

**STILLWATER TOWNSHIP
ENVIRONMENTAL COMMISSION
May 9, 2011**

MEMBERS PRESENT: Mrs. Fleck, Mr. Szabo, Ms. Ramberg, Mrs. Tracey, Mr. Nystrom, Ms. Fobes-Jacoby

MEMBERS ABSENT: Mr. Branagan, Mr. Klimek

Mr. Szabo called the meeting to order at 7:00 p.m. with the statement that this meeting is in compliance with the Open Public Meetings Act. This was a regularly scheduled meeting of the Stillwater Township Environmental Commission. Regular meetings are held on the second Monday of the month at 7:00 p.m., at the Stillwater Township Municipal Building located in Middleville, New Jersey.

The flag was saluted and roll call taken.

Minutes

Ms. Ramberg made a **motion** to approve the minutes of April 11, 2011, seconded by Mrs. Tracey.

Roll Call Vote: Mrs. Emmetts, abstain, Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Ms. Fobes-Jacoby, yes

Bills

Mrs. Emmetts made a **motion** to approve the following bills, pending availability of funds, seconded by Mrs. Tracey:

Secretary	\$ 180.25
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New Jersey Herald:	\$ 32.35
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New Jersey Herald:	\$ 13.45
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Roll Call Vote: Mrs. Emmetts, yes, Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Ms. Fobes-Jacoby, yes

At this point, this portion of the meeting was opened to the public at 7:05 p.m. and there being no members of the public wishing to speak, this portion of the meeting was closed at 7:05 p.m.

Mr. Nystrom arrived at 7:05 p.m.

Correspondence: ANJEC: To Chair – Publications (2)

- Municipal Environmental Commission in NJ
- Site Plan and Subdivision Review: Environmental Analysis

Old Business

Land Conservancy of New Jersey (LC): The following email report was provided by Mr. Klimek: Sandy Uργο was in Stillwater on May 5, 2011 to meet with representatives from the Wetlands Reserve Program to visit two local farms. Township lots in the area of Mud Pond were also reviewed.

Trail Map: No report. This item will be carried to the next agenda.

Outdoor Woodburning Furnace (OWF) Ordinance Update: Committeeman Morrison was covering the meeting for Committeewoman Straway, and he indicated the Planning Board is still reviewing the ordinance at this time.

Joint EC Meeting: Mr. Szabo reported the next Joint EC Meeting will be held on June 28, 2011 at the Blirstown Municipal Building beginning at 7:30 p.m. Ernie Hofer and Nathaniel Sajdak will be in attendance and will discuss their grant focusing on the Paulinskill River. Mr. Szabo

reported that Mr. Hofer is currently reviewing the EC stream water test results for 2010 and will provide comment on both the results and the standard parameters.

Recycling Signs: The issue with the location of some of the recycling signs has not yet been addressed.

Renewable Energy Update: A Power Point presentation by Sussex County was emailed to all EC members. A hard copy will also be provided.

Resolution Opposing Gas Drilling: Mr. Szabo provided a background on the Resolution which was provided by the Sierra Club and presented to the EC by Lisa Chamblings. At their meeting in April, the EC determined that more information on the gas drilling procedure and the negative aspects would be necessary. Additional information was provided through several sources and was reviewed by the EC. Committeeman Morrison had no objection to the Resolution and would have the Township Attorney review the language at the next Township Committee meeting. Following the reading of the document, Mrs. Emmetts made a **motion** to forward the Resolution opposing hydrofracking onto the Township Committee for consideration, seconded by Mrs. Fleck:

Discussion: **Bill Steckowich, 907 Hardwick Road** expressed concern with addressing only the chemical aspect of hydrofracking and not including ultra-high water temperature. Following a brief discussion, reference to super-heated water was included in the Resolution.

