

**MINUTES OF THE
NATURAL LANDS TRUST MEETING
September 21, 2012
12:00 PM**

Office of Natural Lands Management, Trenton, New Jersey

Chairman Catania called the meeting to order at 12:01 PM and roll was taken. A quorum of trustees was present. At least one of the trustees was a state governmental 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	Larry Torok, DEP Trustee
James Hall, Vice Chairperson	Judeth Yeany, DEP Trustee
Theresa Lettman, Trustee/Secretary- Treasurer	Maurice Griffin, DAG, Trust Counsel
Steve Eisenhauer, Trustee	Robert J. Cartica, Executive Director
Emile DeVito, Trustee	Martin Rapp, Trust Staff
	Cari Wild, Trust Staff

Absent were:

Thomas Gilmore, Trustee
Adrienne Kreipke for the State Treasurer, Trustee
Ed Mulvan, alternate for Rich Boornazian
State House Commission representative (not appointed)

Guests

Dale Rosselet, Vice President for Education, New Jersey Audubon Society
Amanda Dey, DEP Endangered and Nongame Species Program
Paul Anzano, Esq., Glen Gardner Borough Attorney
Bill Kibler, Raritan Headwaters Association
Nancy Lawler, Lebanon Township Environmental Commission
Joe Delasey, Glen Gardner
Donald Skorets, Glen Gardner
Richard Henderson, Glen Gardner
Erica Van Auken, NJ Highlands Coalition

General Public Comment: None

Financial Report: Mr. Cartica outlined the Financial Statements for the quarter ending June 30, 2012. Mr. Hall motioned to approve the Financial Statements. Mr. Torok seconded the motion and, by a vote of 7 to 0, the Financial Statements were approved.

The **June 29, 2012 minutes** were reviewed. Ms. Yeany motioned to approve the minutes. Mr. Hall seconded the motion and, by a vote of 7 to 0, the minutes were approved.

Unfinished Business:

Mr. Catania advised that the Committee, consisting of Mr. Catania, Mr. DeVito, Mr. Gilmore and Mr. Eisenhauer, established at the last meeting to review the **US Concrete Conceptual Proposal for Land Conveyance, Hagedorn Preserve, Lebanon Township, Hunterdon County**, met in August to inspect US Concrete's existing quarry in Glen Gardner Borough, the Trust's adjacent Hagedorn Preserve (Lebanon Township and Glen Gardner Borough, Hunterdon County) and the proposed replacement land in Hardyston Township, Sussex County. Mr. Catania explained that the Trust has not received an application from US Concrete, so there is no need for Board action, or for the Committee to make recommendations, at this time. Based on its inspections and review, however, the Committee made the preliminary finding that US Concrete failed to demonstrate that there are no reasonable alternatives to its proposal and, thus, the Committee discouraged US Concrete from submitting an application to the Trust.

Notwithstanding that no application has been submitted to the Trust, it was noted that the Trust had received letters from Lebanon Township and Glen Gardner Borough requesting that the application be denied. The Trust has responded that no application has been received and, if an application is received, that the Trust's stringent *Guidelines for Conveyance of Land* will be followed.

Eight members of the General Public attended the meeting and expressed the following concerns regarding the US Concrete Conceptual Proposal:

Mr. Anzano indicated that he had recently met with representatives of US Concrete and they were non-committal regarding the submission of the application to the Trust. He expressed concern that an extension of the quarry's life will have adverse impacts on water table levels and local wells, and no public water is available in this area.

Mr. Kibler suggested that the Trust website should include additional information about the Trust's public meetings. He specifically requested that any public meeting held by the Trust regarding US Concrete's application, if received, be held during evening hours in either Glen Gardner Borough or Lebanon Township. He also suggested that public access be increased at the Hagedorn Preserve now that the Hagedorn Psychiatric Hospital has been closed.

Ms. Lawler requested a copy of the power point presentation made by US Concrete at the June 29, 2012 meeting if it was included as part of the minutes.

Mr. Delasey indicated that quarry blasting can be felt more than a half-mile away. He expressed concern that the blasting may affect veterans using the new veteran services being provided at Hagedorn. He also expressed concern about the quarry's impacts on bobcat habitat.

Mr. Skorets expressed concerns about the quarry's operations on water quality.

Mr. Hendersen also expressed concerns about the quarry's operations on what he called a "grade A" trout stream. He circulated photos of siltation in the stream.

Mr. Catania thanked everyone for their comments. He noted that the Trust has stringent guidelines associated with the conveyance of land that would guide the process if US Concrete submits an application. He also said that all public comments and concerns would be taken into consideration during such process, but expressed the hope that US Concrete would not submit an application.

