok, DEP Trustee
Steve Eisenhauer, Trustee

Matt Spayth, Trustee representative for the
State Treasurer
Lynn Fleming, alternate for Rich
Boornazian, Trustee representative for the
DEP Commissioner
Robert Guzek, DAG, Trust Counsel
Robert J. Cartica, Executive Director
Martin Rapp, Trust Staff
Cari Wild, Trust Staff

Absent were:

Emile DeVito, Trustee
Thomas Gilmore, Trustee
State House Commission representative (not appointed)

Guests:

Kelly Wenzel, New Jersey Audubon Society
Amanda Dey, NJ Endangered and Nongame Species Program
David Wheeler, Conserve Wildlife Foundation
Darren S. Large, Morristown Municipal Airport
Jeffrey Wood, McFarland Johnson for Morristown Municipal Airport

DAG Robert Guzek announced at the start of the meeting that he was recusing himself from any discussion related to the Petty's Island Preserve based on his representation of Pennsauken Township while in private practice on a lease issue involving Petty's Island. DAG Guzek left the room for the Board's consideration of **Petty's Island, Pennsauken Township, Camden County Status Report.**

General Public Comment: None

Financial Report: Mr. Cartica outlined the Financial Statements for the quarters ending June 30, 2016, September 30, 2016 and December 31, 2016. Ms. Fleming motioned to approve the Financial Statements. Mr. Hall seconded the motion and the Financial Statements were unanimously approved by a vote of 8 to 0.

The **June 3, 2016 minutes** were reviewed. Mr. Hall motioned to approve the minutes. Ms. Fleming seconded the motion and the minutes were unanimously approved by a vote of 8 to 0.

Unfinished Business:

Ms. Wild provided the Board with a **Petty's Island, Pennsauken Township, Camden County Status Report** which included an update on the Trust's inclusion as one of 23 centers that form a network of centers being funded by the William Penn Foundation and participation on the Communications Team of the network to work on events such as River Days, a network website and a unifying art project. She also updated the Board on the status of Petty's Island projects that are directly being funded by the William Penn Foundation such as the making of two documentaries, one of which is nearing completion and the other for which a script is being written.

Mr. Catania circulated a conceptual landscape design produced by Vitetta Architects under a contract with Crowley Maritime, as required by the Board's approval on June 3, 2016 of an 11-month extension of CITGO's lease with Crowley through December 31, 2017. Vitetta will be providing conceptual building designs in the near future.

Ms. Wild advised the Board that the Trust recently bid and awarded an educational programming contract to New Jersey Audubon Society (NJAS) for 2017. The contract allows for four one-year renewals. Kelly Wenzel from NJAS made a power point presentation to the Board about the 2016 educational programming and attendance and upcoming 2017 programming.

New Business:

Mr. Cartica presented the **Spending Authorization for Calendar Year 2017**. This year's authorization includes a full biodiversity inventory at the Hardwick Meadows and Game Branch preserve and a number of species- or habitat-specific inventories at other preserves. Ms. Fleming motioned to approve the Spending Authorization for Calendar Year 2017. Mr. Hall seconded the motion and the 2016 Spending Authorization was unanimously approved by a vote of 8 to 0.

Ms. Dey and Mr. Wheeler presented the **Delaware Bay Migratory Shorebird Project 2017 Budget Request for the Conserve Wildlife Foundation (CWF) and the Endangered and Nongame Species Program (ENSP)**. Ms. Dey advised the Board that the annual amount the Trust provides to CWF and ENSP is critical because it helps develop the scientific support for regulatory actions such as horseshoe crab harvesting restrictions and red knot listing. Ms. Dey indicated that the peak count of the stopover population of red knots on Delaware Bay during 2016 was stable at approximately 25,000, which is roughly the same as the past four years. Mean horseshoe crab egg density in 2016 was 5,715 eggs/sq. meter. Ongoing low egg densities reflect egg depletion. It is estimated that an egg density of 50,000 eggs/sq. meter is the minimum necessary to begin a true recovery of red knots. The distribution of red knots indicates that the majority (approximately 24,000 in New Jersey compared to 1,000 in Delaware) are foraging in

New Jersey where beach closures protect foraging birds from human disturbance. Counts in January 2016 of red knots on their main wintering area in Tierra del Fuego were 11,150 down from 12,780 in 2015 and 14,200 in 2014.

The proposed 2014 shorebird budget is \$58,500 which includes \$48,500 for CWF and \$10,000 for ENSP. In 2016, \$61,350.00 was budgeted and fully expended. Ms. Dey has done a tremendous job in obtaining federal funding in recent years. Therefore, less funding from the shorebird fund has been needed. In 2017, the Trust's shorebird fund will fall below \$100,000.00. Mr. Wheeler advised the Board that CWF is actively seeking grants to fund shorebird research and maintain shorebird habitat.

Mr. Catania requested that, as with prior budgets, the 2017 shorebird budget should be approved with a rider authorizing a reallocation of expenses between categories subject to a limitation of the total budgeted amount. He also requested that the Board authorize a \$35,000 upfront payment to CWF in order to fund Delaware shorebird work to be done in May and June 2017 with receipts for such work to be provided at a later time. Ms. Lettman motioned to approve the 2017 budget with the reallocation rider and upfront \$35,000 payment. Mr. Eisenhower seconded the motion and the 2017 shorebird budget was unanimously approved by a vote of 8 to 0.

