

1 THE MORRIS COUNTY PARK COMMISSION

2 Thursday, August 9, 2012 3:00 P.M.

3 Berkshire Valley Golf Course

4 28 Cozy Lake Road, Jefferson Township, New Jersey

5 TRANSCRIPT OF THE PROCEEDINGS

6
7
8 B E F O R E: JOHN R. SETTE, Commission President

9 BETTY CASS-SCHMIDT, Vice-President

10 JULIE C. BARON, Commissioner

11 STUART LASSER, Commissioner

12 JUDITH SCHLEICHER, Commissioner

13 BARBARA SHEPARD, Commissioner

14 DAVID D. HELMER, Executive Director

15 WILLIAM HUGABOOM, Deputy Executive Director

16 JOHN SUMINSKI, Park Counsel

17 A P P E A R A N C E S:

18 DAVID RICHTER, ESQ.,

19 On behalf of Public Service Electric and Gas Company

20
21 J.H. BUEHRER & ASSOCIATES
22 2295 Big Enough Way
23 Toms River, New Jersey 08755
24 (732) 446-4755
25

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1 MR. SETTE: Would the Executive Director
 2 read the meeting notice, please?
 3 MR. HELMER: Pursuant to N.J.S.A. 10:4-6,
 4 et seq, adequate notice of the meeting being held at
 5 3:00 P.M.on Thursday, August 9, 2012 as has been
 6 published in the Daily Record and the Star Ledger
 7 and posted said notice in the Administration
 8 Building of the Morris County Park Commission and at
 9 the County Courthouse and by filing a copy of the
 10 same with the Morris County Clerk.
 11 Commissioner Baron?
 12 COMMISSIONER BARON: Present.
 13 MR. HELMER: Vice-President Cass-Schmidt?
 14 VICE-PRESIDENT CASS-SCHMIDT: Here.
 15 MR. HELMER: Commissioner Lasser?
 16 COMMISSIONER LASSER: Here.
 17 MR. HELMER: Commissioner Santiago won't be
 18 with us today, neither will Commissioner Seabury
 19 Commissioner Schleicher?
 20 COMMISSIONER SCHLEICHER: Here.
 21 MR. HELMER: Commissioner Shepard?
 22 COMMISSIONER SHEPARD: Here.
 23 MR. HELMER: Commissioner Wronski won't be
 24 with us today.
 25 And President Sette?

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1 PRESIDENT SETTE: Here.
 2 Okay, Dave, do you want to read the notice
 3 of the public meeting?
 4 MR. HELMER: Pursuant to N.J.S.A. 10:44-6
 5 et seq., and the provisions of N.J.S.A.7:36-26.11
 6 the Morris County Park Commission notified the
 7 public in legal notices published in the Daily
 8 Record and The Star-Ledger and posted on the Park
 9 Commission website that a public hearing on the
 10 proposed Major Diversion of Parkland at Mahlon
 11 Dickerson Reservation in Jefferson Township, County
 12 of Morris, New Jersey, is being convened at 3:00
 13 P.M. prevailing time on Thursday, August 9, 2012,
 14 in the Clubhouse at Berkshire Valley Golf Course, 28
 15 Cozy Lane Road, Township of Jefferson, County of
 16 Morris, New Jersey.
 17 Notice of the public hearing was also
 18 provided by posting public hearing signs at Mahlon
 19 Dickerson Reservation as pursuant to N.J.A.C.
 20 7:36-26.11, reviewed at the Park Commission's public
 21 meeting on Monday, July 23, 2012, written
 22 notification to the New Jersey Green Acres Program,
 23 Jefferson Township governing body, Jefferson
 24 Township Planning Board, Jefferson Township
 25 Environmental Committee, Jefferson Township Open

