

**STILLWATER TOWNSHIP
ENVIRONMENTAL COMMISSION**

September 9, 2024

Regular Meeting

In-Person/Zoom

MEMBERS PRESENT: Mr. Branagan, Mrs. Emmetts, Dr. Mattes, Mr. Szabo, Mrs. Tracey, Ms. Wills, Mr. Dvorsky, Ms. Coriston

MEMBERS ABSENT: None

Chairperson Coriston called the meeting to order at 7:08 p.m. with the statement that this meeting is in compliance with the Open Public Meetings Act. This was a regular 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 Middletown, New Jersey unless noticed or it is a legal holiday.

The flag was saluted and roll call taken.

Minutes

Ms. Coriston made a **motion** to approve the minutes of August 12, 2024, seconded by Ms. Wills.

Roll Call Vote: Mr. Branagan, abstain, Mrs. Emmetts, abstain, Dr. Mattes, yes, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

Bills

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

Secretary: \$255.00

ANJEC Environmental Congress: M. Coriston - \$100.00

Roll Call Vote: Mr. Branagan, yes, Mrs. Emmetts, yes, Dr. Mattes, yes, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

At this point, this portion of the meeting was opened to the public at 7:09 p.m. There being no members of the public wishing to speak, this portion of the meeting was closed at 7:09 p.m.

Correspondence

-NJDEP Application: Block 4105, Lot 19, 933 South Shore Terrace, addition, driveway, retaining walls, walkway (C. Tracey) – *Mrs. Tracey is waiting for clarification on specific details of the application and will report at the October EC meeting.*

-NJ's Interagency Council on Climate Resilience webinar – September 25th, 11 a.m.-2 p.m.

Old Business

The Paulins Kill Wild & Scenic River (WSR) Partnership Program: (M. Emmetts)

Mrs. Emmetts felt the process has been lengthy and there are items that should be considered. There are ten townships involved in the partnership with each being eligible for a \$75,000 grant totaling \$750,000. She felt this was an enormous amount of money and that the funding could be better spent elsewhere. She has experience working with the NJDEP as a member and past president of the Swartswood Lakes Watershed Association (SWLA) which has received many grants. She spoke of the WSR Council that will be formed consisting of one representative from each of the participating communities. She felt Stillwater would have little say in the management of the river. Her main concern is that the Paulins Kill is a Category One water body already overseen by the NJDEP. The purpose of the project is to protect a river that is already protected as a C1 waterway. The NJDEP has a responsibility to protect the water for recreation purposes, pollution, stormwater, sedimentation and many other reasons. There are existing laws in place governing these things. She asked how much control the EC thought this program will have over the NJDEP in the management of the river.....none. The designation sounds great but are

we are spending \$750,000 to put a label on a body of water that is already wild, scenic and protected. She felt the EC has spent a significant amount of time on this subject over the past several months.

Mrs. Emmetts made a **motion** that the EC advise the Township Committee not to participate in this program, seconded by Mrs. Tracey. Mrs. Emmetts offered to write a letter to the Township Committee outlining her thoughts.

Ms. Coriston stated Mrs. Emmetts has made valid points and the EC has been immersed in this topic. However, the EC was not planning on having an in-depth discussion on this item tonight and Ms. Dunbar is tentatively scheduled to appear before the EC at the November meeting. Ms. Coriston was not sure if she could support the motion at this point without further discussion. Mr. Szabo suggested postponing the motion until everyone is heard and is comfortable with the outcome. Ms. Coriston agreed the issue should not be rushed and noted government representatives working with the program may change after the November election. Mr. Branagan suggested holding an EC discussion at the October meeting. Mrs. Emmetts asked what the township gains from this designation...money spent, bureaucracy, time, but no real asset. Ms. Coriston stated there are some aspects that do not make sense to her such as the study and collective action planning simultaneously, as well as the possible turnover in members over the six years it may take to obtain the designation. She was also not satisfied as to how the WSR Council will function.

Mr. Szabo felt a decision should wait on this matter until Dr. Lippencott presents his report to see if any further insight is provided.

At this point this portion of the meeting was opened to the public at 7:25 p.m., specific to the topic of the Wild and Scenic River Program.

