

MAY 11 1990

MEMORANDUM OF UNDERSTANDING

GREAT EGG HARBOR LOCAL RIVER MANAGEMENT PLANS

Participants

Township of Winslow
Township of Monroe
Borough of Folsom
Township of Buena Vista
Township of Hamilton
Town of Hammonton
Township of Weymouth
Township of Egg Harbor
City of Estell Manor
City of Somers Point
City of Corbin City
Township of Upper
New Jersey Pinelands Commission
The State of New Jersey
National Park Service
Great Egg Harbor Watershed Association
Atlantic County
Cape May County
Gloucester County
Camden County

Purpose of This Agreement

Those listed above hereby enter into an agreement to work cooperatively in the completion of the local river management plans agreed upon by resolution or decree in the Great Egg Harbor River Wild and Scenic River Study (P.L. 90-542, as amended). The purpose of this agreement is to coordinate the efforts of each of the above mentioned entities, define the roles and responsibilities of each participant for the expedient completion of a local river management plan in each community, and foster an ongoing, cooperative effort for the protection of the important resource values identified in the Great Egg Harbor River Wild and Scenic River Study.

Background

Wild and Scenic River Study

In early 1985, local residents, landowners and public officials began to focus their interest on the future of the Great Egg Harbor River, a 59 mile river in the heart of the Pinelands of southern New Jersey. The State and Local Rivers Conservation Assistance Program of the National Park Service's Mid-Atlantic Regional Office was invited to conduct workshops throughout the area in late 1985 to help citizens explore possible ways of conserving the river and its tributaries. In response to strong community support, the Atlantic County Board of Freeholders, Atlantic County Board of Parks and Recreation, and the municipalities of Buena Vista, Corbin City, Egg Harbor, Estell Manor City, Hamilton, Weymouth, Somers Point, Winslow, Franklin and Monroe passed resolutions endorsing the idea of a study of the Great Egg Harbor River. Through the National Wild and Scenic Rivers Act, the study would determine the river's eligibility and suitability for possible inclusion into the National Wild and Scenic Rivers System.

On March 4, 1986 New Jersey Congressmen William Hughes, James Florio, James Howard, James Saxton and Christopher Smith co-sponsored legislation in the United States House of Representatives to authorize the entire Great Egg Harbor River as a study river to be considered for inclusion in the National Wild and Scenic Rivers System.

After the legislation passed the House of Representatives, Senators Bill Bradley and Frank Lautenberg introduced a companion bill in the United States Senate on April 10, 1986. The legislation passed the Senate as part of an omnibus rivers bill and was signed into law by President Ronald Reagan on October 30, 1986.

A study process for the Great Egg Harbor River was developed by the National Park Service's Mid-Atlantic Regional Office to fulfill three major objectives:

1. Determine the eligibility of the Great Egg Harbor River and its tributaries for inclusion in the National Wild and Scenic Rivers System;
2. Determine the suitability of the Great Egg Harbor River and its eligible tributaries for inclusion in the National Wild and Scenic Rivers System;
3. Develop a river conservation strategy for the Great Egg Harbor River and its tributaries.

These three objectives have been accomplished through the following steps:

Forming a study task force;
Assessing river resources to determine eligibility;
Analyzing river issues and existing programs;
Surveying landowners' attitudes about the river;
Developing goals and objectives for the river;
Holding local discussions concerning recommendations;
Preparing river conservation alternative actions;
Soliciting local decisions about recommendations; and
Preparing a study report evaluating suitability for inclusion into the System.

During the past two years, the Mid-Atlantic Regional Office of the National Park Service has carried out this process by working closely with a study Task Force made up of representatives of municipalities, state and federal agencies, river interests, and local residents.