Mr. Rapp presented **Black Meadows-Morristown Municipal Airport Proposed Memorandum of Understanding (MOU) (Vegetation Management Plans) in Hanover Township, Morris County**. Under the proposed MOU, Morristown Municipal Airport (MMU) will provide a monetary payment in the amount of \$7,000 as reimbursement for staff time and resources. To the extent that Mr. Rapp conducts future site visits to ensure MMU's compliance with the MOU, the Trust will be reimbursed \$750.00 per day. As compensation for the discrepancy between the 7.7 acres identified in the 2007 MOU and the 10 acres that was confirmed by a survey, the Trust will be compensated \$5,750.00. Mr. Torok motioned to approve the MOU with the inclusion of these payment provisions. Mr. Hall seconded the motion and, by a vote of 7 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.

The Board considered the **Papakating Preserve-Kent/GA, Land Management Assignment Offer in Frankford Township, Sussex County**. Mr. Hall motioned to approve this land management assignment. Mr. Torok seconded the motion and the offer was approved by a vote of 7 to 0. Ms. Yeany recused herself from the matter based on the advice from the NJ Attorney General's Office that her vote may present an appearance of conflict notwithstanding that she has no personal or financial stake in Trust management assignments.

The Board considered the proposed **Quarryville Brook Project Area in Wantage Township, Sussex County**. Ms. Lettman motioned to approve the Quarryville Brook Project Area. Mr. Eisenhower seconded the motion and the project area was unanimously approved by a vote of 8 to 0.

Mr. Cartica presented the Board with the **Tennessee Gas Pipeline (TGP) Plant Fund-2017 Work Plan**. Mr. Hall motioned to approve the TGP Plant Fund-2017 Work Plan. Ms. Lettman seconded the motion and the 2017 Work Plan was unanimously approved by a vote of 8 to 0.

Mr. Cartica presented the Board with the three **New Jersey Wetlands Mitigation Council Resolutions Approving Expenditures**. Mr. Cartica explained that he received three separate requests from the New Jersey Wetlands Mitigation Council (Council) for disbursements from the Wetlands Mitigation Fund to the Green Trust Alliance: August 19, 2016 request in the amount of \$311,009.44 (Middlesex County Deep Run Preserve Project); January 18, 2017 request in the amount of \$257,79.29 (Middlesex County Pin Oak Project); and February 3, 2017 request in the amount of \$618,503.96 (Middlesex County Pin Oak Project). Provided with each request was a signed resolution August 5, 2014 by the Acting Chair of the Council approving grant funding to the Green Trust Alliance for the Middlesex County Pin Oak and Deep Run Preserve projects. In accordance with the Trust's April 28, 2004 MOU with the Council, the Executive Director of the Trust shall disburse moneys for projects approved by a resolution of the Council; provided, however, that disbursements exceeding \$250,000 shall require the authorization of the Trust's Board, which shall act on any request for such authorization within ten working days after the Executive Director's receipt of a request for disbursement from staff to the Council. Per Trust bylaws, in the event a decision by the Board is required and a special meeting cannot be held due to time constraints or lack of a quorum, the Executive Director may poll the members of the Board to determine their preference on an issue. In such a circumstance, the Executive Director shall supply to each Board member, in writing, a draft resolution and information sufficient for Board consideration. With the concurrence of the Board, the Executive Director may take action in accordance with the resolution.

On September 9, 2016, Mr. Cartica polled the Trust's Board to determine their preference on the disbursement.

Michael Catania	Yes	Larry Torok	Yes
James Hall	Yes	Tom Gilmore	Yes
Theresa Lettman	Yes	Matt Spayth	Abstain
Emile DeVito	Yes	Judeth Yeany	Abstain

After six Board members, with at least one of them of them being an official of state government, responded affirmatively to approve the resolution, Mr. Cartica made the requested disbursement. Having been presented to the Board with no objection, this resolution was affirmed.

On February 1, 2017, Mr. Cartica polled the Trust's Board to determine their preference on the disbursement.

Michael Catania	Yes	Larry Torok	Yes
James Hall	Yes	Tom Gilmore	Yes
Lynn Fleming	Yes	Emile DeVito	Yes
Matt Spayth	Yes		

After seven Board members, with at least one of them of them being an official of state government, responded affirmatively to approve the resolution, Mr. Cartica made the requested disbursement. Having been presented to the Board with no objection, this resolution was affirmed.

On February 27, 2017, Mr. Cartica polled the Trust's Board to determine their preference on the disbursement.

Michael Catania	Yes	Larry Torok	Yes
James Hall	Yes	Tom Gilmore	Yes
Lynn Fleming	Yes	Emile DeVito	Yes

After six Board members, with at least one of them being an official of state government, responded affirmatively to approve the resolution, Mr. Cartica made the requested disbursement. Having been presented to the Board with no objection, this resolution was affirmed.

The Board was presented with and considered the **Draft 2016 Annual Report**. Ms. Wild noted that a guest article may be added to the 2016 Annual Report by David Snyder, State Botanist, about the Bennett Bogs Preserve. It was requested that the Board provide any comments or 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, including the addition of the noted article. Ms. Fleming seconded the motion, and the 2016 Annual Report was unanimously approved by a vote of 8 to 0.

The remaining **2017 Board meeting dates** are June 9th, September 15th and December 1st.

Ms. Fleming motioned for the meeting to be adjourned. Ms. Yeany seconded the motion, and the meeting was adjourned at 2:05 PM by a unanimous vote of 8 to 0.

Respectfully submitted,



Theresa Lettman
Secretary/Treasurer