Dr. Lippencott stated he did his research on the program and the Wild and Scenic Rivers Act, which was enacted to prevent dams. He stated there are protections currently in place under the NJDEP regulations. He suggested the EC hear his presentation first as he will touch on regulations such as wetlands permitting. He also suggested the EC may want to put together questions for the WSR group for the November meeting. He noted the concerns expressed by the EC members are valid. He stated if the EC wants to give the matter a proper review, then they should hear his report first as things he will present will be a foundation for that review. He stated there are linkages to wetlands permitting that in his opinion are negative.

There being no further members of the public wishing to speak on this matter, this portion of the meeting was closed at 7:29 p.m.

Mrs. Emmetts withdrew her motion at this time. The EC will discuss how they will proceed following Dr. Lippencott's presentation.

TREX Program Update:

Ms. Coriston reported that 900 pounds of plastic film has been collected to date, with only 100 pounds remaining to meet their goal. The deadline to reach 1,000 pounds is November 1st. Ms. Coriston stated she is grateful to the public for their participation in the program. She clarified that the collection container at the Recycling Center is located between the two sheds. She reported the summer collection was 196 pounds and has been delivered to Weis.

Fishing Line Collection:

All lines are to be cleaned of litter/leaves, hooks and lead sinkers. Lead sinkers are to be provided at the meeting for recycling.

New Business

Site Survey Application:

- Zoning Board (G. Dvorsky) 926 Emmons Lane, Block 3602, Lot 6 - renovation, 2nd story addition, add front/rear porches

Mr. Dvorsky reported he saw no issues with the application or plan.

Ms. Coriston made a **motion** to accept the site survey for Block 3602, Lot 6, seconded by Mrs. Emmetts.

Roll Call Vote: Mr. Branagan, yes, Mrs. Emmetts, yes, Dr. Mattes, yes, Mr. Szabo, yes, Mrs.

Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

Volunteer/Member Recognition:

- Ms. Coriston for her continued work on the TREX program.
- Mrs. Tracey for conducting the site visit for the NJDEP application at Block 4105, Lot 19.
- Mr. Dvorsky for conducting the site visit for the Zoning Board application at Block 3602, Lot 6.
- Dr. Lippencott for the 40 Year Surface Water Quality Report and presentation.
- All EC members who have collected fishing line from the receptacles.

Endangered and Threatened Species:

Sightings: Red-shouldered Hawk; Cooper Hawk, Rattlesnake

At this point, this portion of the meeting was opened to the public at 8:37 p.m.

Dr. Lippencott commended the EC for their work.

There being no further members of the public wishing to speak, this portion of the meeting was closed at 8:37 p.m.

Planning Board (PB) Liaison Report: Ms. Wills

The August meeting has been cancelled.

Township Committee (TC) Liaison Report: Mayor Chamblings

-October 7, 2024, at 7 p.m.: The Environmental Commission will attend the Recreation Commission meeting to hear a presentation by Jessica Caldwell, P.P. on the Open Space and Recreation Plan (OSRP) update. Mayor Chamblings asked that the EC members come prepared with their objectives and goals. She will email the OSRP and the Environmental Resources Inventory to Mrs. Wunder to be forwarded to the EC for their review. The OSRP has not been updated since 2006 and things have changed over the years such as the addition of farmland preserved properties, Veterans Memorial Park and Volunteer Field. Ms. Caldwell provided the presentation to the Township Committee at their meeting on September 3rd. Grant funding goals for the following were discussed:

- Handicap accessibility at the Community Center.
- Walking trails – upgrade the trail at Veteran’s Memorial Park (VMP).
- Electric at VMP

Updating the plan will allow for more grant funding opportunities.

Presentation: Dr. Robert Lippencott – 40 Year Surface Water Quality Report (1984-2024)

Dr. Lippencott provided a Power Point presentation including the following topics:

Surface Water Monitoring Program (SWMP):

There are 8-10 sample locations throughout the township that are tested roughly every other year for approximately 40 years. The sites include the Paulins Kill and its tributaries. Nearly 200 samples have been collected, testing 15 laboratory analysis parameters resulting in nearly 2000 results/data. Dr. Lippencott reviewed the general parameters used to evaluate the stream health.