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1 Space Advisory Committee, Morris County Board of
 2 Chosen Freeholders, Morris County Planning Board,
 3 Morris County Open Space Committee and the New
 4 Jersey Highlands Council.
 5 I will review the purpose of this hearing
 6 briefly.
 7 The purpose of the public hearing is for
 8 the public to provide and/or submit comments on the
 9 proposed major diversions of parkland as required by
 10 the New Jersey Department of Environmental
 11 Protection-Green Acres Program Rules N.J.A.C.7:36.
 12 The Park Commission is accepting
 13 comments on the proposed diversion and it also
 14 should be noted that the Park Commission previously
 15 held two public Scoping Hearings regarding this
 16 proposed major diversion of parkland on July 27,
 17 2009 and April 26, 2010.
 18 The Park Commission approved Resolution
 19 93-10 on May 24, 2010 supporting the filing of a
 20 New Jersey Green Acres Program pre-application for
 21 a major diversion of parkland. The Park Commission
 22 favored moving forward on the proposed diversion
 23 application process primarily due to the following
 24 reasons.
 25 The proposed diversions are aerial

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1 diversions on existing PSE&G transmission line
 2 right-of-way easements.This approach eliminates the
 3 potential for the disturbance of any previously
 4 undisturbed land. The aerial diversion on Block
 5 320/Lot 9 is within a few hundred feet of Weldon
 6 Road, which was once a railroad right-of-way and
 7 will have an existing tower removed from that Lot.
 8 The aerial diversion on Block 335/Lot 4 is in the
 9 immediate vicinity of a previously heavily
 10 disturbed mining area.
 11 PSE&G's proposed alternate route C could
 12 have potentially affected Park Commission stewarded
 13 property in the Townships of Randolph,
 14 Parsippany-Troy Hills, Mount Olive, Chester and
 15 Roxbury. Proposed alternate route B would have
 16 affected county park land in Jefferson Township as
 17 well.
 18 It was also recommended by a number of
 19 individuals at the two previous scoping hearings
 20 that the Park Commission should not move forward
 21 with submitting a diversion application until the
 22 Board of Public Utilities made its decision on the
 23 powerline project. BPU has provided PSE&G with its
 24 approval for the project and that's why the Park
 25 Commission is proceeding with the diversion process.

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1 It should be noted that the Park Commission
 2 previously held a public hearing on July 26, 2010 to
 3 allow for additional comments as per the New Jersey
 4 Green Acres rules and regulations.
 5 If there is anyone here wishing to speak,
 6 please sign in on the yellow hearing form. Before
 7 speaking, please state your name and address
 8 clearly.
 9 All comments should be relevant to the
 10 proposed major diversion. You have five minutes to
 11 present your comments.
 12 If you have any documents that you wish to
 13 be submitted, please submit them to me and they will
 14 be placed as part of the record.
 15 The public also has the ability to submit
 16 written comments to the Park Commission through
 17 Monday, September 10th, 2012, and those can be
 18 either by E-mail to the Park Commission's attention
 19 or faxed.
 20 I will note that the Park Commission
 21 extended the public comment period an additional
 22 seventeen days from the mandatory two week
 23 time-frame, we tried to give additional time-frame
 24 in the summertime period.
 25 I will also review a little bit more of

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1 this diversion.
 2 The Major Diversion Application is for a
 3 portion of an overhead electric transmission line as
 4 a part of the Roseland to Susquehanna Overhead
 5 Electric Transmission Project. PSE&G is proposing
 6 the new line to comply with the directive from PJM
 7 Interconnection in order to ensure continued
 8 compliance with the regional electric transmission
 9 reliability.
 10 No structures will be placed on park land.
 11 Both lots will be affected by aerial diversions for
 12 the proposed new transmission lines that will be in
 13 the air space above the property within the
 14 existing right-of-way, the original land owners'
 15 crafted language in the Deed documents for the
 16 properties to account for any future changes to the
 17 voltage and number and types of lines to be placed
 18 in the right-of-way,
 19 Two properties are being affected, Block
 20 320/Lot 9 in Jefferson Township, lot size 5.53
 21 acres, within the southwest boundary of Mahlon
 22 Dickerson Reservation located between Weldon Road
 23 and State Highway 15, closer to the Weldon Road side
 24 of the property. This was formerly the Ogden Mine
 25 Branch of the Central Railroad Company, Public