Over 129 miles of the Great Egg Harbor River and its tributaries were found eligible for inclusion into the National Wild and Scenic Rivers System. The communities of Winslow, Monroe, Folsom, Buena Vista, Hamilton, Weymouth, Egg Harbor, Estell Manor, Corbin City and Somers Point, known collectively here as the 'Local Municipalities', all transmitted resolutions and/or letters to the Regional Director of the National Park Service recommending designation of the river into the National Wild and Scenic Rivers System. These local municipalities also expressed a commitment to complete local river management plans. The results of the above study process have been made available to the public, as well as being summarized, in the Draft Study Report for the Great Egg Harbor River Wild and Scenic River Study, which was submitted to Washington, D.C. in November of 1989.

Action Plan

The element with which this agreement is concerned is the completion of a local river management plan for each local municipality, as recommended by the river communities in the Wild and Scenic River Study. Having completed the elements mentioned in the above study process as part of a conservation strategy for the Great Egg Harbor River, communities expressed interest in delineating river conservation districts within

the parameters of existing zoning ordinances. In addition, communities expressed an interest in examining the existing and future uses that would be compatible with the protection of the river-related resources of national significance within the river conservation districts. This will be done by the local municipalities with assistance from the Pinelands Commission, New Jersey Department of Environmental Protection, National Park Service (as authorized under Section 11(a) of the Wild and Scenic Rivers Act), the affected counties, and coordinated by the Great Egg Harbor Watershed Association. The goals, objectives and selected actions established by the Task Force in the Great Egg Harbor River Wild and Scenic River Study will act as guidelines in the development of the local river management plans. Parties to this Agreement concur with a target date of **December 31, 1990** for the completion of the local river management plans. Agreement to this date is seen as sufficiently demonstrating the intent of fulfilling the goals developed in the Wild and Scenic River Study to Congress. The local river management plans will be incorporated into a Final Conservation Plan for the Great Egg Harbor River and its tributaries, which will be submitted to Congress.

The **local river management plans** will serve the following purposes:

Provide a framework for river resource conflict avoidance/mitigation activities.

Provide a focus for state efforts to effect federal/state/local consistency for river-related programs and planning.

Identify resource planning priorities for:

1. State/regional/local river management planning.
2. Federal/state/local technical assistance.
3. Fiscal investment and allocation.
4. Facility development and private/local/state land acquisition.

Provide a framework for federal/state/local environmental impact review.

Provide a focus for private river conservation efforts.

Identify for local municipalities significant river areas where modification and adjustment of shoreland zoning might be appropriate.

Provide input to and coordinate the application and consistency of existing state programs and regulations.

Planning Committee

A Planning Committee (hereafter, Committee), comprised of representatives of the agreement signatories, will be formed for the purposes of delineating river conservation districts and developing the content of the local river management plan for each local municipality. This Committee will meet on a monthly basis, more or less as needed, to fulfill the objectives of this Action Plan.

Roles and Responsibilities

Local Municipalities

The Local Municipalities will each appoint a member, or members, of their planning board, environmental commission, and/or historic commission to the Committee to represent the interests of each community. Each representative need only participate as the local river management plan for his or her municipality is developed. The member may be a former Task Force municipal representative from the Wild and Scenic River Study or a newly selected representative. This member will provide zoning maps, local ordinances, information, etc., as needed for the purposes of delineating a river conservation district and identifying

existing and future compatible, conditional and incompatible uses, for the local municipality he or she represents. Local representatives will also be responsible for the reporting and presentation of the proposed river conservation district and local river management plan to their respective local committee/planning board for approval, as well as periodically informing these same local officials of the status and progress of the local river management plans. The Local Municipalities will be responsible for the final drafting of the local river management plan for their community, including maps of the river conservation district, ordinances, recommendations, guidelines, etc., as an element of their master plan, or as a separate document. This document will be incorporated, by the Committee, into the Final Conservation Plan for the Great Egg Harbor River and its tributaries.

New Jersey Pinelands Commission

The New Jersey Pinelands Commission (hereafter, Commission) will provide a staff person, or persons, to participate as members of the Committee. The Commission will provide local zoning information, expertise and advise on the delineation of river conservation districts and the substance of the local river management plans as they relate to the minimum standards of the Pinelands Comprehensive Management Plan and to the goals of the Committee.

