

New Jersey Freshwater Wetlands Mitigation Council Meeting

June 3, 2014

9:30 a.m.

Claudia Rocca called the meeting to order, read the Sunshine Law statement and stated that public notice for this meeting was given on May 20, 2014.

Review and approval of the April 1, 2014 Council meeting minutes.

Dr. Robert Tucker motioned to approve the minutes. Mr. Dave Roth seconded the motion. Dr. Robert Tucker, Susan Lockwood, David Roth, Patti Burns, Yang Deng and Claudia Rocca voted in favor of approving the minutes.

Update on the Mitigation Fund.

Ms. Jill Aspinwall stated that the balance in the Mitigation Fund as of April 30 is \$8,894,719.23. Three monetary contributions were received during this reporting period from Buckeye, Calderon and NJDOT. The Council has \$1,350,212.85 in contracted amounts and \$2,290,000.00 in approved conceptual projects. There are final projects before the Council today totaling \$5,948,690.41. If all projects were approved the Council will have a \$693,184.03 deficit.

Union County Project

Ms. Jill Aspinwall stated that she neglected to mention an update in the "update to the fund" portion of the agenda. Ms. Aspinwall stated that she had previously sent a letter to the County of Union asking for a report relating to the 2001 Grant Agreement so that the project could be closed out. Upon request from the County, the Council granted an extension of that time frame for two weeks at the March 2014 meeting. The County ultimately submitted information was incomplete and similar to information that has been previously submitted and rejected. The County submitted costs to be reimbursed that were not allowed under the original grant agreement. Further, the grant agreement expired in 2003. The County failed to respond to numerous requests by the Department over the years to submit its reports. DEP Staff to the Council requested approval to close out the contract for failure to meet the terms of the contract and because the contract expired. The Council agreed. A letter will be sent by staff to the County or Union, advising them that the contract will be closed immediately.

Review and approval of a resolution funding in the amount of \$56,500.00 for Skillman Park Wetlands Enhancement, Block 26001, Lot 1, Montgomery Township, Somerset County.

Dr. Robert Tucker motioned to approve the resolution. Ms. Patricia Burns seconded the motion to approve the resolution. Dr. Robert Tucker, Susan Lockwood, David Roth, Patti Burns, Yang Deng and Claudia Rocca voted in favor of approving funding in the amount of \$56,500.00 for Skillman Park Wetlands Enhancement.

Review and approval of a resolution approving monetary contribution from Dawn Calderon in the amount of \$623.20 to satisfy the mitigation conditions of NJDEP Permit # 1507-06-0127.1; Block 295, Lot 1; Township of Toms River, Ocean County.

Dr. Robert Tucker motioned to approve the resolution. Mr. Dave Roth seconded the motion. Dr. Robert Tucker, Susan Lockwood, David Roth, Patti Burns, Yang Deng and Claudia Rocca voted in favor of approving a monetary contribution in the amount of \$623.20 from Dawn Calderon.

Review and approval of a Resolution approving Council Meeting Guidelines and Procedures.

Ms. Patricia Burns motioned to approve the meeting guidelines and procedures. Ms. Claudia Rocca seconded the motion. Dr. Robert Tucker, Susan Lockwood, David Roth, Patti Burns, Yang Deng and Claudia Rocca voted in favor of approving the meeting guidelines and procedures.

Review and approval of the entitled “Guidelines for Grant proposals”

Ms. Claudia Rocca motioned to approve the resolution. Mr. Dave Roth seconded the motion. Dr. Robert Tucker, Susan Lockwood, David Roth, Patti Burns, Yang Deng and Claudia Rocca voted in favor of approving the document entitled “Guidelines for Grant proposals.”

Request by Amy S. Greene Environmental Consultants, Inc. on behalf of North Jersey RC&D for final approval for funding in the amount of \$2,093,000 for Kittatinny Valley State Park-Kenco Acquisition, Block 29, Lot 28, Independence Township, Warren County.

Ms. Jill Aspinwall summarized the history of the proposed project and stated that staff is recommending approval of the project.