STILLWATER TOWNSHIP

Resolution 2011-33

WHEREAS, natural gas development is proposed within the Delaware River Watershed; and
WHEREAS, the Delaware River is designated as a Wild and Scenic River of federally recognized outstanding resources, natural assets, and exceptional water quality; and
WHEREAS, the Delaware River supplies drinking water to over 15 million people, many of them downstream of the Marcellus Shale fairway in the Upper and Middle Delaware River Watershed, including the Township of Stillwater, approximately 3 million people in New Jersey; and the Delaware Water Gap National Recreation Area immediately adjacent to the Township of Stillwater; and
WHEREAS, the Delaware River is the lifeblood of the communities along the River, is essential for commerce, tourism and recreation, and once contaminated will negatively impact those communities and those uses and can be very costly or impossible to remediate and can take a very long time; and
WHEREAS, the Delaware River Basin Commission (DRBC) has designated the non-tidal River - the entire 197 mile River from Hancock, New York to Trenton, New Jersey - as Special Protection Waters due to the exceptional water quality and “exceptionally high scenic, recreational, ecological, and/or water supply values” of the River; and
WHEREAS, these special waters and ecosystems must be maintained as per the DRBC Water Code, so that there be “no measurable change in existing water quality except towards natural conditions”, requiring protection from avoidable water quality degradation; and
WHEREAS, degradation of these waters would be illegal and would impose significant hardships, public health detriment, and economic harm if degraded; and
WHEREAS, the natural gas development process involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and work over operations; and
WHEREAS, hydraulic fracturing of underground geologic formations is often accomplished by injecting a complex mix of fluids and chemicals, including large volumes of water, on average 4.5 million gallons per well, under very high pressure to create fractures in gas bearing geologic formations; and
WHEREAS, billions of gallons of fresh water will be depleted by hydraulic fracturing (the water is not returned to the source and is classified as a consumptive loss) and at least 200,000 acres of land are already leased for gas development, and that tens of thousands of wells are expected to be drilled in the Upper and Middle Delaware River Watershed; and

WHEREAS, many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts; and
WHEREAS, use of these hydraulic fracturing mixes exposes adjacent land and surface waters to the risk of contamination through open pit storage, truck transport on roadways, and activities during well development, including the use of super-heated water; and
WHEREAS, in 2005, as part of the federal Energy Policy Act and over objections of health care, scientific, environmental, and conservation communities, regulation of hydraulic fracturing fluids under the Safe Drinking Water Act by the Environmental Protection Agency was exempted, thereby allowing oil and gas companies to use these substances without federal oversight or standards; and
WHEREAS, the oil and gas industry remains one of the only industries that is allowed to inject such known chemical constituents directly into or adjacent to underground drinking water supplies without federal oversight; and
WHEREAS, the oil and gas industry is not required by federal law to publicly disclose chemical formulas of hydraulic fracturing fluids so that this information is publicly available for health and safety purposes; and
WHEREAS, proposed natural gas wells in the Delaware River Watershed are planning to use chemical additives in drilling and to use hydraulic fracturing in developing these wells and exploratory wells that have been drilled have used chemical additives in drilling; and
WHEREAS, natural gas development will fragment forests in the Upper and Middle Delaware River Watershed, which is 89% forested, and convert naturally vegetated land to impervious cover and industrial conditions, increasing stormwater runoff and pollution, flooding, sedimentation, and erosion to the tributaries and the mainstem River and will emit air pollution during constructing, drilling, extraction, and production of natural gas; and
WHEREAS, the Delaware River Basin Commission is seeking funding to complete a cumulative impact analysis of natural gas development on the water resources of the Delaware River Basin; and
WHEREAS, the US Environmental Protection Agency is studying the practice of hydraulic fracturing and the study will be completed in 2012 and, if it is recommended by the study that hydraulic fracturing should be subject to the Safe Drinking Water Act, that the federal oversight of hydraulic fracturing would not be unduly burdensome on industry or the economy; and

WHEREAS, the Township of Stillwater has declared that water contamination of the Delaware River has the potential to negatively impact the aquifer serving the Township of Stillwater; and
WHEREAS, the wise stewardship of Township of Stillwater's natural resources involves protection of the Township of Stillwater's water supplies and water resources for generations to come; and
WHEREAS, protection of the Township of Stillwater's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to cleaning up contamination and restoring degraded environments after the fact;
NOW, THEREFORE, BE IT RESOLVED, that on the 17th day of May 2011, the Township of Stillwater supports strong regulation by the DRBC to prevent pollution and avoid degradation of the water resources and ecosystems of the Delaware River Watershed; and
BE IT RESOLVED – that the Township of Stillwater supports a New Jersey statewide ban on natural gas development involving hydraulic fracturing; and.
BE IT RESOLVED that the Township of Stillwater calls on our Congressional Representative and U.S. Senators to support the Fracturing Responsibility and Awareness of Chemicals, (“FRAC”) Act and supports the proposal of a resolution in the New Jersey Legislature encouraging enactment of the FRAC Act.