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1 Service Electric and Gas Company right-of-way which
 2 was acquired on July 26, 1929.
 3 The second lot for the potential diversion
 4 is Block 335/Lot 4 in Jefferson Township, the lot
 5 size is eleven acres, it's also in the southeast
 6 boundary of Mahlon Dickerson Reservation in the
 7 area of the former Weldon & Lower Weldon Mines,
 8 Consumers Coal and Ice Company, Public Service
 9 Electric and Gas Company right-of-way was acquired
 10 April 1, 1930.
 11 Both lots are part of lands bequeathed by
 12 the Estate of Richard Fay Saffin to the Morris
 13 County Park Commission on May 12, 1983. A total of
 14 673 acres was donated to expand the Mahlon Dickerson
 15 Reservation to its current acreage of 3,346 acres.
 16 The total acreage affected by diversion on
 17 Block 320/Lot 9 to be affected by the transmission
 18 line improvement project is .209 acres for an
 19 additional aerial easement. This lot currently has
 20 a transmission structure which will be removed as
 21 part of the powerline enhancement project.
 22 The total area of Block 335/Lot 4 to be
 23 affected by the transmission improvement project is
 24 1.163 acres for an additional aerial space and not
 25 encumbering any surface or subsurface lines.

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1 At this time I would like to request that
 2 the representative of PSE&G provide a review. OF
 3 the following areas:
 4 Compelling public need that the project
 5 would fulfill;
 6 The public benefits that the project would
 7 yield;
 8 Review past and ongoing efforts to
 9 identify alternates to the proposed diversion;
 10 Why alternates were rejected;
 11 Process to identify compensation for
 12 diversion.
 13 MR. RICHTER: Good afternoon. My name is
 14 David Richter, I am an attorney with PSEG Services
 15 Corporation, I am representing the Applicant, Public
 16 Service Electric and Gas Company.
 17 The project is called the
 18 Susquehanna-Roseland Project. It's an upgrade of an
 19 existing 230 kV line to a combined 230 500 kV line.
 20 The project has been mandated by PJM
 21 Interconnection LLP. PJM is the regional
 22 transmission operator for the transmission grid in
 23 thirteen states including New Jersey.
 24 After a lengthy hearing at the Board of
 25 Public Utilities, as was indicated previously, the

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1 Board issued its approval on April 21, 2010, and the
 2 Board indicated that the project was reasonably
 3 necessary for the service, convenience and welfare
 4 of the public.
 5 This line will provide a compelling
 6 public benefit by continuing to provide safe,
 7 reliable and effective power to the region including
 8 the Northern New Jersey region.
 9 Additionally, it will insure compliance
 10 with regional transmission reliability standards
 11 which are required by the regional entity to insure
 12 that the transition grid throughout the Northeast is
 13 reliable.
 14 The new line, again, as was indicated
 15 previously, is placed in the same location as the
 16 existing PSE&G right-of-way to minimize
 17 disturbance and no additional land will be required
 18 to build the project within the right-of-way.
 19 PSE&G did look at four alternatives to the
 20 construction of the project within the existing
 21 right-of-way. Alternative 1 was a no build
 22 alternative. This alternative was rejected because
 23 the project, again, was mandated PJM, the regional
 24 transition operator and would not allow PSE&G to
 25 meet the North American Reliability Council's

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1 reliability standards.
 2 Also, by not building the project it would
 3 not allow the utility to meet its requirements to
 4 provide safe, adequate and reliable service to the
 5 residents of New Jersey.
 6 Alternative 2 was to place the facilities
 7 underground. Currently there is no 500 kV line
 8 within the transition grid existing underground.
 9 That technology has not been advanced in the United
 10 States. As this is a reliability project it was
 11 PSE&G's position that placing a 500 kV line
 12 underground when there is no proven evidence that it
 13 is a reliable technique is something that it could
 14 not do at this time; therefore, placing it
 15 underground was rejected.
 16 Included in the reasons for rejecting an
 17 underground line is the significant amount of
 18 environmental disturbance that would take place
 19 should the line be placed underground.
 20 The third alternative was to create a new
 21 right-of-way in a separate location. That would
 22 require clearing vegetation along this entirely new
 23 right-of-way, meaning greater land disturbance and
 24 more property that PSE&G that needs to acquire.
 25 Additionally, the new route would likely