Demographics and land use/cover:

Surface water quality is directly tied to the land. Stillwater Township is 27 square miles with 4,000 people equating to 150 people per square mile. Sussex County and Stillwater are two of the least populated regions in the State. Dr. Lippencott reviewed a land use map from the NJ GeoWeb Database, depicting developed and undeveloped land, agriculture, wetlands, water, forests and open space.

NJ Surface Water Quality Standards (SWQS):

Surface water belongs to the State of New Jersey and the Surface Water Quality Standards are the New Jersey regulations.

Surface Water Policies

The protector of water quality is the State of New Jersey. He asked the EC to review the policies carefully, with a key one being classification of water bodies.

Classification of Surface Water Bodies Statewide:

Category One (C1), Trout Maintenance (TM) and Trout Production (TP) provide a high level of water quality protection and preservation.

Dr. Lippencott discussed Surface Water Quality Criteria (SWQC) and the Water Quality Data Summary (test results) including SWQC/SL 1 criteria, Site Data Summary and Frequency. He reviewed test results, parameters, criteria, time-series trend analysis of Fecal Coliforms, and Summary 95UCLs calculated from SWMP Data (1984-2024). The 95UCL represents 95 percent upper confidence limit. It is the worst case, highest average you would expect while not exceeding the numbers. He stated he has not seen a data set such as the stream water sampling, taken over so many years, consistently collected at the same locations for the same parameters. He felt it exceeded the State data set available on their website. He highlighted a few instances where Fecal Coliforms was elevated at the Paulins Kill dam and at the bridge on Main Street, Sites #3 and #7. The highest level for Fecal Coliforms was at the farm located at Site #10. Lead was not detected.

Mr. Dvorsky noted the report indicates Stillwater has a valuable commodity that is technically owned by the State. If anyone wanted access to it such as a water company would Stillwater have any input. Dr. Lippencott was not sure but guessed that they would not, although there would be public comment periods for any application.

Evaluation and Discussion of Parameters:

Data Summary

Dr. Lippencott briefly reviewed evaluation and discussion of parameters, putting those standards that are related together.

He discussed Surface Water Quality Criteria and screening levels. He noted Surface Water Quality Standard regulations have implications and people can be fined as controls are put into place. Because of the nature of the data and certain issues with it, you cannot apply them strictly for compliance but can use them as a guide.

Focused Evaluation

He spoke about additional statistical analysis for selected parameters if warranted – Example: E.coli and Fecal Coliform. In 2012, the standard for Fecal Coliform was replaced by E.coli. The EC tested both at the same time and Dr. Lippencott was able to produce a chart showing a very tight correlation between the two resulting in a very good screening level.

Data quality:

Overall, the data are of good quality for this report and it is a great data set for statistical analysis. There are some qualifiers and limitations with comparison to Surface Water Quality Criteria. Dr. Lippencott noted he had a challenge with a number of the parameters to relate them and compare them and verify that he could do so. An example is ammonia nitrogen which has a low surface water quality. There is a formula in the regulation that is based on temperature and ph. The temperature was read at the laboratory and not in the field so it cannot be trusted. The ph was read at the laboratory sometimes five days after it was sampled. It is required to be read in the field within 15 minutes. The data has some limitations but is a robust data set usable for screening level review; long-term trends; 95 UCL benchmarks; future data evaluation and planning.

Conclusions:

The Paulins Kill and most tributaries are C1, Top Maintenance (TM) or Trout Production (TP). There are very few water bodies in Stillwater that do not fall into one of these categories. As such, they are protected by SWQS antidegradation policies. TM designation is for the support of trout throughout the year and TP designation is for use by trout for spawning. Generally, good water quality is facilitated by low population density, no major industry, and limited known contaminated sites.

SWMP data provides a large data set that supports robust statistical analysis and exhibits good overall water quality for most parameters (except E. coli and Fecal coliforms at limited stations). Data is generally consistent with the NJDEP Water Quality Data Exchange.

Preliminary Recommendations:

Review of SWMP objectives

-The EC should review the objectives to determine what you can do with them and what you want to accomplish.

-Updated sampling and analysis methods are included in the report for review.