State of New Jersey

The State of New Jersey will provide a staff person from the New Jersey Department of Environmental Protection, Department of Agriculture, and State Planning Commission to participate as members of the Committee. These staff people will advise on matters related to the jurisdiction and provisions of CAFRA for those river segments in the Coastal Zone; matters related to the State Planning Commission's cross-acceptance process; and matters related to wetlands, floodplains, State Forests, Wildlife Management Areas, Green Acres and Open Lands Management Program.

National Park Service

The National Park Service Mid-Atlantic Regional Office (hereafter, NPS) will provide staff to facilitate and participate as member(s) of the Committee. NPS will be responsible for making available to other members of the Committee information derived from the Wild and Scenic Rivers Study relevant to the delineation of river conservation districts and the content of the local river management plans. This information will include 1:24,000 United States Geological Survey base maps, floodplain information and maps, maps of soils associated with wetlands, threatened and endangered species habitat delineations, Natural Heritage Data, cultural resources maps and information, local zoning review and maps, public lands information, and other existing data. NPS will also be responsible for incorporating the local river management plans into the Final Conservation Plan for the Great Egg Harbor River and its tributaries. NPS will have at least 200 copies of the Plan printed and distributed after review and approval by the Committee. The Final Conservation Plan will be submitted to Congress.

Atlantic County

The Atlantic County Department of Regional Planning and Development will provide a staff person, as needed, to participate as a member of the Committee. This staff person will provide advice and expertise as it relates to matters concerning farmland preservation, sewer service areas, park siting and transportation projects. The County will also provide expertise and advice related to the park lands of Atlantic County and the role these parks play in the delineation of river conservation districts and local river management plans.

Gloucester County

Gloucester County will provide a staff person, as needed, to participate as a member of the Committee. This staff person will provide planning advice and expertise as it relates to matters concerning farmland

preservation, sewer service areas, park siting and transportation projects. The County will also provide expertise and advice related to the park lands of Gloucester County and the role these parks play in the delineation of river conservation districts and local river management plans.

Cape May County

Cape May County will provide a staff person, as needed, to participate as a member of the Committee. This staff person will provide planning advice and expertise as it relates to matters concerning farmland preservation, sewer service areas, park siting and transportation projects.

Camden County

Camden County will provide a staff person, as needed, to participate as a member of the Committee. This staff person will provide planning advice and expertise as it relates to matters concerning farmland preservation, sewer service areas, park siting and transportation projects. The County will also provide expertise and advice related to the park lands of Camden County and the role these parks play in the delineation of river conservation districts and local river management plans.

Great Egg Harbor Watershed Association

The Great Egg Harbor Watershed Association (hereafter, GEHWA) will appoint representatives to facilitate and participate as a member of the Committee. GEHWA will be responsible for the coordination of the monthly meetings and contacts with other members of the Committee to develop the local river management plans for each municipality. GEHWA will advise on matters concerning resources, public awareness activities and other related areas. If needed, GEHWA will also represent the Committee at local committee meetings and planning boards.

Term and Termination

This agreement becomes effective on the date of signing of the last signature below and will continue in effect for five (5) years after this date.

Standard Clauses


By statute and understanding of the United States Government, agreements entered into by the government shall contain certain clauses. These are:

- A. Nothing herein contained shall be construed as binding NPS to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this Agreement for the fiscal year, or to involve NPS in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.
- B. During the performance of this agreement, the Cooperators agree to abide by the terms of Executive Order 11246 on nondiscrimination and will not discriminate against any person because of race, color, religion, sex, or national origin. The Cooperators will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.
- C. No member of or delegate to Congress, or resident Commissioner shall be admitted to any share of this agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its benefit.

By signing this Memorandum of Understanding, officials agree to implement and fulfill the tasks outlined above. This is not a legally binding contract. The intent of this document is to promote and enhance a cooperative effort on the part of participants to develop local river management plans and protect the natural, cultural, scenic and recreational resources of the Great Egg Harbor River and its tributaries.