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1 have other Green Acres or Morris County Park
 2 property issues.
 3 Alternative 4 was to try to place, route
 4 the line around the Morris County park property
 5 area. Although this would have decreased the impact
 6 to the park area, many of the surrounding areas
 7 around the park are Green Acres property and would
 8 have required diversion from the Green Acres Open
 9 Preservation process.
 10 Additionally, again, rerouting the line
 11 outside of the existing right-of-way that's been
 12 there since 1930 would increase the environmental
 13 impact associated with the project.
 14 Those are the four alternatives.
 15 As you mentioned previously, those four
 16 alternatives were rejected and PSE&G has determined
 17 that the best alternative is to build the line
 18 within the existing right-of-way and allow PSE&G to
 19 provide reliable electric service for the Northeast.
 20 Thank you very much.
 21 PRESIDENT SETTE: Okay. I need a motion to
 22 open up this public hearing to the public.
 23 MS. SHEPARD: So moved.
 24 MS. CASS-SCHMIDT: Seconded.
 25 CHAIRMAN SETTE: Seconded by Betty.

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1 Voice vote: All in favor?
 2 VICE-PRESIDENT CASS-SCHMIDT: Aye.
 3 COMMISSIONER BARON: Aye.
 4 COMMISSIONER LASSER: Aye.
 5 COMMISSIONER SCHLEICHER: Aye
 6 COMMISSIONER SHEPARD: Aye.
 7 PRESIDENT SETTE: Okay.
 8 Erica, would you like to go first?
 9 MS. VAN AUKEN: My name is Erica Van Auken
 10 and I am the Campaign and Grassroots Coordinator for
 11 the New Jersey Highlands Commission).
 12 I am here to urge you to deny this land
 13 diversion today. We feel that a decision at this
 14 time would be premature for a number of important
 15 reasons.
 16 First, PSE&G does not have the appropriate
 17 permits in place from the Department of
 18 Environmental Protection. In fact, just last week
 19 the DEP issued another Deficiency Letter for PSE&G's
 20 Freshwater Wetlands Individual Permit, citing the
 21 need for additional information,
 22 The DEP is still requesting crucial
 23 information regarding the applicant's Final
 24 Construction Plans, Mitigation Proposal, and final
 25 approval from the National Park Service. The DEP

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1 will not approve the permits until the Park Service
 2 makes a decision. So why does the Morris County
 3 Park Commission feel the need to make a decision
 4 before these two agencies do so?
 5 Secondly, this project is going to have
 6 serious and negative effects on many critical
 7 resources in the Highlands. Protection of the
 8 functions and values provided by upland forests and
 9 wetlands in combating flooding, providing habitat to
 10 threatened and endangered species and allowing for
 11 groundwater recharge provides a greater public
 12 benefit than the Susquehanna-Roseland project.
 13 We strongly believe that this project is
 14 not necessary to maintain grid reliability and only
 15 stands to damage invaluable public resources to aid
 16 PSE&G's bottom line. After all, they receive \$1.14
 17 on every dollar spent on this project, including for
 18 mitigation.
 19 Please do not trade our public resources
 20 for a project that will not have any public benefit.
 21 Third are the changes that we are seeing
 22 at the national level. PJM Interconnection has just
 23 recently announced its recommendations to
 24 discontinue two of its Mid-Atlantic transmission
 25 line projects, citing their own analysis which no

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1 longer shows a need for the lines in order to
 2 maintain grid reliability.
 3 We have been making the same argument
 4 against the Susquehanna-Roseland line and we are
 5 still confident that this line is not necessary for
 6 grid reliability.
 7 Again, we ask that at the very least that
 8 you withhold on making this decision today in the
 9 event that PJM deems this project unnecessary.
 10 Thank you.
 11 PRESIDENT SETTE: Thank you.
 12 Wilma Frey.
 13 MS. FREY: My name is Wilma Frey, Senior
 14 Projects Manager for New Jersey Conservation
 15 Foundation.
 16 We are pleased to be able to speak to you
 17 this afternoon.
 18 We urge you you to do everything in your
 19 power to minimize the impact that this proposed
 20 expansion could have on the public trust lands that
 21 the Morris County Park Commission holds for the
 22 public and the significant resources they contain;
 23 forests, wetlands, wildlife, threatened and
 24 endangered species of animals and plants, historic,
 25 scenic and recreational resources.