Roll Call Vote: Mrs. Emmetts, yes, Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Mr. Nystrom, yes, Ms. Fobes-Jacoby, yes

Environmental Information Packet:

Mr. Szabo compiled a packet composed of media articles on environmental issues. Mrs. Wunder will make additional copies for the public and to be distributed to the EC at the next meeting.

Veteran's Memorial Park (VMP) Invasive Species: Mr. Klimek provided a report by copy of an email from John Parke of the New Jersey Audubon Society. Mr. Parke indicated there are no

additional grants or funding available and he suggested using the SLAP crew to control the invasives to some extent, at no cost to the township. He will keep VMP in mind if funding should become available.

Mr. Szabo agreed to contact SLAP regarding the project and he will also contact Mr. Klimek to see if it would be possible for Mr. Parke to identify the invasive plants prior to having SLAP begin the work. Mr. Nystrom indicated he is currently attending a course through Rutgers which is covering eight different invasive species and includes the mapping of a trail. He will ask about a contact person for the EC regarding invasive plants and identifying such.

New Business

The Watershed Institute: Announcement of 2011 Watershed Institute Grant Program
Mrs. Wunder will obtain further information on the grant funding and the application.

At this point, this portion of the meeting was opened to the public at 7:50 p.m.

Bill Steckowich, 907 Hardwick Road spoke about purple loosestrife which is a very persistent invasive plant. He suggested sending a letter to Lowe's and Home Depot asking them not to sell it. Mr. Szabo stated he was unaware that it was being sold in New Jersey. Mrs. Emmetts felt the EC did not have the authority to forward a letter and the matter should be referred to the Township Committee. The EC agreed.

Lisa Chammings, 928 Mt. Holly Road informed the EC that the Department of Environmental Protection (DEP) is accepting grant applications for 2011 Trail Funding. The information would be forwarded to Mr. Klimek.

Ms. Chammings stated that Eric Olsen of the Nature Conservancy does a presentation regarding the watershed that feeds into our area. She thought the EC might be interested in having him provide the presentation at an EC meeting.

Ms. Chammings asked about the curriculum for agricultural sciences. Mr. Szabo received information from Mr. Kuperus regarding this matter. Ms. Chammings stated there are several students at Kittatinny Regional High School interested in farming. Ms. Chammings stated that her AP Chemistry class is currently working on water quality testing on several locations in the area of Swartswood Lake. She asked if the EC would consider allowing the group to provide a presentation on the water testing results to the EC. The EC had no objection and welcomed their input. Ms. Chammings stated the presentation would probably be in October. The EC offered their help to Ms. Chammings if there were any questions during the water study process.

There being no further members of the public wishing to speak, this portion of the meeting was closed at 8:04 p.m.

Planning Board (PB) Liaison Report: Mr. Branagan will provide a report at the June 13, 2011 meeting.

Township Liaison Report: Committeeman Morrison was covering the meeting for Committeewoman Straway. Mr. Morrison stated that he would add the hydrofracking resolution to the next Township Committee meeting agenda for consideration. Mrs. Emmetts asked Mr. Morrison to address the purple loosestrife in his TC report to determine if it would be appropriate or not to forward a letter opposing the sale of the invasive, or if an attorney opinion would be necessary. Mr. Morrison agreed to do so.

With no further business to come before the Commission, Mrs. Emmetts made a **motion** to adjourn the meeting at 8:05 p.m., seconded by Ms. Ramberg. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder, Secretary

Ed Szabo, Acting Chairperson

Next Meeting: June 14, 2011