Key Officials:

Township of Winslow

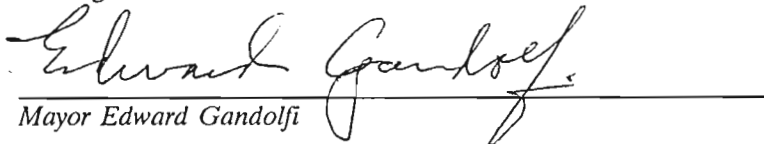


Mayor Norman Tomasello

Township of Monroe

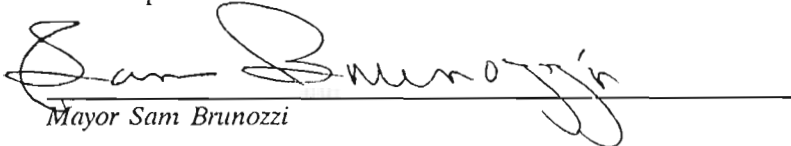
Mayor Carmen DiNovi

Borough of Folsom



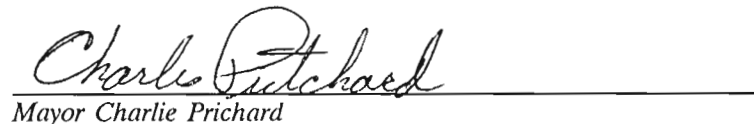
Mayor Edward Gandolfi

Township of Buena Vista



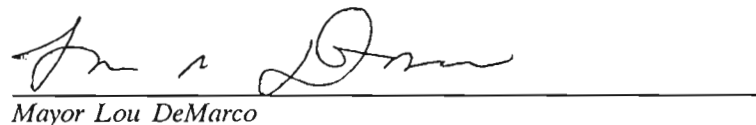
Mayor Sam Brunozzi

Township of Hamilton



Mayor Charlie Prichard

Town of Hammonton

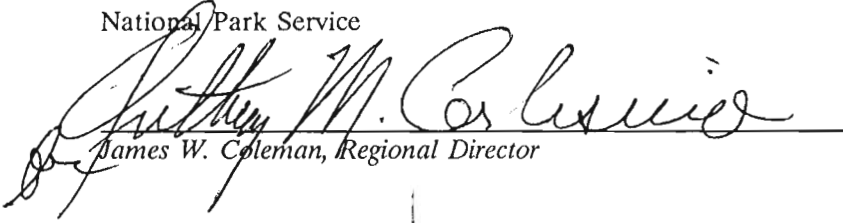


Mayor Lou DeMarco

The State of New Jersey

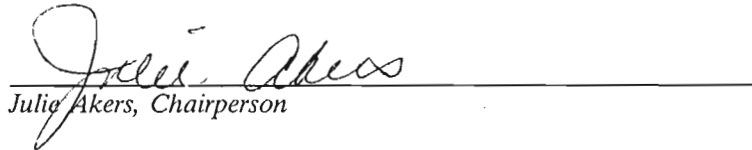
Governor James Florio

National Park Service



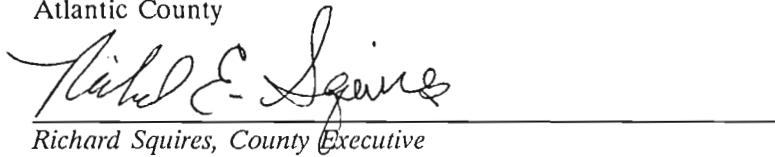
James W. Coleman, Regional Director

Great Egg Harbor Watershed Association



Julia Akers, Chairperson

Atlantic County



Richard Squires, County Executive

Cape May County

Herbert Frederick, Director of Chosen Freeholders

Gloucester County



John Maier, Director of Chosen Freeholders

Camden County

Robert E. Andrews, Director of Chosen Freeholders