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1 We urge you to make decisions that are in
 2 the public interest and at this time we urge you not
 3 to pursue the diversion for two basic reasons, and I
 4 know this sounds a little strange because there was
 5 another hearing a couple of years ago on this issue;
 6 however, many things remain unresolved about this.
 7 First, PSE&G has not received its DEP
 8 permits for this project at this time and instead
 9 has received another Deficiency Letter just this
 10 past July as well as it received one in May 2010,
 11 both documenting many items and issues that still
 12 need to be clarified and resolved before the permits
 13 will be granted.
 14 I have attached the most recent Deficiency
 15 Letter to this statement so that you will have it.
 16 Second--so there is not going to be a
 17 permit until PSE&G resolves some of those issues.
 18 Second, it appears that many concerns
 19 remain regarding the potential impacts on Morris
 20 County parklands. Some of these impacts are issues
 21 that are noted in the DEP Deficiency Letter but
 22 some are not.
 23 Let me expand a little bit on the
 24 Deficiency Letter and why it hasn't received its DEP
 25 permits yet.

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1 The DEP decided that they needed
 2 additional information in order to continue to
 3 review the application and request that the
 4 deficiencies be addressed. A number of the items
 5 that the DEP addressed are specific to Morris
 6 County Parks. They have to do with questions
 7 related to access roads and the minimization of
 8 impact to areas within the Kohler Tract, Valhalla
 9 Glen, Split Rock Reservoir, Pyramid Mountain and
 10 Turkey Mountain.
 11 The DEP has requested that PSE&G submit
 12 documentation and plans addressing all practicable
 13 alternative locations for access and to identify how
 14 impacts would be minimized or avoided.
 15 To our knowledge, the applicant has not
 16 addressed these issues.
 17 There are other more general deficiencies
 18 that are in this letter that also impact Morris
 19 County Parks. They include a lack of a mitigation
 20 proposal and also the final construction plans.
 21 The DEP says that no permitted
 22 activities may begin until the Department has
 23 approved a mitigation proposal.
 24 There are areas where the applicant has
 25 not determined if they will be using a helicopter

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1 for installation or accessing the site by ground,
 2 and this can be an extremely critical issue that
 3 will impact how much impact there will be to the
 4 ground level resources.
 5 Some of these areas where they have stated
 6 their potential helicopter access on their maps are
 7 within Morris County Parks.
 8 The applicant also proposes construction
 9 of a ten acre helicopter pad to be used to access
 10 multiple sites--this was in a conversation with the
 11 DEP-- but the location of this pad has not been made
 12 known to the DEP at this time.
 13 Public comments and concerns regarding
 14 erosion and protection of natural resources on the
 15 steep slope area, the spread of invasive species
 16 and ways to reduce this problem, and resources due
 17 to right-of-way maintenance have not been addressed.
 18 In addition, the DEP states that avian
 19 protection has not been adequately addressed and
 20 explored.
 21 That was an issue that NJCF was very
 22 concerned about, the impact of these many new wires
 23 at a much higher elevation on migratory birds which
 24 are on the highlands ridges in Morris County.
 25 Finally, there are outstanding

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1 deficiencies identified in the DEP's May 2010
 2 Deficiency Letter regarding threatened and
 3 endangered species concerns that have not yet been
 4 addressed.
 5 To our knowledge, none of these
 6 deficiencies has been remedied thus far and all of
 7 them are likely to impact Morris County Parks.
 8 Secondly, the New Jersey Conservation
 9 Foundation has recently completed a review of the
 10 most recent PSE&G application maps for the
 11 Susquehanna-Roseland line. We have supplied those
 12 comments to PSE&G and we are in conversation with
 13 that entity about them and we have noted many
 14 concerns applying to Morris County parkland by
 15 scrutinizing those maps. There is a series of
 16 thirty-seven maps, two feet by three feet, two
 17 hundred feet to an inch scale, that Dr. Emil DeVito
 18 and I reviewed very closely to try to determine what
 19 was going on.
 20 The number 1 issue: Damaging construction
 21 access roads are proposed to cross both public and
 22 private preserved land. A number of these proposed
 23 access roads appear to us to unnecessarily traverse
 24 public lands. They will severely impact the values
 25 for which these lands are held in trust, including