Mr. Rob Piel of Amy S. Greene Environmental Consultants, stated that this property is owned by Division of Park & Forestry and Fish and Wildlife. Ms. Mimi Dunn, NJDEP Division of Fish and Wildlife, was introduced as the land owner. Ms. Grace Messinger, North Jersey RC&D, was introduced as the project manager. North Jersey RC&D is a non-profit organization that works to protect natural resources and to improve an area’s economy, environment and living standards.

Ms. Messinger stated that she is currently managing the Council’s Walnut Brook Project, which is now in the 5th year monitoring. The project has been ongoing since 2007. North Jersey RC&D will be able to bring volunteers to the project to help keep the cost of the project as low as possible.

Craig Metzger of Amy S. Greene stated that had an on–site informal pre-application meeting with DEP. Based on the discussion during that field meeting, the project has been modified and is now proposing more ditch filling and more enhancement particularly on the stream bisecting the site as shown in the revised proposal. Mr. Metzger stated that the project will coordinate with Fish & Wildlife, the State Historic Preservation Office and Land Use Regulation.

Ms. Messinger requested an advance payment of \$126,000 and then installment payments based on project deliverables. Ms. Messinger stated that the project is proposing to complete final design and permitting will be done in the fall of this year and will start construction in spring and planting in fall 2015.

There were discussions between the Council and the applicant on what is required based on State Historic Preservation Offices as well as the Flood Hazard Area Permits. There was a discussion on

the size of the ditches on site and whether the Council was the sole funding source. There were discussions on whether there were any possibilities of engaging local Universities or agencies to conduct additional research on the property.

Dr. Robert Tucker motioned to approve funding in the amount of \$2,093,000 for the project. Dave Roth seconded the motion. Dr. Robert Tucker, Susan Lockwood, David Roth, Patti Burns, Yang Deng and Claudia Rocca voted in favor of approving funding in the amount of \$2,093,000 for the project.

Request by Green Trust Alliance for final approval on funding in the amount of \$3,856,136.66 for wetland enhancement activities on the Deep Run Preserve-Block 8004, Lots 7.1, 7.11, 8, 9 and 10, old Bridge Township; Thompson Park Conservation Area-Block 20, Lots 28.06 and 28.08, Monroe Township; Jamesburg Park Conservation Area, Block18, Lots 5,6, 6.05 and 7 Helmetta Borough; and Pin Oak Forest Conservation Area, Block 1020.01, Lot1.03, Woodbridge Middlesex County.

Ms. Aspinwall stated that this project received conceptual approval during the April 1, 2014 Council meeting. The applicant prioritized the four individual sites prior to coming in with a full proposal. Each of the properties is an individual project with an individual budget. Staff is recommending approval of the project.

Mr. Brian Cramer of GreenTrust Alliance stated that they prioritized the sites in the following order: Pin Oak, Thompson Park, Jamesburg and then Deep Run.

There was a discussion by the Council and the project applicant on the benefits of the individual projects. There was concern over the amount of money spent verses the number of credits that will be generations.

Dr. Robert Tucker motioned to approve full funding for the first three priorities, and not to fund Deep Run Preserve until the Council has the funds to fully cover the cost of the project. Mr. Dave Roth seconded the motion. Dr. Robert Tucker, Susan Lockwood, David Roth, Patti Burns, Yang Deng and Claudia Rocca voted in favor of approving funding for the Pin Oak, Thompson Park, and Jamesburg Project and to approve pending sufficient money in the Council's fund to cover the entire cost of the Deep Run Preserve project.

Public comment;

Mr. Andy Strauss representing the Scientific Glass Project located within Bloomfield Township asked the Council to explain the In Lieu Fee and its relationship with the service area and how the Council established priority sites. The Council and Mr. Strauss had a discussion of how the Council operates now and the direction they are moving towards with the development of the In Lieu Fee Document.

The next meeting date has been tentatively scheduled for August 5, 2010.

ADJOURNMENT: Claudia Rocca motioned to adjourn the meeting. Dave Roth seconded the motion. Dr. Robert Tucker, Susan Lockwood, David Roth, Patti Burns, Yang Deng and Claudia Rocca voted in favor of adjourning the meeting.