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 in the amount of \$75,000 to the William Penn Foundation for funding toward a feasibility study of three alternate locations for, and the design of, the cultural and education center, as well as wayside exhibits and other interpretive applications. William Penn Foundation has responded at the staff level with a grant recommendation in the amount of \$82,500. Since the Board unanimously approved the Petty's Island Conceptual Vision Map in June 2011, and the Trust plans to use a consultant under term contract with the Department of Environmental Protection to conduct the feasibility study, Mr. Catania indicated that no Board action is required to accept William Penn Foundation funding or move forward with a feasibility study.

Mr. Catania updated the Board regarding its contract with the New Jersey Audubon Society (NJAS) for educational programming and stewardship at the Petty's Island Preserve. The contract awarded November 1, 2011 was a one-year contract that could be renewed for four one-year terms. Mr. Catania noted that the Trust and NJAS have had a very successful first year, as will be explained in detail by Ms. Rosselet, and the Trust plans to renew its contract with the NJAS and its subcontractors, Delaware Riverkeeper and Cooper River Watershed Association, for another year. In a power point presentation, Ms. Rosselet provided details regarding NJAS's educational and stewardship activities at Petty's Island over the past year along with their community relations efforts, especially with public and charter schools in Camden County. Through this contract, hundreds of people have enjoyed spending time on this previously inaccessible island over the past year.

New Business:

Ms. Dey presented the **Delaware Bay Migratory Shorebird Project 2013 Budget Request** for the Conserve Wildlife Foundation (CWF) and for the Endangered and Nongame Species Program (ENSP). Ms. Dey advised the Board that the annual amount the Trust provides is critical because it helps develop the scientific support for regulatory actions such as horseshoe crab harvesting restrictions and red knot listing. Ms. Dey discussed 2012 data indicating that the stopover population of red knots on Delaware Bay increased to 25,488, almost double the count of 12,804 in 2011, but is consistent with the counts done over the previous 10 years. The improvement in the number of red knots is most likely a consequence of increased horseshoe crab egg production over the past few years based on the horseshoe crab harvest restrictions. Counts in January 2012 of red knots on their main wintering area in Tierra del Feugo increased slightly to 14,200 (from 9,850 in 2011). As mentioned at the March 2012 Trust meeting, the Atlantic States Marine Fisheries Commission will implement the Adaptive Resource Management (ARM) Model to set harvest quotas for horseshoe crabs. The model relies on data from Delaware Bay and will base harvest quotas on biological measures, not historic or political quotas.

The proposed 2013 shorebird budget is \$98,800; \$20,200 more than budgeted in 2012. This increase is based on the uncertainty of what, if any, federal funds will be available for Delaware Bay Migratory Shorebird Project activities this year. It is hoped that federal funding will become available and the full amount being requested from the Trust will not be needed.

Mr. Hall expressed concern that the Trust's shorebird account is now less than \$400,000 and, at current spending levels, will be depleted in three or four years. A long discussion ensued as to what could be done to replenish the account and the best way to address the greatest threats to Delaware Bay migratory shorebirds with limited funding. Mr. Catania suggested that a committee be formed to explore ideas and to investigate sponsoring a Delaware Bay Migratory Shorebird summit. Mr. DeVito and Mr. Eisenhower volunteered to serve with Mr. Catania on the committee.

Mr. Catania noted that, as with prior budgets, the 2013 shorebird budget should be approved with a rider authorizing a reallocation of expenses between categories subject to a limitation of the total budgeted amount. He also noted the need for authorization of a \$35,000 upfront payment to CWF in order to fund Delaware shorebird work to be done in May and June 2013 with receipts for such work to be provided at a later time. Mr. DeVito motioned to approve the 2013 budget with the reallocation rider and upfront \$35,000 payment. Mr. Hall seconded the motion and, by vote of 7 to 0, the 2013 shorebird budget.

The Board considered the **Belcher Creek-Burton/GA Land Management Assignment Offer in West Milford Township, Passaic County**. Ms. Yeany recused herself from the matter. Mr. Torok motioned to accept the Management Assignment Offer. Mr. Hall seconded the motion, and the offer was accepted by a vote of 6 to 0 with Ms. Yeany abstaining.

The remaining 2012 meeting date is December 7, 2012.

Mr. Hall motioned for the meeting to be adjourned. Mr. DeVito seconded the motion and, by a vote of 7 to 0, the meeting was adjourned at 2:17 PM.

Respectfully submitted,



Theresa Lettman
Secretary/Treasurer