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1 forest resources, wildlife, rare, threatened and
 2 endangered species of animals and plants, water
 3 quality and quantity, recreation and scenic values.
 4 We strongly urge that alternative means be
 5 utilized to access and perform tower removal and
 6 construction in these cases. We have identified
 7 alternative routes from alternative access points
 8 and recommend that all, except very short access
 9 routes, be fully confined within the PSE&G
 10 right-of-way. In a substantial number of cases, we
 11 strongly urge helicopter access instead of
 12 ground-level access.
 13 PSE&G has said potential helicopter
 14 access, and there is a little "H" indicating it next
 15 to some of the towers, not all but some, and some of
 16 them, if this was confirmed to be helicopter access,
 17 we would strongly support that.
 18 In other cases there is no "H" next to
 19 the tower and we think there really should be.
 20 These are generally locations that are up very steep
 21 slopes, they may be at the end of excessively long
 22 access routes that impact the surrounding
 23 environment or there are some other difficult
 24 situations where it would be much better to come in,
 25 to swoop down, instead of ploughing through the

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1 woods for many hundreds or thousands of feet.
 2 Number 2: The site plans, and this is
 3 extremely relevant to the Morris County Parklands,
 4 the site plans continue to indicate the use of park
 5 footpaths as construction access routes, and we
 6 strongly urge that these be removed from the
 7 application.
 8 We note that there were some trails that
 9 were removed since about two years ago, one was
 10 across the Rockaway River Wildlife Area, a four mile
 11 long access trail that was supposed to be made into
 12 a heavy-duty access road, that is gone, but the
 13 Winona Trail/Highlands Trail across the Mahlon-
 14 Dickerson Reservation is still shown on the map as a
 15 construction access route.
 16 We think that that is not supportable.
 17 We have identified and recommend a more
 18 appropriate alternate access, which is simply to use
 19 about a half a mile north of the entrance of the
 20 Mahlon-Dickerson Winona trail where JCP&L has an
 21 easement access to their power lines.
 22 PSE&G could use their access road to go
 23 onto the JCP&L right-of-way for a short distance and
 24 reach its own right-of-way without impacting flood
 25 lines, and we think this makes all kinds of sense.

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1 The other trail that we are very concerned
 2 about is the trail that is shown on Sheet 29 that
 3 runs the entire length of the Valhalla Glen Natural
 4 Heritage Priority Site within the Pyramid Mountain
 5 Park, and it is not clear from the map what use is
 6 proposed for the trail. However, it is highlighted
 7 on the map, which makes one suspect that some kind
 8 of construction use is proposed for it. I am sure
 9 there are many trails on that map that are not
 10 highlighted, so we are very concerned about that and
 11 we strongly believe that absolutely no construction
 12 route access should be permitted through the
 13 Valhalla Glen Natural Heritage Priority Site.
 14 Point number 3 regarding helicopter
 15 access: As we stated earlier, there is no clarity
 16 regarding the use of helicopter access and to what
 17 extent ground access is also required if you have
 18 helicopter access, so we recommend in a number of
 19 cases where we think helicopters could be used, and
 20 a number of those are within Morris County Parks.
 21 And below this is a more general
 22 statement, I have listed the different sheet
 23 numbers, I will not read those but those detail the
 24 specific tower numbers, the road numbers and so
 25 forth so that you can put this together with the map

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1 and draw your own conclusions.
 2 Number 4: In many cases the site plans
 3 show that the proposed access roads would cross
 4 wetlands situated in the right-of-way and so they
 5 are diverted off the right-of-way but into adjacent
 6 forested areas where they impact valuable upland
 7 forest resources.
 8 In our opinion, this is not a proper thing
 9 to do. PSE&G has the right-of-way, it has been
 10 impacted by maintenance, and any future impact
 11 should be confined to that right-of-way. We should
 12 not let them go into upland forests so that
 13 adjacent, whether it is into private land or public
 14 land, but it is even worse if it goes into public
 15 parklands and destroys the upland forest resources,
 16 and I suspect that there may be mitigation
 17 requirement issues off the wetlands, I think that's
 18 the price to pay, they need to stay in the
 19 right-of-way.
 20 So those are my basic points, and so given
 21 that there is still time to consider these impacts I
 22 would urge the Commission to please not vote "yes"
 23 on the diversion application at this point, but to
 24 take a really close look at what could be good for
 25 our County parks; there is always time to say "yes"

