

**RESOLUTION OF THE NEW JERSEY FRESHWATER WETLANDS MITIGATION COUNCIL MEMORIALIZING THE COUNCIL'S DECISION TO FUND IN THE AMOUNT OF \$669,877.93 THE PROJECT KNOWN AS BUCKELEW BOGS-SHEKIRO POND WETLAND ENHANCEMENT AREA, LOCATED IN MONROE AND HELMETTA BOROUGHS, MIDDLESEX COUNTY**

WHEREAS, the Freshwater Wetlands Mitigation Council ("Council") is responsible for the governance of the Wetland Mitigation Fund pursuant to N.J.S.A. 13:9B-14; and

WHEREAS, the Council is responsible for the management and disbursement of dollars from the Wetland Mitigation Fund pursuant to N.J.S.A. 13:9B-15, and the Council may use these funds to finance mitigation sites for freshwater wetland enhancement/restoration or other mitigation efforts, research to enhance the practice of mitigation, or enhancement or restoration of freshwater wetlands on public land; and

WHEREAS, the Council is the Program Administrator for the State's In Lieu Fee (ILF) Program; and

WHEREAS, the ILF Program produces the necessary compensatory mitigation credits to compensate for unavoidable impacts to waters of the United States, including wetlands, that result from activities authorized under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 to -30, Freshwater Wetlands Protection Act Rules (FWPA Rules), N.J.A.C. 7:7A, and the Coastal Zone Management Rules (CZM Rules), N.J.A.C. 7:7; and

WHEREAS, the ILF Program was approved by the USEPA and is documented in the ILF Instrument available at <http://www.nj.gov/dep/opi/wetlands-mitigation-council.html>; and

WHEREAS, on June 3, 2019 the Council announced a Request for Proposals (RFP) for projects that will result in the creation, restoration and/or enhancement of wetlands; and

WHEREAS, the RFP required all proposals submitted to meet the requirements of the FWPA Rules, and to be located within the Raritan Region, which includes Watershed Management Areas 7, 8, 9, and 10; and

WHEREAS, the total anticipated funding for the RFP is \$773,335.00; and

WHEREAS, on August 29, 2019, Council staff received the conceptual mitigation project entitled "Jamesburg Park Conservation Area: Buckelew Bogs & Shekiro Pond-Wetland Enhancement Project" ("Project"); and

WHEREAS, the Project is located on Block 9, Lots 1,3,4,5, and 6 of Helmetta Borough, Middlesex County and Block 83, Lot 12.02 of Monroe Township, Middlesex County; and

WHEREAS, GreenTrust Alliance proposed the Project as one that promotes restoration, water quality and wildlife habitat improvement, open space management, and greenway connection in Middlesex County; and

WHEREAS, the proposed Project will enhance 9.86 acres of wetlands resulting in 3.29 mitigation credits; and

WHEREAS, the initial estimated cost for the proposed Project as submitted in August 2019 was \$682,960.93; and

WHEREAS, Council staff completed a review of the Project and conducted a site inspection of the proposed Project on October 17, 2019; and

WHEREAS, during the December 5, 2019 Wetlands Mitigation Council Meeting, the Project received approval to submit a full proposal to the Council that addresses the staff comments, including clarifying the extent of the proposed project, removing the water budget, and revised the proposed payment to maintain the 10% Council project retainage; and

WHEREAS, on February 7, 2020, GreenTrust Alliance submitted a full proposal that addressed staff comments; and

WHEREAS, the total Project cost has been reduced to \$669,877.93, with an estimated cost per credit amount of \$203,816.82; and

WHEREAS, Council staff reviewed the final proposal and determined the final proposal addressed staff concerns raised in the conceptual review by clarifying the project scope, removing the water budget and proposing a milestone-based budget; and

WHEREAS, Council staff recommends approval of the proposed Project; and

WHEREAS, during the June 18, 2020 Wetlands Mitigation Council meeting, Kirk Mantay of GreenTrust Alliance, presented the full proposal to the Council; and

WHEREAS, during the June 18, 2020 Wetlands Mitigation Council meeting, \_\_\_\_\_ moved to approve the Project proposal in the amount of \$669,877.93; and

WHEREAS, during the June 18, 2020 Wetlands Mitigation Council meeting, \_\_\_\_\_ seconded the motion to approve the Project proposal in the amount of \$669, 877.93; and

WHEREAS, a roll call vote was taken:

Dr. Philip Orton- Yes/No

Ms. Susan Lockwood- Yes/No

Ms. Claudia Rocca- Yes/No

Dr. Lenore Tedesco- Yes/No

Mr. Bryon DuBois- Yes/No

WHEREAS, the motion failed/passed; and

NOW THEREFORE BE IT RESOLVED that pursuant to N.J.A.C. 7:7A-15.21(d)(2), the New Jersey Freshwater Wetland Mitigation Council hereby approves/rejects funding the Project entitled: "Jamesburg Park Conservation Area: Buckelew Bogs & Shekiro Pond-Wetland Enhancement Project", located on Block 9, Lots 1,3,4,5, and 6 of Helmetta Borough, Middlesex County and Block 83, Lot 12.02 of Monroe Township, Middlesex County in the amount of \$669, 877.93 subject to the following conditions:

1. Nothing in this Resolution shall preclude the Department from enforcing any of its responsibilities under Federal or State law.

So resolved as aforesaid

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

\_\_\_\_\_  
Jill Aspinwall  
Staff to Council

\_\_\_\_\_  
Dr. Lenore Tedesco  
Chairperson

\_\_\_\_\_  
Date