-Collaborate with related nongovernmental organizations and adjacent communities – there is an amazing amount of information on the internet from both other organizations, adjacent communities and lake associations.

Mrs. Emmetts stated the SWLA has had several studies done, including for septic hotspots. She noted the lake has a hypolimnetic aeration system for thermal stratification. Dr. Lippencott stated it is beneficial to collaborate with other groups to acquire data in order to come to a decision.

At this point, Dr. Lippencott acknowledged Mr. Szabo and Mr. Branagan for taking the samples over the years; Kathy Wunder and Julie Leatham for their assistance with copying; Mia Hwang, a graduate from Drew University who assisted with the report, and the TRC Corporation for their resources. He also introduced Cha Yang, a member of his staff that attended the presentation tonight.

The presentation was followed by a question-and-answer period as follows:

Mr. Dvorsky asked if the Wild and Scenic Rivers representatives would be interested in the water quality information. Dr. Lippencott was not sure noting they do not seem to have water quality data. He researched the Musconetcong and reports that he was referred to and could not find any water quality data.

Mrs. Emmetts asked if he spoke with Nathan Sajdak who is involved with COLA (Coalition of Lakes Association). Dr. Lippencott had not. The EC and SWLA have provided their water quality data to Mr. Sajdak so he could add it to his records. Mr. Sajdak has also reviewed the water testing results for the EC for many years.

Dr. Lippencott stated he and Mia entered all the Excel spreadsheet testing results from over the years and the information into a database for analysis. The report further discusses data documentation storage and curation. He added that anything that is to be usable has to be electronically available and made into a database if it is worth it. He asked the EC how much of the old data is worth it. The data consistently indicates the water quality is good so how often do you have to do the testing. The EC has to make that determination.

Mr. Szabo referred to the wastewater treatment plants in the area and the issues with SCMUA. He asked if there was anything the EC should be aware of and how it may affect us. Dr. Lippencott stated he had formerly worked sampling sewage treatment outfalls and evaluating the impact downstream from them. There is no sewage treatment plant in Stillwater but there is in the area. Mayor Chamings indicated it is discharged near the Twin Bridges and feeds down to Paulins Kill Lake, quite a distance through wetlands and filtration. Dr. Lippencott stated it can be a concern especially since it is a Category One waterway. The State owns the water and issues the discharge permit. There is a County Wastewater Management Plan although the information is not always clear. He asked the EC to focus on what their objectives are and what is most important to them.

Mrs. Emmetts asked about the issues with ph and ammonia. Mayor Chamings stated the ph could be addressed by using a meter. Dr. Lippencott stated ammonia would be a laboratory analysis. Temperature, ph and dissolved oxygen have to be read at the time of sampling.

Dr. Lippencott felt it would be beneficial to have data from the different seasons as the current data is normally from the month of October. He suggested sampling quarterly over eight quarters to fill in the data gaps. Once the initial eight quarter testing is completed then the testing could resume every two to five years as a baseline has been established. The most sensitive times of the year would also be identified. Again, it will be determined by the EC objectives.

Mr. Branagan asked if the parameters tested are all necessary. Dr. Lippencott stated nitrite might be a parameter that does not need continued testing. Mr. Branagan stated when sampling first began, it was done every spring and fall. Later, due to financial constraints, the town cut back to once per year and

eventually once every other year, which is how it is currently done. Mr. Branagan stated the water sampling originated to test the water quality of tributaries entering the Paulins Kill. Dr. Lippencott stated the data seems to be very consistent over the years.

Ms. Coriston and the EC thanked Dr. Lippencott for undertaking such a project, his effort, outstanding report and presentation. She asked the EC to review the report and establish their objectives.

**At this point, this portion of the meeting was opened to the public at 9:01 p.m.
There being no members of the public wishing to speak, this portion of the meeting was closed to the public.**

A thank you letter will be sent to Dr. Lippencott, Mia Hwang and Mrs. Lippencott.

Mrs. Emmetts asked to revisit the Wild and Scenic Rivers designation at the October meeting.

With no further business to come before the Commission, Ms. Coriston made a **motion** to adjourn the meeting at 9:07 p.m., seconded by Mrs. Emmetts. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder, Secretary