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1 later
 2 Thank you
 3 PRESIDENT SETTE: Thank you.
 4 Seeing no one else from the public, is
 5 there a motion to close the public hearing?
 6 COMMISSIONER SHEPARD: So moved.
 7 COMMISSIONER CASS-SCHMIDT: Seconded.
 8 PRESIDENT SETTE: All in favor?
 9 COMMISSIONER CASS-SCHMIDT: Aye.
 10 COMMISSIONER SHEPARD: Aye.
 11 COMMISSIONER BARON: Aye.
 12 COMMISSIONER LASSER: Aye.
 13 COMMISSIONER SCHLEICHER: Aye.
 14 MR. HELMER: I just want to reiterate that
 15 at today's meeting there will be no action taken by
 16 the Park Commission, this is the public hearing
 17 component, and at the Park Commission's September
 18 Commission meeting the Commission will act on and
 19 provide answers to the questions that were provided
 20 not only by today's speakers but also by any written
 21 comments supplied between now and the end of the
 22 public comment period.
 23 For the record, I would like to review the
 24 next step to be taken. In the next step to be taken
 25 as part of the diversion process and pursuant to

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1 N.J.A.C. 7:36-26.11 the Park Commission will be
 2 supplying a transcript of the public hearing to the
 3 New Jersey Green Acres Program along with any
 4 exhibits supplied to the Park Commission.
 5 The written comments on the proposed
 6 diversion will be received during the public
 7 comment period ending on Monday, September 10, 2010.
 8 As I noted before, this is actually a
 9 seventeen day extension over the required two week
 10 response period.
 11 A summary of the public comments made at
 12 the public hearing and comments provided in writing
 13 during the public comment period and the Park
 14 Commission's response to public comments will be
 15 provided to the New Jersey Green Acres Program,
 16 Bureau of Legal Services and Stewardship.
 17 At the Park Commission's Monday, September
 18 24, 2012 public meeting, responses to public
 19 comments will be provided and a Resolution will be
 20 voted on whether or not to reaffirm the May 24, 2010
 21 Park Commission Resolution in support of the
 22 submission of a State House Commission application
 23 to the New Jersey DEP Green Acres Program for a
 24 Major Diversion.
 25 A letter from the Park Commission's

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1 attorney must also be provided noting that he has
 2 reviewed the final application to be submitted and
 3 that in his opinion the Park Commission can proceed
 4 with the application.
 5 If deemed sufficient, the New Jersey
 6 Green Acres Program will authorize the Park
 7 Commission to submit a final application.
 8 The NJDEP Commissioner shall approve or
 9 disapprove of the final application.
 10 And thereafter a State House Commission
 11 hearing is scheduled for the final determination of
 12 the diversion which will be made by the State House
 13 Commission.
 14 I want to thank the public for providing
 15 their comments today and I should also thank the New
 16 Jersey Conservation Foundation and the Highlands
 17 Coalition, and I should also note that their written
 18 comments supplied to the Park Commission at previous
 19 public hearings will also be part of the minutes of
 20 this meeting session.
 21 PRESIDENT SETTE: I would like to have a
 22 motion to adjourn.
 23 COMMISSIONER SHEPARD: So moved.
 24 COMMISSIONER CASS-SCHMIDT: Seconded.
 25 PRESIDENT SETTE; All in favor?

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1 COMMISSIONER CASS-SCHMIDT: Aye.
 2 COMMISSIONER SHEPARD: Aye.
 3 COMMISSIONER BARON: Aye.
 4 COMMISSIONER LASSER: Aye.
 5 COMMISSIONER SCHLEICHER: Aye.
 6 (Adjourned.)
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C E R T I F I C A T E

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 2
 3 I, William Sokol, Certified Shorthand
 4 Reporter of the State of New Jersey, License No.
 5 30X100030700, and Notary Public of the State of New
 6 Jersey, do hereby certify that the foregoing is a
 7 verbatim record of the testimony provided under oath
 8 before any Court, Referee, Commission or other body
 9 created by statute of the State of New Jersey.
 10 I am not related to any parties involved in
 11 this action; I have no financial interest nor am I
 12 related to an agent of or employed by anyone with a
 13 financial interest in the outcome in which this
 14 transcript was taken; and furthermore, that I am not
 15 a relative or employee of any attorney or counsel
 16 employed by the parties hereto or financially
 17 interested in the action.
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 WILLIAM SOKOL
 Certified Shorthand Reporter
 and Notary Public

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