

**MINUTES OF THE
NATURAL LANDS TRUST MEETING
June 29, 2012
12:00 PM**

Office of Natural Lands Management, Trenton, New Jersey

Chairman Catania called the meeting to order at 12:14 PM and roll was taken. A quorum of trustees was present. At least one of the trustees was a state governmental representative. Mr. Catania introduced and welcomed new Trustee Rich Boornazian, Assistant Commissioner for Natural and Historic Resources, as the DEP Commissioner's 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.

In attendance were:

Michael Catania, Chairperson
James Hall, Vice Chairperson
Theresa Lettman, Trustee/Secretary-
Treasurer
Steve Eisenhauer, Trustee
Thomas Gilmore, Trustee
Emile DeVito, Trustee

Rich Boornazian, for the Commissioner of
DEP, Trustee
Ed Mulvan, alternate for Rich Boornazian
Judeth Yeany, Trustee
Maurice Griffin, DAG, Trust Counsel
Robert J. Cartica, Executive Director
Martin Rapp, Trust Staff
Cari Wild, Trust Staff

Absent were:

Larry Torok, DEP Trustee
Adrienne Kreipke for the State Treasurer, Trustee
State House Commission representative (not appointed)

Guests

Paul T. Fader, Esq.
John Balletto, Arcadis
Mike Gentoso, US Concrete Regional Vice President
Rick Young, US Concrete

General Public Comment: None

Financial Report: Mr. Cartica outlined the Financial Statements for the quarter ending March 31, 2012. Mr. Mulvan motioned to approve the Financial Statements for the First Quarter of 2012, Mr. Gilmore seconded the motion, and by a vote of 8 to 0, the Financial Statements were approved.

The **March 23, 2012 minutes** were reviewed. Mr. Hall motioned to approve the minutes. Ms. Yeany seconded the motion, and by a vote of 8 to 0, the minutes were approved.

New Business:

US Concrete Conceptual Proposal for Land Conveyance, Hagedorn Preserve, Lebanon Township, Hunterdon County

US Concrete made a presentation outlining its conceptual proposal for a land exchange of 30.5 acres of the Trust's Hagedorn Preserve (Trust Exchange Land) for 152.7 acres in Hardyston Township, Sussex County adjacent to the US Fish and Wildlife Service's Wallkill River Refuge and a US Concrete sand and gravel quarry known as the Hamburg Quarry (Hamburg Exchange Site). US Concrete has not yet submitted an application under the Trust's *Guidelines for Conveyance of Land* (Guidelines) but it indicated its plans to submit one in the near future.

In support of its proposal, US Concrete noted that its quarry in Lebanon Township is a potential public hazard due to existing high benches created by previous owner Pinnacle. In addition, the previous owner mined within the 25 foot setback to the current property line, encroaching into the area that is now the Trust's Hagedorn Preserve.

In order to create less hazardous slopes, US Concrete proposes that it be permitted to quarry an approximate 30-acre portion of the Trust's Hagedorn Preserve. In exchange for this conveyance and under the Guidelines, US Concrete proposes to:

- Transfer 152.7 of undisturbed acres in Hamburg Quarry (Hamburg Exchange Site) located in Hardyston Township to the Trust.
- On the Trust's Hagedorn Preserve, restore degraded intermittent stream corridor having several vernal pools, control invasive species, and plant and seed native species.
- Establish an endowment through payment to the Trust of \$0.10 per ton of aggregate removed from the property (estimated to total approximately \$50,000 to \$60,000 annually or a present value of \$1 to \$1.5 million over the projected 20-25 year excavation period).

In the event the conveyance is approved under the Guidelines, US Concrete proposes to initiate restoration activities as it excavates in the Quarry resulting in:

- Restoration of a natural slope by excavating into Trust Exchange Land.
- Restoration of habitat within the entire quarry concurrent with excavation (current requirements do not require habitat restoration at the conclusion of mining).
- Conveyance of the Quarry (59.5 acres) and Trust Exchange Land (30.5 acres) to the Trust after restoration is completed.

US Concrete proposed to provide financial assurances such as a performance bond to ensure that the proposed activities are completed.

US Concrete outlined its alternatives analysis indicating that a no-build alternative or alternate location would result in public safety issues, increased truck traffic, increased air emissions and other detrimental environmental impacts. After Board members raised a number of policy and practical questions, Mr. Catania indicated that this thought-provoking proposal raises a number of complex policy concerns that should be considered by a committee which would provide recommendations to the Board once an application is submitted. Mr. Catania, Mr. DeVito, Mr. Gilmore and Mr. Eisenhower were appointed to this committee.

The Board considered the **2011 Annual Report**. Ms. Wild reported that no comments were received on the report approved by the Board on March 23, 2012, and the report was finalized and posted on the Trust's website.

The Board considered the **Hamilton-Chletcos/GA and Hamilton-WSC Associates/GA Land Management Assignment Offers in Hamilton and Egg Harbor Townships, Atlantic County**. Ms. Yeany recused herself from the matter. Mr. DeVito motioned to accept the Management Assignment Offers. Mr. Hall seconded the motion, and the offer was accepted by a vote of 7 to 0 with Ms. Yeany abstaining.

The Board considered the **Reinhardt-Miller/GA Land Management Assignment Offer in Montague Township, Sussex County**. Ms. Yeany recused herself from the matter. Mr. Hall motioned to accept the Land Management Assignment Offer subject to all structures being removed prior to acquisition. Mr. Gilmore seconded the motion, and the offer was accepted by a vote of 7 to 0 with Ms. Yeany abstaining.

Unfinished Business:

Mr. Catania provided the Board with a report on the status of activities at **Petty's Island Preserve in Pennsauken Township, Camden County**. In May, the Trust submitted a preliminary proposal to the William Penn Foundation for funding toward a feasibility study and design of the cultural and education center, as well as wayside exhibits and other interpretive applications. William Penn Foundation has asked the Trust to submit a formal proposal.

The remaining 2012 meeting dates are September 21 and December 7, 2012.

Mr. Hall motioned for the meeting to be adjourned. Mr. Gilmore seconded the motion, and by a vote of 8 to 0 the meeting was adjourned at 1:45 PM.

Respectfully submitted,



Theresa Lettman
Secretary/Treasurer